



**London  
South Bank  
University**

EST 1892

# Student Complaints Procedure

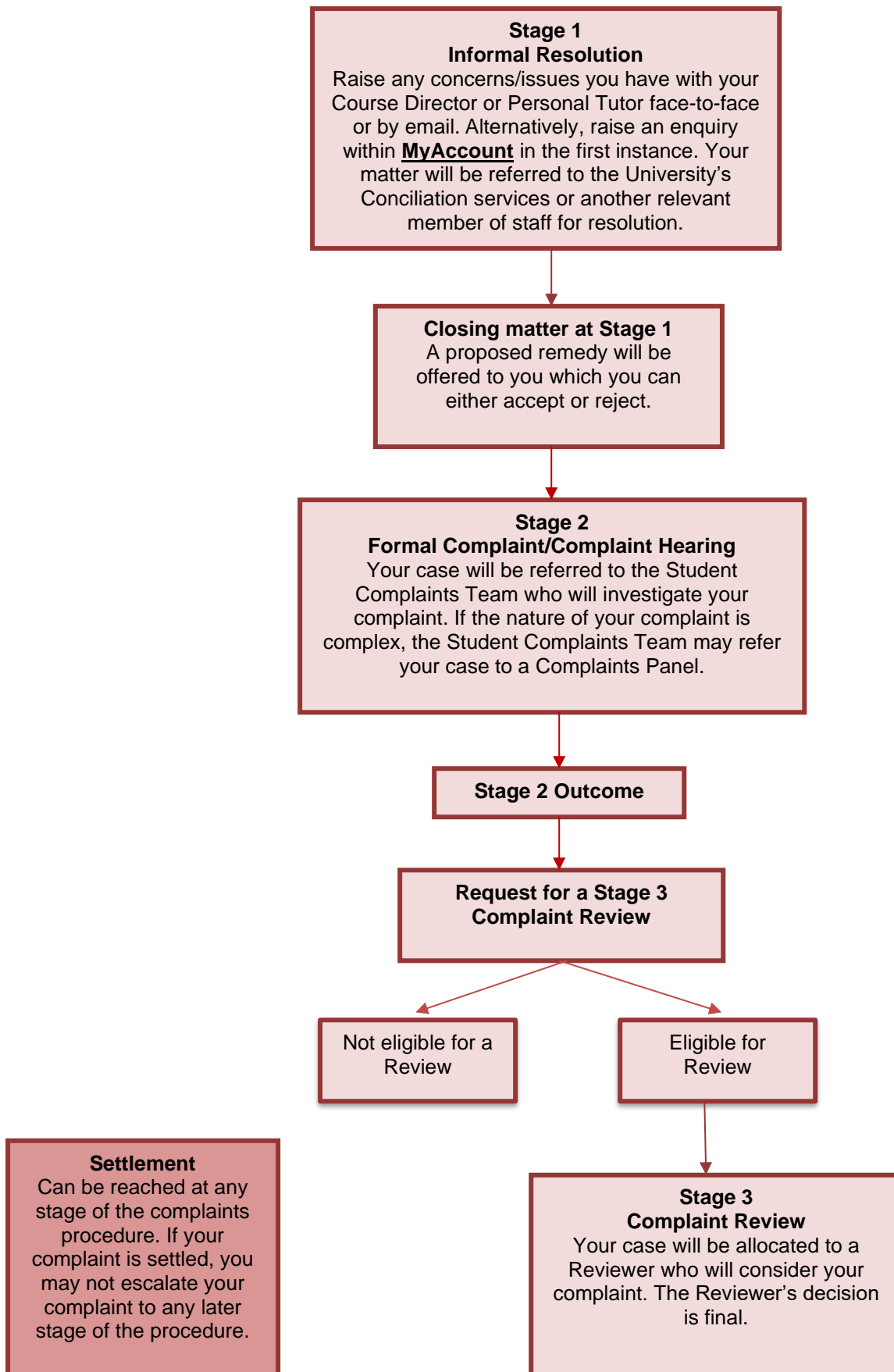
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**This Procedure is available in accessible formats on request from the Student Case Officer. Please contact: [student.complaints@lsbu.ac.uk](mailto:student.complaints@lsbu.ac.uk)**

