

# **Student Complaints Procedure**

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**1. What is the purpose of this Procedure?**

At the University of Salford, we strive to achieve the highest standards in provision of services but recognise that concerns or complaints may arise from time to time. This Procedure outlines the process to follow to raise complaints and the process through which these will be considered.

**2. Who does the Procedure apply to?**

The Procedure applies to students who are registered with us, or to those who have recently finished their studies, as long as complaints are raised within the timeframe specified in the Procedure.

**3. I am an apprentice, does this Procedure apply to me?**

If you are an apprentice, then you should follow this Procedure if you wish to raise a complaint relating to your Apprenticeship Programme, or the facilities and services provided by the University. In addition, you may, at any time, contact the National Apprenticeship Helpline to escalate your complaint to the Education and Skills Funding Agency (ESFA) through the apprenticeship helpdesk (on 08000 150400 or email [nationalhelpdesk@apprenticeships.gov.uk](mailto:nationalhelpdesk@apprenticeships.gov.uk)).

**4. I study at a collaborative partner institution, does this Procedure apply to me?**

If you are studying at a collaborative partner institution, then you should raise any complaints or concerns through your provider's complaint procedure in the first instance. However, if you remain unsatisfied with the provider's response to your complaint, you have right to appeal to the University. You can find further information on how to do this in Appendix A.

**5. What is a complaint?**

A complaint is 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 the University. Examples of matters that would be considered under this Procedure include:

- The quality and standard of a service provided by the University, including learning and teaching provision, advice, resources and facilities;
- Failure to follow a process or procedure;
- Unfair treatment or inappropriate behaviour by a member of staff.

Matters which are governed by other Procedures, or where services are governed by different complaints processes, cannot be considered through this Procedure. Further details are provided in Appendix B.

Where your concern 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 to the relevant member of staff e.g. module or programme leader.

**6. What is the difference between a complaint and an academic appeal?**

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 regarding student progression, assessment and award. The Student Complaints Procedure cannot change a decision made by an Assessment Board or be used to change marks awarded by an Assessment Board. See Appendix B.

**7. Where can I get advice and information?**

Independent advice about the Student Complaints Procedure is available from the Students' Union Advice Centre on 0161 351 5400 or [advicecentre-ussu@salford.ac.uk](mailto:advicecentre-ussu@salford.ac.uk). For further details see <http://www.salfordstudents.com/advice/issues>.

General information on the operation of the Procedure is available from the Quality and Enhancement Office (0161 295 4123/ [complaints@salford.ac.uk](mailto:complaints@salford.ac.uk)) or askUS (0161 295 0023/ [advice@salford.ac.uk](mailto:advice@salford.ac.uk)).

**8. Can I make an anonymous complaint?**

Anonymous complaints will not 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. You should be aware that in most circumstances, raising a concern anonymously may hinder an investigation and communication of any outcome. If you are concerned about protecting your anonymity, you may wish to contact the Students' Union Advice Centre who may be able to make initial enquiries for you.

**9. Can someone else make a complaint on my behalf?**

Complaints which are made by a third party (including parents, guardians or friends of registered students) cannot be dealt with under this Procedure unless you have provided permission in writing. You can give authority for a third party to pursue a complaint on your behalf. You will need to complete a [third party consent form](#) and return this to the Quality and Enhancement Office.

**10. Can I submit a complaint directly to the Vice-Chancellor?**

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.

**11. What if a group of students wishes to make a complaint?**

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

- the case is conducted through a lead student to facilitate the progress of the complaint identified on a [group complaint consent form](#); and
- the names of all students who wish to bring the complaint forward are notified to the University on a [group complaint consent form](#).

**12. Who gets to see information about my complaint?**

The University adopts the principle of releasing information only to those who need it for the purposes of investigation or responding to the complaint. The University has to balance the respective rights of students and staff. Where a member of staff is named in a complaint, that individual 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 through this Procedure.

Whilst you will be notified of the outcome of your complaint, if you have made a complaint about a member of staff, it may not be appropriate to share specific details affecting the staff member, particularly where disciplinary action is being taken.

**13. What if I am a disabled student and need reasonable adjustments to enable me to engage with this Procedure?**

If you identify individual needs, reasonable adjustments may be made to the Procedure. Please contact the Quality and Enhancement Office via [complaints@salford.ac.uk](mailto:complaints@salford.ac.uk).

**14. I'm concerned that I may be treated unfairly if I submit a complaint, what can I expect?**

The University will ensure you will not be treated less favourably because you raised a complaint through this Procedure.

