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This document is part of the Academic Regulations, Policies and Procedures, which govern the University's academic provision. Each document has a unique document number to indicate which section of the series it belongs to.

11F - Student Complaints: Policy and Procedure

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1. SCOPE AND PURPOSE

- 1.1 This policy and procedure is intended for Bournemouth University (BU) staff, and students (including those enrolled on programmes delivered at academic partners) and recent students/graduates.
- 1.2 This policy and procedure is for use when a student (or recent student/graduate) wishes to make a Complaint. Complaints from recent students/ graduates are subject to the timescales contained within this document.

Help and support

The University makes every effort to support students and appreciates that submitting a Complaint may be considered a difficult undertaking. The University provides support which is freely available to help you through any issues you may be experiencing.

Please contact the Student Wellbeing service studentwellbeing@bournemouth.ac.uk or have a look at the information and resources located on the Health & Wellbeing webpages including the A-Z of Resources.

Should you require any assistance with submitting your complaint please contact [SUBU Advice](#).

2. KEY RESPONSIBILITIES

- 2.1 Responsibility for the management and implementation of this policy and procedure lies with the Academic Registrar.
- 2.2 **Students** are responsible for familiarising themselves with this Policy and Procedure and for acting in accordance with it as required. It is the responsibility of students to seek clarification if necessary.

- 2.3 **Senate** approves new policies or amendments to existing policies relating to Student Complaints.
- 2.4 **Academic Standards and Education Committee (ASEC)** considers the effectiveness of the arrangements for Student Complaints and recommends changes to current policy to Senate.
- 2.5 **Faculties** are responsible for ensuring that students are informed of the principles of this policy and procedure.

The relevant Faculty Education Service Manager will co-ordinate the Local Stage of the procedure for Student Complaints of an academic nature.

- 2.6 **The relevant Heads of Professional Services** co-ordinate the Local Stage of the procedure as applicable.
- 2.7 **Academic Quality** co-ordinate the Central and Complaints Hearing Stages of the procedure for Complaints of an academic nature.
- 2.8 **Student Services** co-ordinate the Central and Complaints Hearing Stages of the procedure for Complaints of a non-academic nature.

3. LINKS TO OTHER BU DOCUMENTS

- 3.1 Other documents with direct relevance to this one are:
- [3T - Admissions Appeals and Complaints: Policy](#)
 - [11H - Fitness to Practise: Procedure](#)
 - [11K - Student Disciplinary: Procedure](#)
 - [11L - Third Party Involvement: Procedure](#)
 - [Unacceptable Behaviour Policy and Procedure](#)
 - [Dignity and Respect \(Harassment\) Policy and Procedure](#)
 - [Halls of Residence Rules](#)
 - [Equality and Diversity Policy and its implementation](#)
 - [Important Information \(student facing policies and procedures\)](#)

Policy

4. GENERAL PRINCIPLES

- 4.1 The University takes all Complaints seriously and students will not suffer any disadvantage or recrimination by making a Complaint in good faith. Where, however, a Complaint is shown to be frivolous, vexatious or motivated by malice, action may be taken, including disciplinary action under the relevant disciplinary policy.
- 4.2 This policy also extends to cover all apprentices undertaking a Degree Apprenticeship, where their application has been accepted and they and their employer have returned the signed and dated Commitment Statement. For the purpose of this policy, all apprentices are considered students.
- 4.3 The University is committed to the fair and equal treatment of all individuals regardless of gender, age, disability, colour, race, ethnic or national origin, socio-economic group, sexual orientation, marital status, family responsibilities, religious or political beliefs.
- 4.4 The University is committed to ensuring that all Complaints are dealt with independently and without bias. The decision maker at each stage will be a different person, thus ensuring independence and the removal of the perception that any bias may have occurred. However, staff who have been involved at earlier stages may be required to provide evidence and information relating to the case.