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# Student Complaints Procedure Flowchart



# Student Complaints Procedure

## 1. Introduction – What is a complaint?

- 1.1. A complaint is an expression of dissatisfaction by one or more students about the University's action, inaction or standards of service which have been provided by or on behalf of the University, on or off the campus, which the student(s) have not been able to resolve through informal processes.
- 1.2. We will not normally deal with the following as complaints under this procedure:
  - a) a complaint about an admissions decision, which should be pursued under the Applicant Complaints and Appeals of Admission Decision Procedure;
  - b) a concern about a decision made by an academic body regarding student progression, academic assessment and awards, which should be pursued under the Academic Student Appeals Procedure;
  - c) dissatisfaction about the outcome of an academic misconduct process, which should be pursued under the Student Academic Misconduct Procedure;
  - d) a concern about bullying or harassment by a student, which would fall within the Student Disciplinary Procedure;
  - e) a complaint about the role of representatives of the Students' Union;
  - f) matters relating to the Student Loans Company, which has its own complaint procedures;
  - g) a concern about a decision made under other specific regulations such as the Fitness to Practise or Student Disciplinary Procedures;
  - h) a confidential, whistleblowing issue which would fall within the Speak Up Policy;
  - i) employment matters for any student who is also a member of staff at the University, which would fall within the appropriate HR policy;
  - j) a complaint from an employer in relation to their employee who is an LSBU student:
    - i. on the Apprenticeship scheme;
    - ii. whose studies are partly or fully sponsored by an employer;

- k) a matter that has been subject to legal proceedings in a court or tribunal unless those proceedings have been put on hold; or
  - l) a complaint that has already been dealt with through another process or considered by another appropriate body.
- 1.3. Where a complaint involves multiple issues, which do not fall neatly into the category of complaint (e.g. because it also covers issues that fall within the remit of academic appeals or other procedures), with written agreement of all parties, the matters may be considered together. Depending on the individual circumstances of each incident, the University reserves the right to either suspend one procedure pending the outcome of the other, or decide not to pursue a procedure in favour of the other.

## **2. Scope – Who is covered by this procedure?**

2.1. This procedure applies to you if you are:

- a) a current student registered and/or enrolled with the University;
- b) a student on interruption; or
- c) a past student and were enrolled at the University at the time of the events giving rise to the complaint (subject to the time limits set out below).

## **3. Who is responsible for this procedure?**

- 3.1. The Pro Vice Chancellor Academic Framework (the “**PVC Academic Framework**”) has overall responsibility for the procedure but has delegated day-to-day responsibility for overseeing its implementation to the Student Case Officer. All relevant members of staff have been made aware of the procedure and have received appropriate training.
- 3.2. The Student Case Officer and the University Solicitor will review this procedure from time to time (and at least every two years) to ensure that its provisions continue to meet our legal obligations and reflect best practice.

## **4. When can you make a complaint?**

- 4.1. You may make a complaint about an issue or event(s) which occur(s) while you are enrolled as a student at the University. You do not need to be still enrolled when you make your complaint provided the issue or event about which you wish to complain occurred while you were an enrolled student. Whether you are a current or former student, you must submit your complaint as soon as possible and, in any event, you must make it no later than three months after the event occurs.

- 4.2. If your complaint consists of a series of connected events, the time limit will start running from the most recent event. However, you should raise any concerns as soon as possible to enable us to investigate them effectively.
- 4.3. Complaints submitted outside of the prescribed time limits are difficult to investigate, given the passage of time. Complaints submitted outside of those time limits therefore will not be considered unless you can show good cause i.e. that you have been prevented from submitting your complaint as a result of exceptional circumstances and provide relevant evidence in support.
- 4.4. An example of such circumstances may be a serious illness, a disability (provided the disability affected your ability to submit a complaint), undergoing a gender reassignment procedure at the relevant time (provided it affected your ability to submit a complaint), bereavement or childbirth. A busy lifestyle will not, however, be considered as an exceptional circumstance.
- 4.5. You must state reasons for the delay in submitting the complaint and provide supporting evidence to extend the time limit to bring a complaint out of time. We will accept doctor's, birth and death certificates as good evidence. Where you are able to show good cause for late submission of your complaint, supported by evidence, the University will not be under an obligation to investigate that complaint in particular where some or all of the relevant records are no longer readily accessible to the University given the lapse of time since the matter complained of took place.
- 4.6. We will send you a Completion of Procedures letter if we do not accept your complaint for being out of time. That letter will explain why your complaint has been submitted late by reference to the time limits prescribed in this procedure.

