

Student Complaints Procedure

Version Number 2.6

Effective from 23 September 2019

Author: Quality and Enhancement Manager

Quality and Enhancement Office

Contents

1. Purpose of the Procedure	3
2. Who does the Procedure apply to?	3
3. What is a complaint?	3
4. What does the Complaints Procedure cover?	3
5. What doesn't the Complaints Procedure cover?.....	3
6. Anonymous Complaints	5
7. Complaints Submitted Directly to the Vice-Chancellor	5
8. Complaints Made by Third Parties.....	5
9. Complaints Raised by a Number of Students	5
10. Information Sharing	5
11. Reasonable Adjustments	6
12. Support	6
13. Stages of the Complaints Procedure	6
14. Stage 1	6
15. Stage 2	7
16. Stage 3 (Review Stage).....	8
17. Office of the Independent Adjudicator.....	10
18. Information which Applies to all Stages of the Procedure	10
a) Attendance at Meetings	10
b) Supporters	11
c) Audio Recording of Procedures	11
d) Legal Proceedings	11
e) Appointment of Substitutes.....	11
19. HEFCE's Unsatisfactory Quality Scheme	11
20. Related Documentation.....	12
21. Monitoring and Performance of Procedure	12
22. Guidance and Training	12
23. Appendices.....	12

1. Purpose of the Procedure

The University strives to achieve the highest standards in its provision of services but recognises that concerns or complaints may arise from time to time. This Procedure outlines the process which students should follow to raise complaints and the process through which these will be considered.

2. Who does the Procedure apply to?

The Student Complaints Procedure applies to all students who have a current registration with the University, or to those individuals who have recently finished their studies, as long as complaints are raised within the timeframe specified in the Procedure. The Procedure also applies to students studying at collaborative partner institutions.

3. What is a complaint?

A complaint is defined as an expression of dissatisfaction by one or more students about the University's action or lack of action, or about the standard of service provided by or on behalf of the University. A complaint differs from an academic appeal because an academic appeal is a request for a review of a decision made by an Assessment Board charged with making decisions on student progression, assessment and award. The Student Complaints Procedure cannot change a decision made by an Assessment Board.

4. What does the Complaints Procedure cover?

The Procedure covers complaints against any academic or non-academic service provided by the University, with the exception of those matters outlined below. Complaints about services provided by collaborative partners will need to be pursued with the relevant collaborative partner in the first instance. Further information about the process for reviewing complaints from students who are studying at collaborative partner institutions is set out in Appendix A.

If the complaint is of a general nature, it may be more appropriate for the matter to be taken up through the appropriate School Staff/Student committee representative or Students' Union and issues arising from the complaint raised with the relevant University Officer.

5. What doesn't the Complaints Procedure cover?

Complaints which

- have already been considered;
- are outside the scope of the Procedure;
- are made without disclosing adequate grounds;
- have been disposed of in court or tribunal proceedings or under a settlement agreement between the complainant and the University;
- are malicious, vexatious or frivolous;
- are repetitive, persistent or harassing;

○ are without merit or where outcomes are deemed to be unreasonable;
will not be considered under this Procedure.

This Procedure can not be used to consider the following:

- matters relating to examination and assessment performance and academic judgement;
- academic appeals against Assessment Board decisions (see [Academic Appeals Procedure](#));
- complaints against the University of Salford Students' Union (see <http://www.salfordstudents.com>);
- [staff grievances](#);
- matters covered by the [Whistleblowing Policy](#);
- [Freedom of Information](#) matters;
- [Data Protection](#) matters;
- matters covered by the [Freedom of Speech Policy](#);
- complaints relating to the admissions process for any University programme of study (see [Admissions and Retention Policy](#) for details of the admissions complaints procedure);
- complaints about student conduct (see [Student Disciplinary Procedure](#) or [Fitness to Practise Procedure](#));
- complaints relating to Disclosure and Barring Service (DBS) checks;
- matters which are the subject of criminal investigation or legal proceedings until such time as those proceedings are concluded;
- complaints submitted outside of the timescales stated within this Procedure;
- complaints about services provided by Salford Professional Development (see www.salford.ac.uk/onecpd);
- complaints about accommodation services provided by Campus Living Villages¹;
- complaints about penalty charge notices in relation to car parking².

