

UNIVERSITY OF BATH: STUDENT COMPLAINTS POLICY AND PROCEDURE

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1. Purpose

1.1 The University welcomes feedback in respect of the services it provides and believes that students are entitled to have access to effective systems for handling complaints to ensure the University provides the highest possible academic and service standards. Students should feel able to make a complaint, knowing that it will be fairly investigated.

1.2 Detailed below is the three-stage process the University has adopted for dealing with students' complaints, which is intended to provide a clear means of resolution to the satisfaction of all parties.

2. Scope

2.1 The University considers a student complaint as an expression of dissatisfaction raised by a student (or group of students) against a service, facility or the academic provision of the University.

3. Policy Interactions

3.1 Issues covered by other specific procedures will not be dealt with under this policy. For example:

- Academic Appeals and Reviews, the procedures for which can be found in Section 17 of the Student Regulations.
- Complaints relating to services provided by The SU (Students' Union), which should be pursued with The SU in the first instance by emailing su-cda@bath.ac.uk
- Complaints relating to franchise, validated or partner institution provision, should the Institutional Agreement allow, will be dealt with according to the franchise, validated or partner institution's procedures, unless they relate to a University service. Where the complaint is not resolved at this level the student may request a review by the Appeals Panel under Stage 3 of this policy and procedure.
- Complaints relating to university accommodation, which should be submitted under the Accommodation Services' own complaints procedure. Where the complaint is not resolved at this level the student may request a review by the Appeals Panel under Stage 3 of this policy and procedure.
- Complaints relating to the service provided by Westwood Nursery should be submitted under the Westwood Nursery's own complaints procedure.
- Complaints about any form of discrimination, bullying, harassment or victimisation which will be dealt with through the Dignity and Respect policy.

3.2 Issues may be raised that do not fall neatly into the category of just this procedure. Where matters are raised under more than one of the procedures, that relate to common facts, then the normal approach will be to consider the matters through a joint process. For example, where a student raises a complaint under the Student Complaints Policy and Procedure that also needs to be investigated under the Dignity and Respect Policy and

Procedure, the University will normally have one joint investigation under both policies and procedures (and the relevant disciplinary procedure). Normally this decision will be made at the level of the Deputy Director of HR / Head of Student Policy & Safeguarding.

The University will explain to all parties how the matters will be investigated, where responsibility for overall conduct of the matter lies, and who will issue the final decision.

A Designated Coordinator will be provided for all parties. Where a joint process is not possible, we will be clear about which specific issues will be considered under which specific procedure.

The Designated Coordinator will act as a single point of contact for any party throughout any part of these processes. The Designated Coordinator is not an advocate or representative. They can provide information on University processes and facilitate practical support, as well as acting as a link for communications between the University and parties to the process. The Designated Coordinator could be the Dignity & Respect Liaison Officer, the Deputy Director of HR, the Student Discipline Manager or the Student Casework Manager, for example.

4. Principles

4.1 The University is committed to making the experience of processes, such as this one, as considerate as possible. As such, this procedure will:

- Be timely; normally concluded within 60 days (plus 30 days for any appeals) from the receipt of the Student Complaints Form. If it is anticipated that the process will take longer, all parties will be informed in writing and provided with an amended timescale.
- Be independent; persons with a conflict of interest will not investigate or adjudicate. If any party to this procedure has a concern about anyone involved with their complaint, they can raise this with the Student Casework Manager via student-complaints@bath.ac.uk
- Be respectful: All parties will treat each other fairly and with respect throughout this process
- Be transparent; all parties will be clearly communicated with throughout the process, and reasons will be given for decisions made.
- Be empathetic; all parties will be listened to and taken seriously throughout this process
- Be reflective; the University will use complaints and feedback from this process to improve the student experience.
- Be fair and unbiased; All parties will have the right to a fair and unbiased hearing under the University's procedures. This means that excluding special circumstances, the identity of a reporting party and the details of the complaint will need to be disclosed to the Respondent, and where necessary, witnesses, before they are asked to respond. In some circumstances, sensitive and confidential information may be redacted. Students will be able to discuss this with the Student Casework Manager before the beginning of this formal process.

5. Roles and Responsibilities

5.1 Student Casework Team

The Student Casework Team - this policy and procedure, and their application, are overseen by the Student Casework Team who sit within Student Policy and Safeguarding. Any queries you may have relating to this policy and procedure can be emailed to student-complaints@bath.ac.uk

Any of the functions of the Head of Student Policy & Safeguarding under this policy may be delegated to a member of Student Policy & Safeguarding.

5.2 Head of Governance

The Head of Governance oversees the Governance Team. Any of the responsibilities of the Head of Governance as described in this policy can be delegated to another member of the Governance Team.

5.3 Head of Department or Service

The Head of Department or Service is normally the Head of Department or Service where the complaint originated. Any of the responsibilities of the Head of Department or Service as described in this policy can be delegated to another member of their Department or Service.