## **5. Group complaint**

- 5.1. Where the issues raised in a complaint affect a number of students, those students can submit a complaint as a 'group complaint'. In such circumstances, in order to manage the progression of the complaint, the members of the group should nominate one student to act on their behalf as group representative. The University will normally deal with this representative only, and expects the representative to liaise with the other students in the group complaint.
- 5.2. Each member of the group must provide to the University:
  - a) express written consent for the representative to deal with the complaint on their behalf; and
  - b) evidence to demonstrate how they have been affected by the matter that is the subject of the complaint.

- 5.3. The group representative should highlight the issues and include the names of the students included within the group complaint in the 'More details' section of the **MyAccount** Enquiry form. The group representative should also upload a document containing the names and signatures of the students involved. For full instructions on how to make a complaint using MyAccount, please log into MyAccount and search for the FAQ 'How can I make a complaint?'
- 5.4. All evidence submitted to support the complaint must be agreed between the group representative and the members of the group and submitted within MyAccount.
- 5.5. The University reserves the right to refuse to accept or to progress group complaints where it concludes that there is insufficient common ground between the members of the group because for example the facts do not apply to all members of the group and the complaint cannot reasonably be investigated collectively or the remedy sought is not appropriate for all members of the group. Separate complaints may, in those circumstances, be submitted and considered in respect of the relevant individuals.

## **6. Third party complaints**

- 6.1. The University will only accept a complaint on behalf of a student from a Students' Union representative, parent or other third party if the student's written authority for them to act on the student's behalf is provided with the complaint.

## **7. Anonymous complaints**

- 7.1. We will not normally consider anonymous complaints. Exceptionally, however, an anonymous complaint may be considered when the University concludes that there is a compelling case – supported by evidence – for the matter to be investigated and an investigation is not prejudiced by the anonymity of the complainant.

## **8. Complaints about partner institutions**

- 8.1. Where the University is working with a partner institution (for example, a placement provider), information provided to both staff and students will make clear whether the partner's complaints procedures apply and how students can access those procedures. In accordance with the UK Quality Code for Higher Education, a student studying with a partner of the University which is not the degree-awarding body has the right to apply for a review at Stage 3 of this procedure, provided that (a) procedures at the non-awarding partner institution have been exhausted and (b) the complaint concerns the quality of learning opportunities provided.
- 8.2. If you submit a request for Stage 3 in relation to the partner institution, you will need to provide:

- a) written consent for us to request the details of the investigation from the partner institution; and
- b) as much information as possible for us to carry out the review.

## **9. Complaints about contractors**

- 9.1. You may use this procedure to complain about any service which the University contracts out, such as maintenance, cleaning, security and catering.

## **10. Complaints which are related to matters subject to a police investigation**

- 10.1. If the issue(s) or event(s) triggering the complaint are the subject of, or related to, a police investigation, the University may suspend its complaint process pending the completion of that investigation and where appropriate any criminal proceedings, or may continue in parallel. This will be decided on a case-by-case basis and, where appropriate, in dialogue with the police.

## **11. Evidence**

- 11.1. Students using this procedure must support their complaint with robust evidence. For example, relevant email correspondence, as well as meeting and telephone attendance notes can help us investigate your complaint more effectively.

## **12. Good conduct**

- 12.1. Students using this procedure are expected to act professionally, reasonably and fairly towards University staff, and, in particular, to refrain from conduct which is abusive, aggressive or otherwise requires action under the Student Disciplinary Procedure.