Complaints which relate to matters which are already being considered under other procedures (e.g. Fitness to Practise Procedure, Student Disciplinary Procedure, Academic Appeals Procedure and Academic Misconduct) will not normally be dealt with until relevant proceedings under those procedures have been concluded. In addition, this Procedure cannot be used where students are dissatisfied with outcomes reached through other Procedures.

Complaints arising from students (or supporters) who demonstrate behaviour deemed to be aggressive, offensive or abusive will not be dealt with under this Procedure.

Complaints which are submitted outside of the timescales set out in this Procedure will not normally be considered.

¹ Students should submit any complaints using the Complaints Procedure for Campus Living Villages

² Students should follow the separate Parking Solutions 24 appeals process and subsequent appeal route via POPLA (Parking on Private Land Appeals). POPLA is administered by the Ombudsman Service Limited.

6. Anonymous Complaints

Complaints which are made anonymously will not normally be dealt with under this Procedure. Exceptionally, an anonymous complaint may be considered if the University determines that there is a compelling case, supported by evidence, for the matter to be investigated. Students should be aware that in most circumstances, raising a concern anonymously may have a negative impact on the investigation and communication of the outcome. If students are concerned about protecting their anonymity they are advised to contact the Students' Union Advice Centre who may be able to make initial enquiries on their behalf. The University will adopt the principle of releasing information only to those who need it for the purposes of investigation or responding to the complaint.

7. Complaints Submitted Directly to the Vice-Chancellor

Complaints should be submitted in line with this Procedure. If a complaint is made directly to the Vice-Chancellor, or any other senior manager who is not a designated post holder within this Procedure, the complaint will be passed to the Quality and Enhancement Office where staff will ensure that the complaint is referred to the most appropriate person in line with this Procedure.

8. Complaints Made by Third Parties

Complaints which are made by a third party (including parents, guardians or friends of registered students) will not normally be dealt with under this Procedure. Students can give authority for a third party to pursue a complaint on their behalf and students wishing to do this should complete the [third party consent](#) and return this to the Quality and Enhancement Office.

9. Complaints Raised by a Number of Students

Complaints by a number of students can be dealt with as one collective complaint, in the following circumstances:

- i. the case is conducted through a lead student to facilitate the progress of the complaint;
- ii. the names of all students who wish to bring the complaint forward are disclosed to the University on a [group complaint consent form](#) and to confirm that the student nominated as the lead student will act as the facilitator for the complaint during all stages of the Procedure.

10. Information Sharing

The University recognises that it has to balance the respective rights of students and staff. Where a member of staff is named in a complaint, that staff member is entitled to know what is being claimed and who is making the complaint. This information is shared with the staff member either through informal communication (typically at stage 1) and/or by providing them with a copy of the complaint (typically at stages 2 and 3). Members of staff named in a complaint have the right to respond via the procedure set out in this document.

Whilst students will be advised of the outcome of their complaint, it will not always be appropriate to share specific details of action taken, particularly where disciplinary action is being taken

11. Reasonable Adjustments

Where students identify individual needs, reasonable adjustments may be made to the Procedure.

12. Support

The University will ensure that students raising complaints through the Procedure will not be treated less favourably because they have raised complaints.

General information to students on the operation of the Student Complaints Procedure is available from the Quality and Enhancement Office (0161 295 4123/ complaints@salford.ac.uk) or askUS (0161 295 0023/ advice@salford.ac.uk).

Independent advice to students about the Student Complaints Procedure is available from the Students' Union Advice Centre on 0161 351 5400 or email advicecentre-ussu@salford.ac.uk .

13. Stages of the Complaints Procedure

The complaints procedure has three stages:

- Stage 1
- Stage 2
- Stage 3 (review stage)

Informal resolution is possible at any stage of the procedure with the agreement of all parties.

14. Stage 1**Time Limit – Stage 1**

A complaint must be raised within 20 working days of the event or circumstances which are its cause; only in exceptional circumstances will extensions to this time limit will be considered by the Quality and Enhancement Office. If the complaint relates to a series of events, the complaint should normally be notified within 20 working days of the most recent event.