- 4.5 The University will deal with all Complaints in a timely manner and will ensure that students (and recent graduates) are communicated to with regards their case on a regular basis. Where the University needs to go outside of the timescales stipulated in this policy and procedure this will be communicated to the student in a timely manner.
- 4.6 If a student wishes to make an Appeal at the same time as a Complaint, both will be dealt with concurrently. If this is not practicable, the Complaint will be dealt with in accordance with this Policy and Procedure before the Appeal is considered.
- 4.7 Where a student is also subject to a University procedure (whilst pursuing a Complaint) such as (but not limited to) Fitness to Practice/ Study or a Disciplinary Procedure the University will determine which Procedure takes precedence. The student will be kept informed at all stages.
- 4.8 The University believes that Complaints provide feedback which allows us to improve services for students. The University will investigate Complaints thoroughly and objectively and will seek to resolve them to the satisfaction of the Complainant.
- 4.9 Complaints will be dealt with positively and constructively and students will be provided reasonable and appropriate responses. Where a Complaint is upheld, the University will seek to correct any mistakes or misunderstandings and will take any other action as appropriate. Where a Complaint is not upheld the reasons for the decision will be provided.
- 4.10 As indicated in the University's [Student Protection Plan](#), this policy and procedure is the primary means through which refund and compensation claims made by students or groups of students will be considered when the University has not been able to preserve continuity of study. Where complaints of this nature are upheld and a refund or compensation is deemed appropriate this will be considered with reference to the University's Refund and Compensation (non-continuation of study) Policy and Procedure.
- 4.11 BU will consider all Complaints with the highest level of confidentiality that can be maintained whilst still allowing for consultation with appropriate persons required to investigate the Complaint. Any individual against whom a Complaint is made has a right to be informed of the Complaint. For students on apprenticeship programmes it may be necessary to inform the employer of the Complaint.
- 4.12 It may not be possible to investigate a Complaint fully and fairly if a Complaint is made anonymously. If the student requests anonymity, this may only be granted in exceptional circumstances provided that this is consistent with effective investigation and where it is possible to do so. This will be determined on a case-by-case basis.
- 4.13 *11F - Student Complaints: Policy and Procedures* is an internal procedure and is not a legal process. The University advises students to use the services of the [SUBU Advice](#) team who are independent from the University and have a full understanding of the University's processes and procedures. BU does not normally use legal professionals in the handling of cases, and does not expect that students will need to do so either. The engagement of legal professionals by students to represent them in the complaints process is normally not permitted.
- 4.14 Students can choose to be supported or represented by a third party (but not normally a legal advisor) at each stage. However, the University will not investigate a Complaint made on the student's behalf by a third party unless the student has appointed a third party as their representative to manage the Complaint on their behalf. Please refer to *11L - Third Party Involvement: Procedure* for further details.
- 4.15 If a Complaint made by a student who is under the age of 18 proceeds to the Central Stage, the University will notify the student's parent/guardian in writing, and keep them informed of the progress of the Complaint unless the student expressly requests us not to. The University will permit the student's parent/guardian to act on the student's behalf as described in *11L - Third Party Involvement: Procedure*.

- 4.16 Evidence in the form of a covert recording will not normally be admissible. Should a student wish to submit any covert recording as evidence at any stage of the procedure, it would be considered on a case by case basis.