## **13. Protocol on confidentiality**

- 13.1. University staff will handle complaints with an appropriate level of confidentiality, and release information only to those who need it for the purposes of investigating or responding to it.
- 13.2. Details of any complaint about another student or member of staff will be shared with them, so that they can respond to any allegations made against them.
- 13.3. Anyone making a complaint is expected to maintain confidentiality and avoid publishing to third parties, either on social media or by other means, any correspondence about the complaint between the complainant and



the University or any other University correspondence which is part of the complaint.

13.4. We will share the details of the complaint outcome with the relevant School/department.

#### **14. Use of data from complaints**

14.1. The University will collect data on complaint outcomes at each stage of this procedure and any complaints submitted by you to any regulators (including the OIA), and use the data:

- a) internally for reporting, evaluation, learning and training; and
- b) externally for discussion with regulators in the higher education sector.

14.2. The data used by the University for the purposes set out in paragraphs 14.1 a) and b) will be anonymised. Your personal data and sensitive personal data ('Personal Data') as defined by the Data Protection Act 2018 (the "DPA") may be disclosed to the University's members of staff and regulators only for the purpose of dealing with your complaint, or a complaint arising out of it and/or implementing any recommendations. Personal Data will not be shared with any other third parties unless the University has your express consent, has a statutory obligation to do so, or is otherwise permitted to do so under the DPA.

#### **15. Frivolous or vexatious complaints**

15.1. If we believe that your complaint is frivolous or vexatious, we reserve the right to terminate our investigation of your complaint. A complaint will be deemed vexatious or frivolous if it is:

- a) obsessive, harassing, or repetitive;
- b) insistent on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes;
- c) insistent on pursuing what may be meritorious complaints in an unreasonable manner;
- d) designed to cause disruption or annoyance; and/or
- e) demanding for redress which lacks any serious purpose or value.

15.2. In such cases, the University will write to you explaining why we are terminating consideration of your complaint. If you want to challenge this decision, you must set out your reasons and submit them together with any supporting evidence in writing to the Director of Student Services [directorsupportservices@lsbu.ac.uk](mailto:directorsupportservices@lsbu.ac.uk) within ten working days of the date of the University's letter. The Director of Student Services (or their nominee) will inform you of the outcome of your challenge within ten working days of receiving it.

15.3. While you will not be disadvantaged as a result of making a complaint, the University may consider referring you for disciplinary action where your complaint is vexatious.

## **16. Support for students**

16.1. We are committed to ensuring the Student Complaints Process is accessible and inclusive to all students. This means we will ask all students if they need any reasonable adjustments or support to ensure the Complaints Process is barrier-free. The University will make reasonable adjustments to this procedure where it is reasonable to do so to prevent you from suffering a substantial disadvantage as a result of your disability. The adjustments will depend upon the specific barrier(s) being faced, but some examples could include:

- a) extending the time-frame for the student to raise their complaint/ make their appeal;
- b) providing a support worker to help the student access the complaints process and put forward their complaint and or appeal;
- c) providing a BSL interpreter during meetings with the student;
- d) providing information in an alternative format such as large print or recorded as audio;
- e) accepting complaints in an alternative format.

16.2. LSBU provides a number of student support services. Students are encouraged to engage with the services and take up any appropriate support available to them, especially from Student Services and the Student's Union.

16.3. The following are LSBU run services and can be accessed via **MyAccount**:

- a) **Mental Health and Wellbeing team**  
Support and advice to any student experiencing personal difficulties, who may be struggling to cope at university or who just needs someone to talk to.
- b) **Disability and Dyslexia Support (DDS)**  
Disability & Dyslexia Support (DDS) is a dedicated service for students who have a disability, mental health condition, long term medical condition or specific learning difficulty (including dyslexia). We also offer screenings for dyslexia throughout the year.
- c) **Student Advice**  
Advice and guidance on financial and money management, and help with any personal, emotional or academic issue you may face.
- d) **Skills for Learning team**

The Skills for Learning team offer academic support in a range of areas (such as essay writing, presentation skills etc.).