Procedure – Stage 1

The student should make initial contact with the relevant member of staff who is responsible for dealing on a day-to-day basis with the matter being complained about. For example, if the complainant refers to an academic matter, the first point of contact would normally be the module or programme leader.

The type of resolution offered or the process followed will vary depending on the nature of the complaint. The student shall give full and prompt assistance to the member of staff to whom the complaint has been referred. It is anticipated that most complaints will be resolved at Stage 1.

The Stage 1 review shall normally be concluded within 10 working days of receipt of the notification of the complaint.

The member of staff to whom the complaint has been referred shall advise the student in writing of the outcome of the review of the complaint as soon as possible after the review is concluded and this will usually be within five working days of the completion of the review of the complaint at Stage 1.

All Schools/Professional Services shall keep a record of Stage 1 complaints to enable themes and trends to be monitored. Deans of Schools/Directors of Professional Services should be briefed on a regular basis.

15. **Stage 2**

If, having received a response at Stage 1 of the Procedure, the student feels there are reasonable grounds for dissatisfaction, they can progress to Stage 2.

Submission of Complaint – Stage 2

A Stage 2 complaint must be submitted in writing, using the Stage 2 complaints form (available at <https://beta.salford.ac.uk/governance-and-management/student-facing-policies-and-procedures>) and should be sent via e-mail to complaints@salford.ac.uk or in writing to the Quality and Enhancement Office. The form requires the student to:

- outline the nature of the complaint;
- outline the formal steps taken to resolve the complaint at Stage 1;
- explain why the student is dissatisfied with the response at Stage 1 (and provide a copy of the Stage 1 response);
- explain the outcome that the student is seeking in order to resolve their complaint.

In addition, relevant evidence to support the complaint should be provided e.g. copies of letters, e-mails, signed witness statements or any other relevant documentation to support the issue which the complaint relates to.

Time Limit – Stage 2

A Stage 2 complaint must be submitted no later than 10 working days from the date on which the Stage 1 response was provided.

In exceptional circumstances, it may be appropriate for complaints to progress directly to Stage 2 of the Procedure without first attempting informal resolution at Stage 1. Guidance must be sought from the Quality and Enhancement Office in such cases. Examples of when this might be appropriate include complex complaint issues which require a detailed investigation.

Procedure – Stage 2

Upon receipt, the Quality and Enhancement Office will:

- determine if the complaint falls within the scope of the Student Complaints Procedure;
- determine if it is appropriate to refer the student to a different Procedure;
- determine if resolution was attempted at stage 1 of the Procedure and if not, can the matter be referred back to this stage;
- determine if the complaint is clearly outlined;
- determine if the complaint has been submitted within the appropriate deadline.

If it is appropriate for the complaint to progress, the Quality and Enhancement Office will normally forward the complaint to the relevant Dean of School/Director of Professional Service for investigation. If the complaint does not fit within the scope, the Quality and Enhancement Office will advise the student in writing within 10 working days. The Quality and Enhancement Office will log all incoming complaints and monitor timescales for review.

The Dean of School/Director of Professional Service has responsibility for appointing an independent person who has not been involved in the matter under consideration to investigate the complaint. All investigators receive training. Where a complaint arises within a School, the investigator should preferably be appointed from within a different discipline area. The complaint form shall be forwarded to the investigator to enable them to carry out their role. The investigator will normally meet or communicate with the student to discuss the matter in further detail.

The student will be advised of the name and contact details of the investigator. Where a member of staff is named in a complaint, a copy of the complaint (or relevant parts of the complaint) will be forwarded to the staff member.

The investigator will look into the complaint using the [Guidelines for Investigators](#) and will produce a written report with appropriate evidence for the Dean of School/Director of Professional Service using the [Investigator's Report Template](#). It is anticipated that reviews of most Stage 2 complaints will be completed **within 30 working days** of the appointment of an investigator. If there is any delay in the process (i.e. if the review is not completed within 30 working days), the student will be informed.