Procedure

5. DEFINITIONS

- 5.1 The University defines a Complaint as ‘**an expression of dissatisfaction by one or more students about the University’s action or lack of action, or about the standards of service by or on behalf of the University**’.
- 5.2 This policy and procedure is relevant for both individual and group Complaints. It covers Complaints relating to:
- Programmes, services or facilities provided by the University or Partner;
 - Actions or lack of action by the University, Partner or any member of the University community.
- 5.3 This policy and procedure does not cover matters where other separate codes of practice or procedures apply, for example:
- academic appeals relating to examinations or assessments;
 - Complaints relating to allegations of harassment by a member of the University community which will be dealt with in accordance with the *Dignity and Respect (Harassment) Policy and Procedure*;
 - Complaints relating to allegations of misconduct by a member of the University community which will be dealt with in accordance with the procedures laid out in the appropriate disciplinary policy;
 - Complaints relating to an alleged breach of the University’s Residences Rules which will initially be dealt with by the Residences Manager as set out in the *Halls of Residence Rules*;
 - This policy and procedure may not be appropriate if the concern relates to the process or content of an established University policy or procedure. Students should raise concerns about BU’s policies or procedures through the student representative system (administered by the Students’ Union) and through programme, Faculty, Partner or University committees. The student should raise academic matters about the content or delivery of courses, units or courses through Course Representatives or with staff in the relevant Faculty or Partner.

Complaints about the Students’ Union’s members of staff or services are dealt with through the Students’ Union’s own Complaints procedures (available from SUBU Advice or online at SUBU advice).