- 16.4. We also offer online support at anytime, anywhere via [SilverCloud](https://lsbu.silvercloudhealth.com/signup/). SilverCloud is an online self-help resource and can support you with anxiety, depression, body image or stress. It's free to use; just sign up with your lsbu.ac.uk email address: <https://lsbu.silvercloudhealth.com/signup/>.
- 16.5. Support is also available through the Students' Union. The Union provides free, confidential and impartial advice and a place to talk during difficult times you may face as a student. You can contact the Union by calling 07783 722730 or by emailing [su.general@lsbu.org](mailto:su.general@lsbu.org) or by visiting the SU reception in Room 103 - 106, Borough Road Building.

## **17. How to use this procedure**

- 17.1. If you wish to make a complaint, you should always try to resolve issues early and informally in the first instance. This could be by either speaking to the member of staff involved, your personal tutor, or Course Director. Alternatively, you can raise an Enquiry via **MyAccount** (you can access the Enquiry form by clicking the 'Ask us a question button') and the Student Life Centre ("SLC") will triage the enquiry to the correct team, who will try to resolve it. For full instructions on how to make a complaint using MyAccount, please log into MyAccount and search for the FAQ 'How can I make a complaint?'.
  - 17.2. Our aim is to complete the University's internal formal complaints processes within 90 calendar days of the complaint being submitted at Stage 2. The 90-calendar-day timeframe requires you to engage with the Student Complaints process, meet all of the University's deadlines for submission of materials, and/or attend meetings (where required) at each stage of the Student Complaints Procedure.

## **18. Stage 1: informal resolution**

- 18.1. If you have not been able to resolve the complaint locally or you would rather not speak directly to the staff involved, you may make a complaint at Stage 1. Firstly, you will need to raise a complaint using the Enquiry form on **MyAccount** and you will be asked to complete a set of fields (i.e. nature of enquiry, topic, details of complaint etc.). This will then be passed to the Student Complaints Team for processing. You will be able to track the status of your complaint via MyAccount.
- 18.2. At Stage 1, the University has a conciliation service which is provided to resolve and remedy complaints as far as possible. Alternatively, where appropriate, your case may be referred to another relevant member of staff for resolution (e.g. Student Administration).

- 18.3. LSBU conciliators are members of academic staff and have an allocated fixed hour each week to meet with students and go through their concerns. They provide a one-stop-shop for complaint resolution for students by liaising with the relevant departments on behalf of the student. Students do not necessarily meet with the conciliator representing the School where a particular student studies but conciliators with the relevant specialist knowledge, e.g. from the Institute of Health, are also available.
- 18.4. We encourage students to meet with conciliators in person, as we believe that a face-to-face discussion may help to resolve a problem quicker and this can take place via Microsoft Teams, but we can also offer telephone meetings. In limited circumstances, conciliators would have discretion to consider your written representations instead of asking you to come to the meeting. If you would like your representations to be considered in writing, please explain the reasons for your request via the case comments section on MyAccount. An example of such circumstances would be a serious illness or a disability that would prevent you from attending a meeting.
- 18.5. A conciliation meeting will be arranged for you by the Student Complaints Team and the details will be communicated to you via MyAccount. You can track your appointment on the 'My support' tab of MyAccount.
- 18.6. If you cannot attend an appointment with the conciliator, you need to give advanced notice to rearrange your appointment. We expect all students to engage with the Student Complaints process in order for us to resolve complaints effectively. If you do not attend scheduled meetings, without a reasonable explanation, we reserve the right not to schedule any further appointments for you. In such cases, your complaint will not be dealt with due to your failure to engage with the Student Complaints process and will be deemed withdrawn. The conciliator shall decide in their absolute discretion what constitutes "reasonable explanation".
- 18.7. You can also seek other support available at the Students' Union. The Students' Union may be able to help if e.g. English is not your first language or if you have DDS support to ensure that you understand the process, or help you write a statement. If you have a disability or a mental health condition, the Wellbeing team at LSBU may also be able to support you.
- 18.8. We will normally provide you with a response in relation to Stage 1 within 10 working days from the date of the meeting and this will be communicated to you through MyAccount. We reserve the right to extend the period we need for response during vacation periods.
- 18.9. Key questions for you to address in your Stage 1 complaint include:
  - What specifically is the concern about, and which area(s) of the University is/are involved?