**15. What standards of behaviour does the University expect from students using the Procedure?**

The University expects all students to comply with the standards of behaviour set out in the [Student Code of Conduct](#) at all times. During the complaints process, the University expects all parties to act reasonably and fairly towards each other and treat the process with respect. Where students (or supporters) demonstrate behaviour deemed to be aggressive, offensive or abusive during this process, consideration of complaints will be terminated.

**16. How many stages are there in the 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.

**17. What timescales apply and what happens at each stage of the Procedure?**

The University sets timescales for each stage of the Procedure to ensure that appropriate investigations can be undertaken. In exceptional circumstances, extensions to timeframes will be considered through the Quality and Enhancement Office, for example complaints relating to sexual misconduct/harassment would normally be accepted without a deadline.

**Stage 1 Timescale**

A complaint must be raised within 20 working days of the event or circumstances which are its cause; If the complaint relates to a series of connected events, the complaint should normally be notified within 20 working days of the most recent event.

**Stage 1 Process**

You should make initial contact with the relevant member of staff who is responsible for 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. If this is not possible, you should contact your School Office or the Quality and Enhancement Office for advice about the best point of contact.

The Stage 1 review will normally be concluded within 10 working days of receipt of the complaint and you will be informed of the outcome in writing.

All Schools/Professional Services are required to keep a record of Stage 1 complaints to enable themes and trends to be monitored.

In exceptional circumstances, it may be appropriate for complaints to progress directly to Stage 2 of the Procedure without first attempting 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 may require a longer period of investigation.

### **Stage 2 Timescale**

If, having received a response at Stage 1 of the Procedure, you believe there are reasonable grounds for dissatisfaction, you can progress to Stage 2. A Stage 2 complaint must be submitted 10 working days from the date on which the Stage 1 response was provided.

### **Stage 2 Process**

A Stage 2 complaint must be submitted in writing, using the [Stage 2 complaints form](#) which should be sent, along with any associated evidence to [complaints@salford.ac.uk](mailto:complaints@salford.ac.uk).

Upon receipt, the Quality and Enhancement Office will consider if the matter is appropriate for review through at this Stage. 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 (or nominee) for investigation. If it is not possible to process the complaint further, you will be advised in writing within 10 working days. The Quality and Enhancement Office log all incoming formal complaints and monitor timescales for review.

The Dean of School/Director of Professional Service (or nominee) has responsibility for appointing an independent person not involved in the matter under consideration to investigate the complaint. Where a complaint arises within a School, an investigator would normally be appointed from within a different discipline area. You will be advised of the name and contact details of the investigator.

The investigator will investigate 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 (or nominee) to consider 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), you will be informed.

On receipt of the investigator's report, the Dean of School/Director of Professional Service (or nominee) will decide whether the complaint should be upheld, partially upheld or rejected and send you a written response. If necessary, the Dean of School/Director of Professional Service (or nominee) may request additional information upon receipt of the report. The written response will include the complaint outcome, a brief rationale for the decision and any actions to be taken. A copy of the investigator's report will also be provided to you with any necessary redactions.

A copy of the response letter and the investigator's report will be logged within the School and forwarded to the Quality and Enhancement Office.

### **Stage 3 Timescale**

If, having received a response at Stage 2 of the Procedure, you can demonstrate that there are grounds for dissatisfaction, you can progress to Stage 3. A Stage 3 complaint must be submitted within 10 working days of the date on the response to the Stage 2 complaint.

### **Stage 3 Process**

The request for review should be submitted using the [Stage 3 Complaint Form](#) and submitted along with any associated evidence via e-mail to [complaints@salford.ac.uk](mailto:complaints@salford.ac.uk).

A stage 3 review can be requested on one or more of the following grounds:

- 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.

No new issues of complaint may be introduced at Stage 3.

On receipt of a Stage 3 complaint, the Registrar (or nominee) will review the document to determine whether the request for review is valid, based on the grounds for review stated above.

If the request is deemed invalid, you 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 details of the scheme of the Office of the Independent Adjudicator provided (see below).

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

### **Review Panel**

The Panel will consist of:

- A senior manager of the University 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:

1. the Stage 3 complaint form and any associated documentation;
2. 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 Followed at Stage 3 Panel Hearing**

The process which will normally be followed during the meeting is available in Appendix C.

You will normally be advised of the outcome after the Panel has considered evidence. It will also be communicated in writing to you, 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.

**18. What if I'm dissatisfied with the University's final decision?**

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.

In addition, to the OIA, apprentices may also escalate their complaint to the ESFA through the apprenticeship helpdesk (on 08000 150400 or email [nationalhelpdesk@apprenticeships.gov.uk](mailto:nationalhelpdesk@apprenticeships.gov.uk)).

**19. Do I need to attend meetings associated with this Procedure?**

All parties (students and staff) are encouraged to attend all meetings convened under this Procedure and to engage with any investigations. Attendance by video link or other technology may be considered if 5 working days' notice is provided.