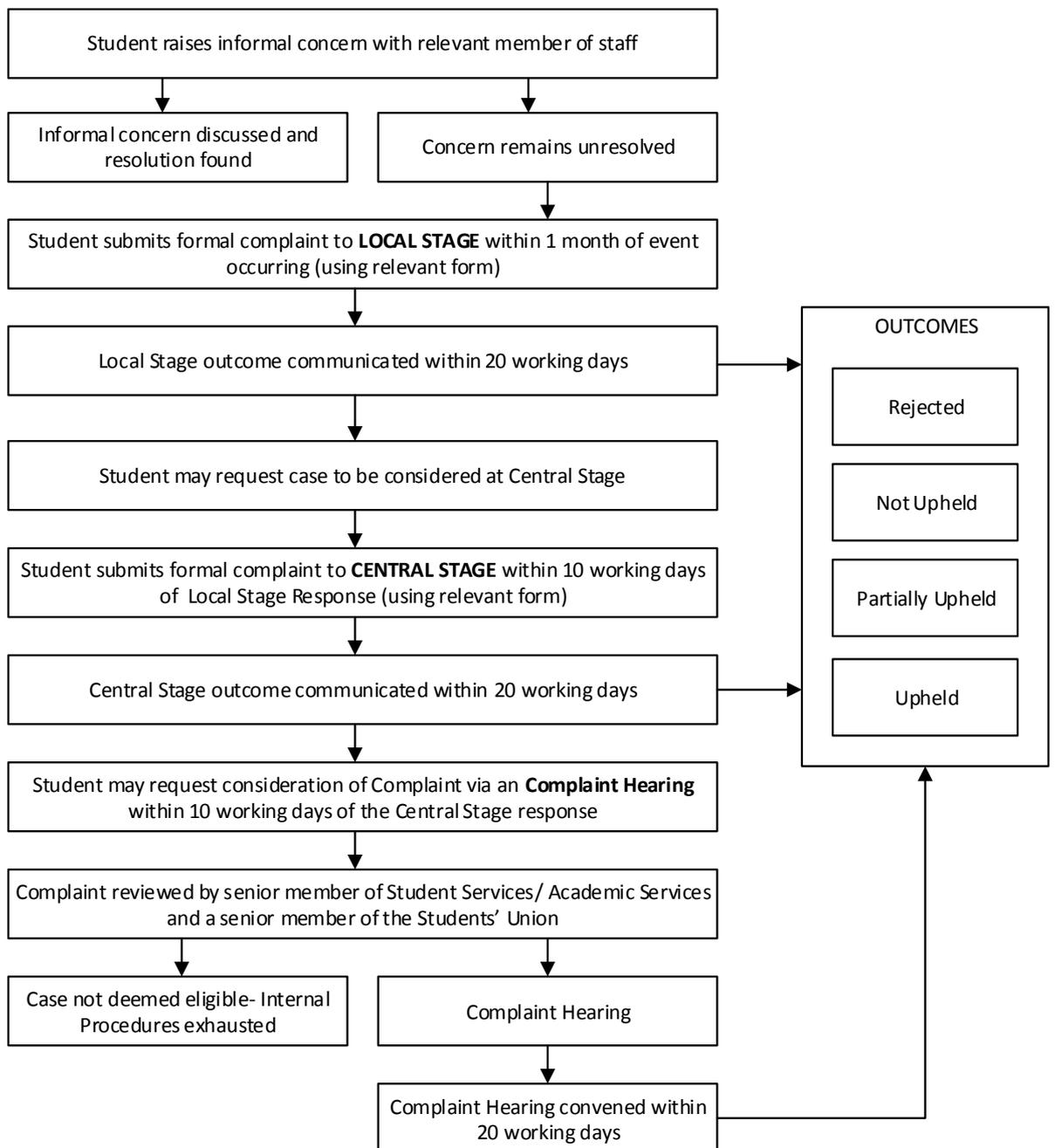
6. STUDENT RIGHTS

- 6.1 Students pursuing a Complaint through this policy and procedure will be entitled to apply for access to personal data by making a subject access request in accordance with the data protection legislation. Applications should be made in writing to the appropriate Faculty Education Service Manager or to the Information Officer. Contact details for the Information Officer are:

Legal Services, Melbury House, 1-3 Oxford Road, Bournemouth, Dorset, BH8 8ES

- 6.2 Further information about data protection rights can be found on the [Data protection and privacy page of the BU website](#). This includes a subject access request form which will help you submit your response in writing.
- 6.3 Students are encouraged to seek advice and support from SUBU Advice. If a student feels that they have been disadvantaged as a result of choosing not to be represented by the Students’ Union (as per provisions of 22(2)(m) of the Higher Education Act 1994) the following variations to this procedure will apply:

- The Local Stage procedure will apply as outlined below, but with the initial Complaint being made in writing to the SUBU Advice Manager of the Students' Union.
 - Central Stage Complaints will be made to Academic Quality in accordance with the procedure outlined below. The Complaints Hearing Stage will be initiated in accordance with the procedure outlined below, but the case will be reviewed by the Clerk to the Board who will decide on the appropriateness of the matter being referred to a Complaints Hearing. The Clerk to the Board will determine the membership of any such panel, having due regard to s.22(2)(m) of the Education Act 1994.
- 6.4 If a Complaint is upheld, or partially upheld, the University will normally meet any reasonable 'out of pocket' expenses connected with the Complaints Hearing, on production of receipts; this may include UK travel and subsistence costs in connection with the student's attendance at the Complaints Hearing.
- 7. APPLICATION**
- 7.1 A Complaint made directly to the Vice-Chancellor (or any other member of the Office of the Vice-Chancellor) will be acknowledged and referred to the appropriate Faculty or Professional Service for consideration who will ensure that it is dealt with under this policy and procedure.
- 7.2 Where a Complaint is brought by a group of students, normally one student should be prepared to identify themselves as spokesperson and correspondent. All students must agree in writing to the spokesperson acting on their behalf. Each member of the group must be able to demonstrate that they have been personally affected by the matter that is the subject of the Complaint.
- 7.3 The diagram below gives an overview of the Complaints process



7.4 Initially, the appropriate team will consider whether the Complaint should be considered under this Policy and Procedure in accordance with the guidance provided in section 5 above and reserves the right to refer any complaint that is not within the scope of this document. In these cases the student will be provided an explanation of why their complaint is being referred on.

7.5 Informal Resolution

7.5.1 The University encourages the early resolution of any concerns that students may have. Students are therefore encouraged to discuss any concerns relating to action or lack of action, or about the standards of service with an appropriate member staff the first instance. Students on BU awards at academic partners should discuss any concerns relating to the course with the appropriate member of the course team in the first instance.