- What outcome is hoped for and how it can be achieved?
- Can the complaint be resolved on the spot by providing an apology/explanation/alternative solution?
- What assistance or support is needed in taking this forward?

Where it is clear that a concern will need to be considered at the formal stage rather than the informal stage, we will promptly let you know, and we will ask you to complete the additional fields available on **MyAccount**.

## **19. Closing the matter at Stage 1**

19.1. Depending on the nature of your complaint, the outcome of Stage 1 will be communicated to you either verbally or via MyAccount. All actions taken in investigating the complaint (such as meeting with you), the decision, and details of what is communicated to you, will be recorded in a way that can be referred to by staff dealing with the complaint at a later stage. Stage 1 will therefore come to an end when a proposed remedy is accepted by you, you have rejected the proposed remedy, you have not been successful in meeting with the relevant member of staff, or after making reasonable attempts to do so, or you have been directed under paragraph 18.10 to submit your complaint at Stage 2.

## **20. Stage 2: formal complaint**

20.1. You have **one month from the date of the Stage 1 outcome** in which to escalate matters to a Stage 2 formal complaint.

20.2. In order to escalate your complaint to Stage 2, you must complete the additional fields available on MyAccount within one month. We will normally acknowledge receipt of your complaint within five working days of receipt.

20.3. We will move a complaint to formal Stage 2 for investigation when:

- informal resolution was attempted, but you remain dissatisfied; or
- the issues raised are complex or a more detailed investigation is required.

20.4. Prior to making a Stage 2 complaint, you must have made an attempt to resolve the issue informally, unless directed otherwise by the Student Complaints Team. Further advice, help or information is also available from the Students' Union or by raising a support Enquiry via **MyAccount**. If you fail to make an attempt to resolve a complaint informally, we reserve the right to ask you to engage with conciliation services in the first instance.

20.5. When completing the details of your complaint via MyAccount, we encourage you to state your complaint in a clear, succinct and chronological order of events, using numbered paragraphs where possible to identify each issue. All relevant evidence must be provided and you can attach this by using the 'File Attachment' field in your Enquiry

form. Please also state any support you need or what reasonable adjustments need to be made.

- 20.6. On receipt of your Stage 2 complaint, the Student Complaints Team will determine whether the complaint has been submitted under the right procedure and within the correct deadlines. We will notify you in writing by issuing a Completion of Procedures letter if your complaint is not accepted for any reason.
- 20.7. In some cases, the Student Complaints Team may consider the complaint to be more appropriate to be dealt with under another procedure and will refer the matter for consideration under that procedure, or refer you to other sources of support.
- 20.8. If a complaint is eligible, a member of the Student Complaints Team, who will not have had any previous involvement in the decision-making in the case at Stage 1, will investigate your complaint, as they consider appropriate to establish all the facts relevant to the points made in your complaint and provide a full, objective and proportionate response that represents the University's clear position. This may involve interviewing you and any witnesses, if appropriate, liaising with your School or relevant departments and reviewing any evidence presented by you and the University before issuing you with a response. Alternatively, where appropriate, your complaint may be allocated to a senior staff member (as listed in paragraph 20.9 below) who has had no previous involvement in the matter. However, this will be at the discretion of the Student Complaints Team.
- 20.9. In most cases, the decision in relation to your complaint will be made by either a member of the Student Complaints Team, or another senior member of staff who has the authority to make decisions in relation to your complaint.
- 20.10. Having considered the complaint, the evidence presented in support of it, together with any findings of investigation, the Student Complaints Team will produce a decision letter, which will inform you of the process followed, the information gathered, the decision-maker, the conclusions drawn and any recommendations made.
- 20.11. The decision letter and the complaint report will be issued within six weeks of receipt of the Stage 2 escalation on MyAccount and will usually be visible on the MyAccount portal. If this deadline is not practicable, in particular given the nature of the complaint, we will contact you to explain the delay and set a new deadline for our Stage 2 response. We reserve the right to extend the period we need for response during vacation periods.
- 20.12. At all times during Stage 2, a member of the Student Complaints Team (or other person authorised to consider your complaint at Stage 2) will consider whether the complaint is amenable to mediation or conciliation

in order to reach a timely and satisfactory resolution for the complaint. If we believe that it is suitable for such resolution, we will arrange it with your consent.