On receipt of the investigator's report, the Dean of School/Director of Professional Service will determine the outcome of the complaint and provide a written response to the complainant. If necessary, the Dean of School/Director of Professional Service may request additional information upon receipt of the report. The written response will state whether the complaint has been upheld, partially upheld or rejected and the reason(s) for this, as well as information on any actions taken. A copy of the investigator's report will also be provided with any necessary redactions.

A copy of the response letter and the investigator's report shall be forwarded to the School Business Manager/relevant administrator and to the Quality and Enhancement Office.

16. Stage 3 (Review Stage)

If a student is dissatisfied with the outcome reached at Stage 2, a request for a review of the decision reached at Stage 2 may be submitted at Stage 3 of the Procedure. Stage 3 may only be invoked when Stage 2 has been completed. No new issues of complaint may be introduced at Stage 3. Students studying at collaborative partner institutions should read the guidance provided at Appendix A.

Submission of Complaint – Stage 3

The request for a review should be submitted using the complaints review form ([Stage 3 Complaint Form](#)).

The following information is required:

- the ground(s) on which the request is based (see below);

- a rationale to explain the ground(s);
- a statement to explain why the student is dissatisfied with the Stage 2 response;
- the outcome sought by the student in order to resolve the complaint;
- any relevant evidence e.g. copies of letters, e-mails, signed witness statements and any other relevant supporting documentation.

The grounds for the review are:

- that there was a procedural irregularity at Stage 2 of the Student Complaints Procedure which has materially disadvantaged the student;
- the emergence of new and relevant evidence which, for good and reasonable cause, was not available during Stage 2;
- that evidence is available to show that the outcome reached at an earlier stage was unreasonable. In this context, unreasonable shall be taken to mean perverse, i.e. that the outcome was not a possible conclusion which a similar hearing or process of consideration might have reached.

Completed forms should be sent via e-mail to complaints@salford.ac.uk or in writing to the Quality and Enhancement Office within 10 working days of the date of the response to the Stage 2 complaint.

Procedure – Stage 3

On receipt of a Stage 3 complaint, the Director of Quality, Enhancement and Governance (or nominee) shall review the document to determine whether the request for review is valid, based on the grounds for review stated in section stated above.

If the request is deemed invalid, the student will be advised in writing, normally within 10 working days of receipt of the request. The letter will advise that internal University procedures in relation to the complaint have been concluded and will include details of the scheme of the Office of the Independent Adjudicator (see below).

If the request is deemed valid, a Stage 3 Complaint Review Panel will normally be convened within 20 working days to review the matter further.

Review Panel

The Panel will consist of:

- A member of the University's Management Team not party to the complaint (Chair of the Panel);
- A senior member of academic or professional services staff not party to the complaint;
- A representative of the University of Salford Students' Union.

Panel meetings will be serviced by a member of staff from the Quality and Enhancement Office.

The student will be invited to attend the meeting along with the relevant Dean of School/Director of Professional Service (or nominee).

Documentation Required for the Review

As a minimum the following documentation will be provided to the Panel meeting:

- the Stage 3 complaint form and any associated documentation;
- the Stage 2 complaint, Stage 2 outcome letter, investigator's report.

Documentation will be circulated to all parties at least 5 working days before the Panel meeting.

Procedure Follows at Stage 3 Panel Hearing

The Panel will undertake to conduct a fair and proper hearing and consider all relevant information. The process which will normally be followed during the meeting is available in Appendix C:

The standard of proof for the Panel when reaching a decision is based on the balance of probabilities.

The student will normally be advised of the outcome after the Panel has considered evidence. It will also be communicated in writing, normally within 5 working days. If any aspect of the complaint is upheld or partially upheld, the Panel will consider possible means of redress. Exceptionally the Chair of the Panel may need to undertake further consultation before a final decision can be reached. The written response shall state whether the complaint has been upheld, partially upheld or rejected. If the complaint is not upheld or partially upheld, the outcome letter will constitute a 'completion of procedures' letter.

17. Office of the Independent Adjudicator

The 'completion of procedures' letter will explain that if a student remains dissatisfied at the conclusion of the University's internal complaints procedure, they may ask the [Office of the Independent Adjudicator for Higher Education](#) (OIA) to review the complaint outcome. This will require completion of an OIA scheme application form upon receipt of the 'completion of procedures' letter. The scheme application form must be submitted within twelve months of the date that the completion of procedures letter was issued. The OIA website provides further information regarding the scheme and its eligibility criteria.