7.5.2 Students who are undertaking Degree Apprenticeship programmes with complaints about their working arrangements must go to their employer in the first instance. Complaints of this nature are outside the scope of this policy and procedure.

7.6 Local Stage

7.6.1 If the student's concern cannot be resolved or clarified by an informal discussion, students have the opportunity to submit a formal Complaint. Complaints should be addressed in the first instance to the Faculty Education Services Manager or the Head of Professional Service of which the issue/concern relates using the Complaints Form (Appendix 1). For students enrolled on programmes delivered at academic partners, the Complaint Form should be submitted in writing to the relevant Link Faculty Education Services Manager. Students who are not aware of who this is, are advised to email complaints@bournemouth.ac.uk advising that they are submitting a Local Stage Complaint.

7.6.2 It is expected that a student who wishes to make a formal Complaint will submit the Complaint Form **within one calendar month** of the incident that is the cause for Complaint. Where a student wishes to make a Complaint outside of this timescale, they will need to provide an explanation of why they were unable to keep within this timescale and provide evidence to support this.

7.6.3 Complainants should normally expect to receive a written response within 20 working days of the receipt of their Complaint.

7.6.4 The outcome of the Complaint will be one of the following:

- **Rejected** - the Complaint does not fall within the scope of this policy and procedure (see section 5) OR has been submitted outside of the one month deadline and no valid explanation was given or no evidence was submitted to support a valid reason for submitting outside of the deadline
- **Not Upheld** - The Complaint has been investigated but there is no evidence to support the claims made
- **Partially upheld** - The Complaint has been investigated and it is found that one or more elements of the Complaint have been substantiated
- **Upheld** - The Complaint has been investigated and it is found that the claims upon which the Complaint have been fully substantiated.

7.6.5 All complainants who have received an outcome from a formal Local Stage Complaint have the opportunity to request that their case is considered at the Central Stage.

7.7 Central Stage

7.7.1 Students may request consideration of their case at Central Stage by updating the form submitted to the Local Stage. This must be submitted to Academic Quality within 10 working days of the Local Stage response.

7.7.2 New points of complaint may not be raised at the Central Stage. Any further relevant evidence to support the Complaint should be included. The student should also specify what action they have taken to date to attempt resolution and provide all copies of correspondence exchanged during the Local Stage.

7.7.3 If the Complaint concerns the work of Academic Quality, the Academic Registrar will oversee the Central Stage of the procedure. If the Complaint relates to the work of the Complaints and Discipline Advisers in Student Services, the Director of Student Services will oversee the Central Stage of the procedure.

7.7.4 The Central Stage will normally be completed with a response in writing **within 20 working days** of receiving the completed Student Complaints Form. The outcome will be in accordance with 7.6.4 above.

7.7.5 All Complainants who have received an outcome from a formal Central Stage Complaint have the opportunity to request that their case is considered via a Complaints Hearing.

7.8 Request for consideration via the Complaints Hearing

7.8.1 The request for presentation to the Complaints Hearing must be made in writing within 10 working days of the date of the Central Stage response. The request should be addressed to Academic Quality and **must outline why the outcome of the Central Stage is not satisfactory**.

7.8.2 Once this request has been received and taking into account the substance of the Complaint and the previous attempts at resolution, the case will then be reviewed by:

- For academic Complaints: A senior manager of Student Services and a senior manager of the Students' Union (or their nominees)
- For non-academic Complaints: A senior manager of Academic Services and a senior manager of the Students' Union (or their nominees)

7.8.3 Consideration will be given to whether:

- there have been material irregularities in the application of the University's policies and procedures for considering the student's Complaint at an earlier stage of the process;
- the student has provided new and relevant evidence in support of their Complaint which, for valid reason, they had not been able to supply at an earlier stage of the process;
- the outcomes of Central Stage is deemed to be unreasonable under the circumstances.