- 20.13. The Student Case Officer (or other person authorised to consider your complaint at Stage 2) may forward their investigation report to another senior member of staff at the University for any recommendation to be agreed before it is issued to you.

## **21. Complaint hearing at Stage 2**

- 21.1. If the nature of your complaint is complex, the Student Complaints Team may refer the complaint to be considered at a complaint hearing by a panel consisting of two senior members of staff (e.g. the **PVC Academic Framework**, Dean of School, a Director of Education and Student Experience, or a School Executive Administrator) who have had no previous involvement in your complaint. The Student Case Officer or another member of staff may also be present to take notes of the meeting. We will aim to arrange a complaint hearing as soon as possible and will do so within two weeks of receiving your complaint. We reserve the right to extend this time during vacation periods.
- 21.2. Depending on the nature of the complaint, you may be invited to attend the complaint hearing. In any event, you will be given notice of the hearing. You are entitled to submit further evidence and call witnesses provided that all information and documents are received by us by no later than 3 working days before the complaints hearing.
- 21.3. The Student Case Officer will circulate all documents relevant to a complaint hearing to all attending at least 7 days prior to the hearing.

## **22. Companion at meetings**

- 22.1. This complaints process is not a legal procedure but is instead a formal mechanism by which consideration can be given to the matters raised by you. The purpose of a complaint hearing is to enable you to explain your complaint and how you think it should be resolved, and to assist us in reaching a decision based on the available evidence and the representations you have made. Legal representation is not therefore permitted at meetings taking place at any stage under this procedure.
- 22.2. You may bring with you to the complaint hearing, a companion who may be either a Students' Union representative or a fellow student. You must tell the Student Case Officer who your chosen companion is, in good time before the hearing and, in any event, no later than 3 working days before the hearing.
- 22.3. If you have a companion, they may take notes on your behalf, make representations on your behalf and ask questions, but are not entitled to

answer questions on your behalf. You may confer privately with your companion at any time during the hearing.

- 22.4. If you or your companion cannot attend at the time specified for a meeting, you should inform us immediately and we will make reasonable efforts to agree an alternative time. However, we may also ask you to choose someone else or conduct the hearing without your companion if they are unavailable to attend the hearing on two dates for the hearing suggested by us and no alternative companion can be found for those dates.
- 22.5. We may ask you to choose a different companion if, for example we think that your chosen companion may cause a conflict of interest or if their presence may prejudice the meeting.
- 22.6. If you are invited to the hearing, the members of the panel will:
- go through the complaints process with you;
  - give you the opportunity to explain your complaint;
  - review those parts of the evidence which support your complaint or adversely affect it; and
  - afford you an opportunity to challenge any evidence.
- 22.7. After an initial complaint hearing we may carry out further investigations and hold further complaint hearings as we consider appropriate. Such hearings will be arranged without unreasonable delay.
- 22.8. We will take notes of the hearing (but not word for word), setting out who attended, a brief outline of the proceedings, and the reasons for the decisions taken.

### **23. Closing the complaint at Stage 2**

- 23.1. The outcome of Stage 2 will be communicated to you in writing via MyAccount (or other agreed format), outlining the reasons for each decision and where relevant, the right to a review at Stage 3, within six weeks of receiving your complaint. We reserve the right to extend the time for response during vacation period, if more time is required to investigate your matter, and/or if circumstances beyond our control prevent/delay us from concluding your matter, e.g. if either you, or your companion are not available to attend the hearing on the dates proposed by or agreed with us.
- 23.2. Where you have grounds to escalate the matter to Stage 3, you should do so within **two weeks of communication of the outcome of Stage 2**. The grounds on which you may refer the matter to Stage 3 are set out in paragraph 24.2.
- 23.3. If you do not take the complaint to Stage 3 within the time limit for doing so, a member of the Student Complaints Team will close the matter. In these circumstances, because you have not exhausted the complaints



procedure, you will not be eligible to receive a Completion of Procedures letter at this stage, and if requested to provide one, it will confirm that you have not completed the University's internal complaint processes (i.e. have not progressed to Stage 3 review).