Independent advice about submitting a complaint for review to the OIA is available through the Students' Union.

18. Information which Applies to all Stages of the Procedure

a) Attendance at Meetings

Students and members of staff are encouraged to attend all meetings and/or hearings convened under this Procedure to consider a complaint.

At stage 3, if a student or a member of staff does not attend a hearing without providing good reason in advance, the Chair may decide that the hearing can proceed in their absence. In this instance, the complaint will be considered on the basis of the evidence available at the time of the hearing.

If, for good reason, a student or member of staff is unable to attend a hearing, then the

student or member of staff can request that the meeting or hearing is deferred until a later date. Alternatively the student can request permission from the University for their supporter to attend the meeting to present the case on the student's behalf. This may delay the time taken to reach an outcome to the complaint.

A student is responsible for paying the costs of attendance at meetings. The University will not reimburse any costs.

b) Supporters

Students and members of staff can bring a supporter to meetings and hearings arranged through this Procedure. The supporter can take notes, make representations and ask questions on behalf of the student/member of staff, but cannot answer questions on behalf of the student/member of staff. The name of the supporter must be provided to the University at least 24 hours before any meeting or hearing. It is the responsibility of the student/member of staff to provide their supporter with all relevant information and notification of meetings. The University is unable to cover any costs incurred by supporters.

A supporter must not be someone who has been suspended or excluded from the University for any reason.

Guidance about legal representation is available here:

<https://beta.salford.ac.uk/governance-and-management/student-facing-policies-and-procedures>

c) Audio Recording of Procedures

The audio recording of meetings held under this Procedure is prohibited, subject to such reasonable adjustment as may be agreed by the University where required under the Equality Act 2010.

d) Legal Proceedings

If a student brings court or tribunal proceedings against the University which may be relevant to that student's complaint, the University will normally suspend consideration of the complaint until the University knows the outcome of those proceedings. If the matters complained about are disposed of in those proceedings then the University will normally terminate consideration of that complaint.

e) Appointment of Substitutes

If any post-holder of the University who is specified in this Procedure (the Specified Post-holder) for any reason declines, fails or is unable to take action that is their responsibility under this Procedure, then the Registrar or Director of Quality, Enhancement and Governance is able to approve the appointment of a substitute who will be as close as possible to the specified post holder in terms of their position within the University.

19. HEFCE's Unsatisfactory Quality Scheme

[HEFCE](http://www.hefce.ac.uk) has an Unsatisfactory Quality Scheme. The scheme allows a group or groups of students, staff or others with a direct interest in a University, to raise issues with HEFCE. The scheme will investigate serious or systemic issues about academic standards or the student academic experience. Further information about the scheme is available at: <http://www.hefce.ac.uk/reg/forstudents/qualityissues/>

The scheme does not investigate issues or complaints from individual students about

their University. This is the role of the Office of the Independent Adjudicator following completion of the University's internal procedures.

20. Related Documentation

- [Academic Appeals Procedure](#)
- [Dignity at Work and Study](#)
- [Fitness to Practise Procedure](#)
- [Freedom of Speech Policy](#)
- [Student Disciplinary Procedure](#)
- [Students' Union Complaints Procedure](#)
- [Whistleblowing Policy](#)

21. Monitoring and Performance of Procedure

Schools and Professional Services are responsible for maintaining a log of all complaints received and ensuring that appropriate action is taken and that any emerging trends are monitored.

The Quality and Enhancement Office maintains a summary of formal complaints submitted in each academic year which permits the progress of complaints to be monitored and delays in the process to be identified and acted upon.

The Quality and Enhancement Office compiles an annual management report identifying issues raised through complaints, actions taken and an anonymised profile of complaints for the Student Experience, Learning, Teaching and Enhancement Committee.