7.8.4 A decision on whether a Complaint is admissible for consideration at a Complaints Hearing will normally be returned to the student within **5 working days** of being requested by the Complainant. If it is decided that the Complaint is not within the scope of this document and a Complaints hearing will not be held, the student will be informed in writing and provided with the reasons for this decision.

7.8.5 If the request is deemed admissible and a Complaints Hearing is felt appropriate, a Complaints panel will be convened in accordance with Appendix 2.

7.8.6 The Complaints Hearing will normally be convened within **20 working days** of the student's request and the student will be given **10 working days'** notice of the date. For more information on the conduct of the Complaints Hearing see Appendix 2 (Complaint Hearing Guidance).

7.8.7 The Outcome of the Complaints Hearing will be in accordance with section 7.3 above. The timeline for the provision of the outcome will be in accordance with the guidance outlined in Appendix 2 (Complaints Hearing Guidance). If the Complaint is upheld, the Chair of the Complaint Hearing, in consultation with Student Services and/ or Academic Quality may make such instructions and/ or recommendations as deemed appropriate. If the Complaint is not upheld the student will be informed in writing with reasons for this.

8. REVIEW BY THE OFFICE OF THE INDEPENDENT ADJUDICATOR

8.1 Students who remain dissatisfied after exhausting Bournemouth University's internal procedures *11F – Student Complaints: Policy and Procedure for Taught Awards* may request a review from the [Office of the Independent Adjudicator for Higher Education](#). Contact details for the Independent Adjudicator are:

Office of the Independent Adjudicator,
Second Floor, Abbey Gate, 57-75 Kings Road, Reading, RG1 3AB
Tel: 0118 959 9813 Email: enquiries@oiahe.org.uk

8.2 Students on Degree Apprenticeship programmes may also have the option to complain to the Education and Skills Funding Agency (ESFA) in circumstances where the complaint is

not eligible for review at OIA. Apprentices can access details of the ESFA's procedures at: <https://www.gov.uk/government/publications/complaints-about-post-16-education-and-training-provision-funded-by-esfa/complaints-about-post-16-education-and-training-provision-funded-by-esfa> . The ESFA helpdesk can be contacted directly using 08000 150400 or email nationalhelpdesk@apprenticeships.gov.uk.

9. MONITORING, EVALUATION AND REVIEW

- 9.1 Professional Services and Faculties are required to keep records of Student Complaints considered at the Local Stage and will report on these on an annual basis.
- 9.2 Academic Quality and Student Services will keep records of all Student Complaints progressed through the Central and Complaint Hearing Stages.
- 9.3 Academic Quality will report on all Complaint cases annually to the University Board. The purpose of this report is to ensure appropriate monitoring, evaluation and review of the Student Complaints process. The report will also outline any recommendations for amendments to practice based on the data collated. Academic Quality will ensure that all such recommendations are considered in a timely manner.

General

10. REFERENCES AND FURTHER INFORMATION

- 10.1 [*Office of the Independent Adjudicator – Good Practice Framework The UK Quality Code for Higher Education \(QAA, 2018\)*](#)
- 10.2 *Complaints about University managed student accommodation*
Bournemouth University has signed up to the Universities UK *Code of Practice for University Managed Student Accommodation*. This outlines the standard of accommodation provision, service and health and safety that is considered as good practice within the sector. After exhausting the University's Students Complaints Policy and Procedures students may complain to the UUK/SCOP Code Managing Committee (in addition to, or instead of the Office of the Independent Adjudicator). For further information please see <https://www.universitiesuk.ac.uk/policy-and-analysis/Pages/accommodation-code-of-practice.aspx>.
- 10.3 This policy was reviewed according to the University's [*Equality Analysis Procedure*](#) in July 2019.
- 10.4 If you would like this document in a different format please email complaints@bournemouth.ac.uk

11. APPENDICES

- Appendix 1: [*Student Complaint Form*](#)
- Appendix 2: [*Complaints Hearing Guidance*](#)