6. Definitions

6.1 For the purpose of this procedure a student is defined as an applicant who has been accepted to study at the University, a student registered on a higher education course at the University, or a former registered student whose leaving date is within the last six months. (A student's leaving date is the date of their final award unless they have left the University without completing a final award.)

6.2 Chair

The person in charge of the meeting. The chair will set the agenda and ensure all necessary points have been addressed.

6.3 Panel

The group of people elected by the chair to investigate the complaint.

6.4 Respondent

An identified person or persons that a complaint is made against.

6.5 Reporting Party

The student making the complaint.

6.6 Witness (Direct/Indirect)

An individual who is asked to provide evidence in relation to the alleged complaint.

6.7 Conflict of Interest

In order that a fair and objective process is carried out, the University needs to ensure that those involved at each stage of the process do not have a conflict of interest.

The University defines a conflict of interest as a set of circumstances that creates a risk that the individual's ability to apply judgement or act fairly and objectively in a particular case is, could be, or could be perceived to be, impaired or influenced by a secondary interest. This interest might include some personal or working connection to any of the parties involved or their work, such that it could impair their objectivity. For this reason, we ask any individual involved in a Student Complaint case to declare any actual or potential conflicts of interest. The primary obligation rests with the individual to recognise situations in which there is actual, potential, or perceived conflict of interest. The University is keen to support its staff and students and manage potential conflict wherever possible and will ask for declarations at every stage of the process. It is not the intention of the University to intrude on the privacy of individuals, however the University has a statutory obligation to safeguard the health, safety, and welfare of all members of the University. Therefore, it will take any necessary steps to satisfy these responsibilities.

If any party to this procedure has a concern about anyone involved with their case, they can raise by emailing student-complaints@bath.ac.uk.

7. Support for Students

7.1 We understand that this process can be difficult, and we strongly recommend that all students seek advice from the SU Advice and Support Centre, which is independent of the University. The SU Advisors can assist with completing forms, preparing for meetings and can attend the meetings as an advisor. Students can arrange a meeting with an advisor by emailing suadvice@bath.ac.uk

7.2 We strongly recommend that students seek emotional support from the Student Wellbeing Service or the SU Advice and Support Centre before, during and/or after their involvement with this process.

7.3 Students may be accompanied to any or all stages of this process by a Students' Union representative, a friend, family member or advisor. Accompanying individuals may be allowed to speak at the discretion of the Chair or the person leading the meeting. Their contribution may include reading a statement on behalf of the student, consulting with them and advising them. However, students will be expected to answer questions themselves. Students are required to notify their Designated Coordinator of the name of anyone accompanying them to meetings, with at least 3 working days' notice, by emailing student-complaints@bath.ac.uk

7.4 We understand that some students may need additional arrangements to fully access this process. This may include reasonable adjustments for disabled students, an interpreter, or other arrangements. You can discuss your needs by emailing student-complaints@bath.ac.uk

7.5 If you would like to raise a concern that anyone party to this process, any colleagues involved in overseeing this process or any panel members may have a conflict of interest, you can raise this with student-complaints@bath.ac.uk

7.6 Parties to this process are encouraged to provide feedback on any aspect of it any stage by emailing studentpolicy@bath.ac.uk

8. Raising a Complaint

8.1 The University encourages students to provide feedback on their experience through representation of relevant groups and Staff/Student Liaison Committees, evaluation questionnaires and student voice groups.

8.2 Students are encouraged to raise a concern or complaint as soon as possible after the event has taken place, and normally no later than six months from the date the initial issue occurred. We encourage students to report their complaints in a timely manner as this often leads to a more effective investigation and a more immediate remediation for the student.

8.3 A group of students may use this process to make a group complaint where there is a shared complaint against a service, facility or the academic provision of the University. The group may be asked to nominate one student to act as the group representative.

8.4 As far as possible, matters raised as a complaint will remain confidential to those directly involved in the complaint, unless there is a serious risk of harm to the student or to others. However, in the interests of natural justice, the respondent to a complaint has the right to know the full details of the complaint or, in exceptional circumstances, only those details which need to be shared to enable a proper response to be made. Some of the information about the concern raised may need to be shared with witnesses in order to receive their accounts.

8.5 In order to ensure that a thorough investigation of a complaint is made, the University expects to be able to collect appropriate information from all the parties involved. Anonymous complaints will not *usually* be accepted. Exceptionally, an anonymous complaint may be accepted if there is a compelling case supported by considerable evidence. Students should be aware that raising a complaint anonymously may impede the investigation and communication of the outcome. Anonymous feedback can be provided to the University via Staff Student Liaison Committees and through your SU representatives.

8.6 It is presumed that students raising a complaint do so in good faith, however, if a complaint is shown to be vexatious, the complaint shall be rejected and disciplinary action may be taken.