22. Guidance and Training

Training and guidance for University and Students' Union staff in relation to the Procedure is available from the Quality and Enhancement Office. Information and resources are available at: <http://www.salford.ac.uk/geo/StudentPolicies/student-complaints-procedure>

23. Appendices

Appendix A: Information for students who are studying off campus or at a collaborative partner institution

Appendix B: Complaints Procedure Flowchart

Appendix C: Process to follow during a Stage 3 Complaint Panel

APPENDIX A: Information for students who studying off campus or at a collaborative partner institution

Complaints about services provided by collaborative partners or other organisations involved in delivery of a student's programme will need to be pursued with the relevant collaborative partner or organisation through the partner/organisation's complaints procedure.

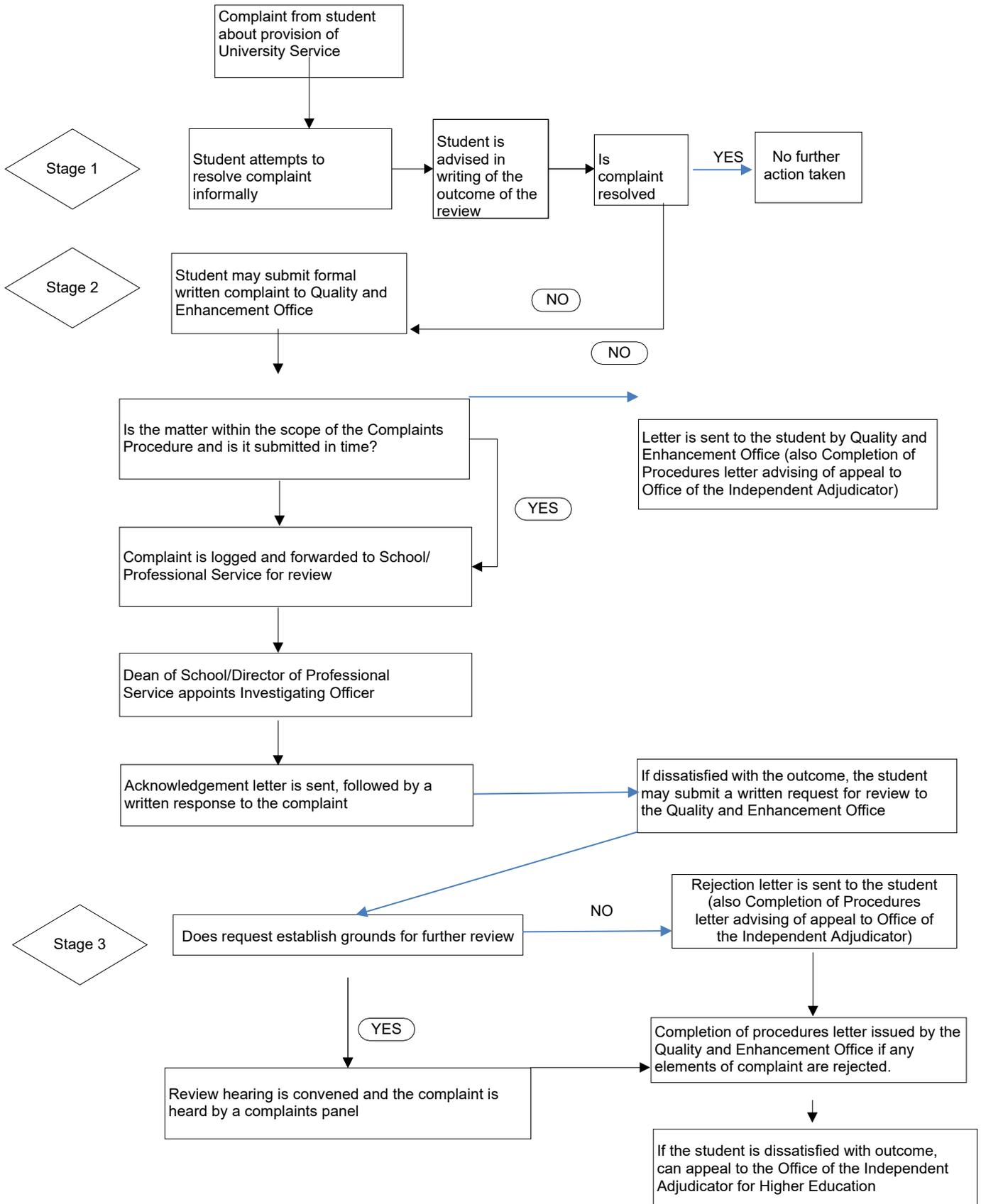
Students studying with organisations where awards are conferred by the University have an ultimate right of appeal to the University in the case of issues which impact on a student's programme of study.