At stage 3, if you (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 this instance, the complaint will be considered on the basis of the evidence available at the time of the hearing.

If, for good reason, any party (student or staff member) is unable to attend a hearing, then either may request that the meeting or hearing is deferred until a later date.

You are responsible for paying any costs incurred and those of any supporter to attend meetings.

**20. Can someone else attend meetings with me?**

All parties (students or members of staff) can bring a supporter to meetings and hearings arranged through this Procedure. The supporter can take notes, make representations or ask questions on behalf of you (or the member of staff), but cannot answer questions on your behalf (or on behalf of the member of staff). The name of the supporter must be provided to the University at least 24 hours before any meeting. It is your responsibility to provide your 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](#).

**21. Can I record meetings held through this Procedure?**

The audio recording of meetings held under this Procedure is not permitted, subject to such reasonable adjustment unless agreed by the University where required under the Equality Act 2010.

**22. What if I initiate legal proceedings in relation to a complaint?**

If you bring legal proceedings against the University which may be relevant to their complaint, the University will normally suspend consideration of the complaint until written confirmation of these proceedings are received. If the matters complained about are disposed of in those proceedings, then the University will normally terminate consideration of the complaint.

**23. What if a post holder specified in this Procedure is unable to take action?**

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 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.

**24. What burden of proof is used in decision making through this Procedure?**

When a complaint is considered through this Procedure, you are responsible for providing evidence and information to support your complaint. In reaching a decision about a complaint, the University will consider all available evidence and information and reach a decision on the balance of probabilities.

**25. Appendices**

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

Appendix B Matters which cannot be considered through the Procedure

Appendix C: Complaints Procedure Flowchart

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

## **APPENDIX A: Information for students studying 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: Matters which cannot be considered through the Student Complaints Procedure**

### Complaints which

- have already been considered or which are outside the scope of the Procedure;
- are made without providing relevant or appropriate information;
- are malicious, vexatious, frivolous, repetitive or harassing;
- have been disposed of in court or tribunal proceedings;
- are without merit or where outcomes are deemed to be unreasonable;

will not be considered under this Procedure.

In addition, the Procedure cannot be used to consider the following:

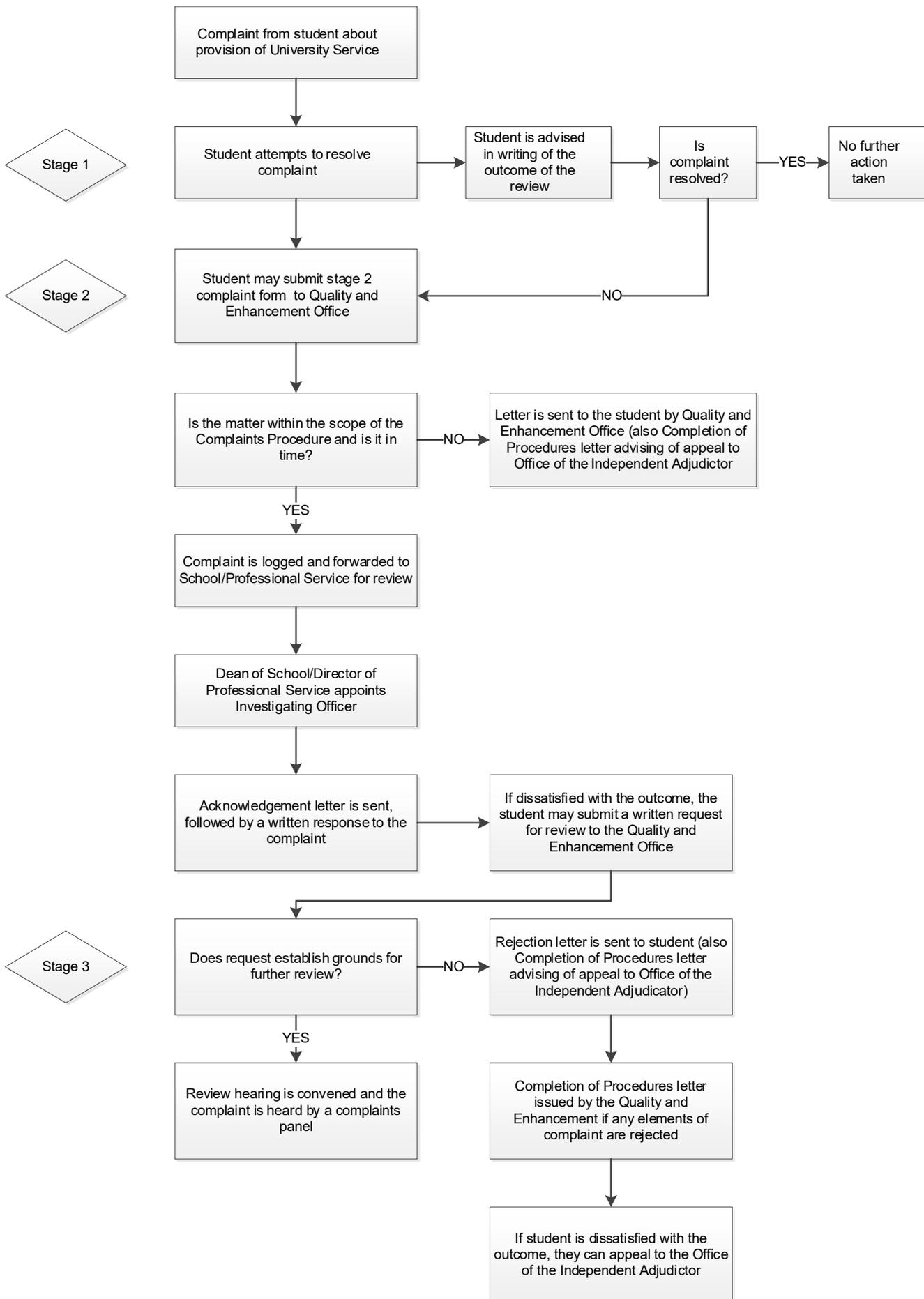
- matters relating to assessment performance and academic judgement; appeals against Assessment Board decisions (see [Academic Appeals Procedure](#));
- complaints relating to Disclosure and Barring Service (DBS) checks;
- complaints against the University of Salford Students' Union (see <http://www.salfordstudents.com>);
- matters covered by the [Whistleblowing Policy](#);
- [Freedom of Information and Data Protection](#) matters;
- matters covered by the [Freedom of Speech Policy](#);
- complaints relating to the admissions process (see [Admissions Complaints Process](#));
- decisions reached through other processes including the [Student Disciplinary Procedure](#), [Fitness to Practise Procedure](#), [Fitness to Study Procedure](#) and [Student Engagement, Participation and Attendance Policy](#);
- matters which are the subject of criminal investigation or legal proceedings until such time as those proceedings are concluded;
- complaints about the Student Occupational Health service – contact [StudentOH-enquiries@salford.ac.uk](mailto:StudentOH-enquiries@salford.ac.uk);
- Complaints about accommodation services provided by Campus Living Villages<sup>1</sup>;
- complaints regarding Salford Professional Development services (see [www.salford.ac.uk/onecpd](http://www.salford.ac.uk/onecpd));
- complaints about car parking penalty charge notices<sup>2</sup>.

Complaints relating to matters which are already being considered under other procedures will not normally be dealt with until relevant proceedings under those procedures have been concluded.

<sup>1</sup> Students should submit any complaints using the Complaints Procedure for Campus Living Villages

<sup>2</sup> 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.

**APPENDIX C: Complaints Procedure Flowchart**



**APPENDIX D: Process to follow during a stage 3 complaint panel**

**The following process should normally be followed during a stage 3 complaint panel**

1. the Chair will ensure that introductions are made and the role of each person present is clear;
2. the Chair will outline the process which will be followed;
3. the Chair will ask the student to declare any factors such as health issues which may affect engagement with the hearing;
4. the Chair will invite the student to outline the reasons for the stage 3 complaint;
5. Panel members may ask questions;
6. 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;
7. Panel members may ask questions;
8. the student or Dean of School/ Director of Professional Service (or nominee) may call witnesses to present evidence;
9. the student or Dean of School/ Director of Professional Service (or nominee) shall question their witness(es);
10. any questions for the witness(es) shall be addressed through the Chair;
11. witnesses withdraw once their evidence has been heard and there are no more questions;
12. commentary deemed by the Chair to be irrelevant, frivolous or vexatious will not be heard and will not be recorded;
13. 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);
14. 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>Change in format to FAQs, student in use 'voice' 'students addressed as you', re-ordering of material, addition of information for apprentices</i>	V2.7	SELTEC 20 May 2020
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
<b>Policy Management and Responsibilities:</b> 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.		
<b>Author to complete formal assessment with the following advisory teams:</b>			
Equality Analysis (E&D, HR) <u><a href="#">Equality Assessment form</a></u>	December 2019		
Legal implications (LPG)	N/A		
Student facing procedures (QEO)	Procedure developed and updated by QEO		
UKVI Compliance (Student Admin)	N/A		
<b>Consultation:</b> Staff Trade Unions via HR Students via USSU Relevant external bodies (specify)	October 2019 July 2017		
<b>Review due:</b>	2020/21		