## **24. Stage 3: complaint Review**

- 24.1. If you are dissatisfied with the outcome of Stage 2 on the grounds stated below, you have two weeks to request a Stage 3 Review. The Student Complaints Team will prompt you to submit your Stage 3 Review request and you will need to submit this in writing using the case comments section via MyAccount. We will normally acknowledge your request within five working days of receiving it.
- 24.2. Requests for a complaint Review will be granted on limited grounds, namely:
- i) there was a procedural irregularity at the formal stage (e.g. there was a material failure by the University to follow the complaints procedure at Stage 2, clear reasons were not provided for the decision at Stage 2, or there is evidence of bias);
  - ii) the Stage 2 outcome was not reasonable in all the circumstances (i.e. no reasonable decision-maker, properly directing him/her/itself and taking into account the relevant facts, could have reached that decision);
  - iii) new material evidence which the student was unable, for valid reasons, to provide earlier in the process; or
  - iv) your complaint is about a partner institution in relation to quality of learning opportunities provided and you have exhausted the procedures at the non-awarding partner institution.
- 24.3. You should set out your concerns clearly and succinctly and provide evidence in support (where possible). You must explain how the response received at Stage 2 falls within one or more of the grounds set out above in paragraph 24.2 and outline what you want us to do to resolve the complaint.
- 24.4. A member of the Complaints Team with no prior involvement in the matter will make a decision as to whether your request for a Review at Stage 3 is based on the permitted grounds and hence eligible to be considered at Stage 3 and notify you within 5 working days of receiving the request.
- 24.5. If it is believed that the grounds are not satisfied, you will be informed of the decision and we will send you a COP confirming the closure of your matter and university processes within 28 days of the decision not to progress your matter to Stage 3.
- 24.6. If we believe that one or more of the grounds for Review apply to your case, we will allocate the Review to a senior member of staff not previously involved in Stages 1 or 2 of the complaint (the "Reviewer"). The

Reviewer will review all information collated for the complaint, together with any new evidence presented, on paper but may contact you and anyone previously involved in the complaint as well as any new witnesses.

- 24.7. The purpose of conducting a complaint Review is to consider whether the ground(s) relied on by you have merit. Stage 3 will not usually involve a fresh, full investigation. A complaint must have been considered at formal Stage 2 before it can be escalated to Stage 3 Review.
- 24.8. The outcome of Review will be that the Reviewer either upholds the outcome made at the formal stage, or makes a different finding which overturns the outcome. The decision taken by the Reviewer at the Review stage is final. The final decision of the Stage 3 Review will be communicated to you in writing via MyAccount, with reasons, usually within 21 days from your Stage 3 Review request being accepted.
- 24.9. If the outcome of the Stage 3 Review is favourable to you, you can request the University to provide you with a Completion of Procedures letter (a "COP") within 30 days of the date of the outcome letter. Where such request is made, a COP will be provided within 14 days of the request. If the outcome of the Stage 3 Review is unfavourable to you, a COP will be sent to you automatically within 28 working days of the Stage 3 decision letter being issued.
- 24.10. If the deadlines are not deliverable, we will contact you to explain the delay and set a new deadline for our response. We reserve the right to extend the time we need for response during vacation periods.

## **25. Settlements**

- 25.1 A settlement of a complaint can be reached at any stage of the procedure. If your complaint is settled, you may not escalate your complaint to any later stage of the procedure.

## **26. Independent external review**

- 26.1. Office of the Independent Adjudicator

Once Stage 3 has been completed, and within twelve months of the date of your Completion of Procedures letter, you are entitled to ask the Office of the Independent Adjudicator to review the University's handling of your complaint under this procedure.

- 26.2. Apprentices

If you are an apprentice and have exhausted our complaints process, you can report your complaint to the Education and Skills Funding Agency using the details below:

Apprenticeship helpline: [nationalhelpdesk@apprenticeships.gov.uk](mailto:nationalhelpdesk@apprenticeships.gov.uk)  
Telephone: 0800 015 0400  
8am to 10pm, 7 days a week