Therefore if students are dissatisfied with the outcome once they have exhausted all stages of the complaints procedure at the partner organisation, they have a right to appeal to the University for a review of their complaint at Stage 3 of the University's Student Complaints Procedure.

The University of Salford will only accept requests for review if the complaint relates to academic related complaints e.g. programme delivery, teaching, feedback and learning resources. The University can only review matters which have already been considered at an earlier stage through the partner or organisation's complaints procedure.

In the case of joint awards, students are advised to seek clarification on which complaints procedure they should follow from their Programme Handbook.

APPENDIX B: Complaints Procedure Flowchart



APPENDIX C: Process to follow during a stage 3 complaint panel**The following process should normally be followed during a stage 3 complaint panel**

- the Chair will ensure that introductions are made and the role of each person present is clear;
- the Chair will outline the process which will be followed;
- the Chair will invite the student to outline the reasons for the appeal;
- Panel members may ask questions;
- the Chair will invite the Dean of School/ Director of Professional Service (or nominee) to respond to any of the issues raised by the student;
- Panel members may ask questions;
- the student or Dean of School/ Director of Professional Service (or nominee) may call witnesses to present evidence;
- the student or Dean of School/ Director of Professional Service (or nominee) shall question their witness(es);
- any questions for the witness(es) shall be addressed through the Chair;
- witnesses withdraw once their evidence has been heard and there are no more questions;
- commentary deemed by the Chair to be irrelevant, frivolous or vexatious will not be heard and will not be recorded;
- both the student and Dean of School/ Director of Professional Service (or nominee) shall have the right to make final submissions to the Panel. The student will speak first, followed by the Dean of School/Director of Professional Service (or nominee);
- both parties will be asked to withdraw whilst the Panel reaches a decision.

Document Control Information			
Revision History incl. Authorisation: (most recent first)			
Author	Summary of changes	Version	Authorised & Date
Annette Cooke	<i>Amendment to representation at meetings Information about information sharing has been organised into a new section Student must include a copy of stage 1 outcome with stage 2 complaint</i>	V2.6	Chair of SELTEC on behalf of SELTEC 25 November 2019
Annette Cooke	<i>Update for 2018/19</i>	V2.5	Editorial amendment
Annette Cooke	<i>Complaints to be submitted within 20 working days of issue arising. Complaints regarding issue of penalty charge notices in relation to car parking to be directed to POPLA. Following advice from HR, staff not able to access representation during the investigation process. Investigators to have received training. Stage 1 no longer referred to as an informal stage. Timescales referred to in working days.</i>	V2.4	18 July 2017
Annette Cooke	<i>Transferred to new policy template and links updated</i>	V2.3	8 September 2016
Annette Cooke	<i>Change to timescale for bringing a complaint forward Amendment to one of the grounds for review at stage 3. Additional guidance for students at partner institutions added.</i>	V2.2	15 June 2016 SELTEC
Policy Management and Responsibilities:			
Owner:	This Policy is issued by the Head of Quality and Enhancement, who has the authority to issue and communicate policy on Student Complaints and has delegated day to day management and communication of the policy to the Quality and Enhancement Manager, QEO.		
Others with responsibilities (please specify):	All subjects of the Policy will be responsible for engaging with and adhering to this policy.		
Author to complete formal assessment with the following advisory teams:			
Equality Analysis (E&D, HR) Equality Assessment form	December 2019		
Legal implications (LPG)	N/A		
Student facing procedures (QEO)	Procedure developed and updated by QEO		
UKVI Compliance (Student Admin)	N/A		
Consultation:			
Staff Trade Unions via HR Students via USSU Relevant external bodies (specify)	October 2019 July 2017		
Review:			
Review due:	2019/20		