Complaints Procedure

The three stage complaints procedure is as follows:

9. Stage 1 - Informal Complaint

9.1 It is expected that most complaints can be resolved at an early stage by discussing the matter informally at a local level. Where possible a student should therefore bring the matter to the attention of an appropriate member of staff, who will aim to resolve the matter by informal discussion. For a confidential, informal discussion about options available prior to submitting a complaint, or support with handling an informal complaint, please contact: student-complaints@bath.ac.uk. Or to discuss with an independent SU Advisor, please email suadvice@bath.ac.uk

9.2 Recipients of informal student complaints are responsible for addressing them promptly and fairly. The recipient will normally let the student know (or arrange for a colleague to do

so) within five working days of receiving the initial complaint what steps (if any) will be taken to address the complaint and the expected timescale and advise to whom they should submit a formal complaint if they are dissatisfied with this outcome.

9.3 It should be noted that this stage will normally be an informal process via conversation or email but where proportionate to do so any agreed action should be confirmed.

9.4 Any staff involved will be encouraged to share the experience where the effectiveness of their Department or Service could benefit. It is expected that most complaints will be resolved in this way.

10. Stage 2 – Formal Complaint

10.1 If a student has attempted to resolve matters informally but is not satisfied with the outcome, they may submit a formal complaint within 10 working days of receiving the outcome of their informal complaint. A student may also submit a formal complaint if the issue involved is too complex or serious for informal resolution. The student should submit their complaint by means of a Student Complaint Form to student-complaints@bath.ac.uk. The SU Advisors can assist with completing a complaint form, preparing for meetings and can attend the meetings as an advisor. Students can arrange a meeting with an advisor by emailing suadvice@bath.ac.uk

10.2 The student should receive an acknowledgement of receipt of their complaint, from the Student Casework Manager within five working days.

10.3 The complaint will be investigated by the Head of Department or Service of which the complaint is about. If the Head of Department is involved in the matters complained about or it is deemed appropriate to do so, the Head of Student Policy and Safeguarding will nominate another person to carry out the investigation – this will normally be a different Head of Department or Service. If the complaint directly affects the Head of Student Policy and Safeguarding or the Head of Governance, the investigation will be undertaken by a Pro-Vice-Chancellor. The Head of Department or Service is free to consult The Director of Academic Registry or the Director of Student Support and Safeguarding if they consider it necessary.

10.4 The Head of Department or Service investigating the complaint will normally arrange to meet with the student to discuss their complaint in detail. At this meeting the student will have the right to be accompanied by a friend or advisor. Student Reporting Parties and other parties (Witnesses and Respondents) will attend the meeting separately, unless it is agreed between those involved that it would be more beneficial to have a joint meeting; the final decision will be made by the person investigating the complaint having consulted with those involved. Where a member of staff is the respondent in the complaint, they can be accompanied by a work colleague or Trade Union representative.

10.5 If a student, or other parties to the complaint are unable to attend the arranged meeting, the Department will contact them to reschedule. If a student, or other parties to the complaint fail to attend both meetings, the investigation may be limited and may be concluded in their absence. The meeting can take place in person or via videocall.

10.6 The meeting will follow this format:

- The student will be asked to explain their complaint and present any

supporting evidence, with the assistance of their representative as necessary, following which they may be asked questions by the Head of Department or Service. If the respondent to the complaint is present and would like to ask the student questions about their complaint, they may do so via the Head of Department or Service.

- If present, other parties to the complaint will then respond to the complaint, with the assistance of their companion(s) as necessary, following which they may also be asked questions by the Head of Department or Service. If the student would like to ask the respondent questions, they may do so via the Head of Department or Service.
- If not present, the Head of Department or Service will make any necessary enquiries.

10.7 The Head of Department or Service will produce a report which outlines the process followed, the information gathered, the conclusions drawn and any recommendations. This report will be sent to the Student Casework Manager for quality assurance prior to sending the report onto the student and respondent, along with copies of any information considered.

10.8 If the complaint is upheld, the student will be informed of the action taken to resolve or redress the complaint. If the complaint is not upheld, then the student will receive an explanation of the reason for this decision. For quality assurance, the decisions will be overseen by the Head of Student Policy & Safeguarding.

10.9 The student should receive this written response within 60 calendar days following both a submission of a Student Complaints Form and confirmation by the complainant that they wish a formal investigation to begin. If this is not possible, the student will be informed in writing of the progress being made towards the consideration of their complaint and given a timescale for completion.

11. Stage 3 - Review by the Student Appeals Panel

11.1 A student can use the Student Appeals Policy and Procedure to submit an appeal (within the bounds of that policy) following notification of the outcome of a Stage 2 Student Complaint. An appeal needs to be submitted within 10 working days of the outcome of a Stage 2 complaint. The SU Advice and Support Centre provide independent guidance on how to appeal, please contact suadvice@bath.ac.uk.

12. Office of the Independent Adjudicator for Higher Education (OIA)

12.1 If the University's internal procedure has not resulted in the resolution of a complaint to the student's satisfaction, they have 12 months to pursue their complaint with the Office of the Independent Adjudicator for Higher Education (OIA). Where a case is considered eligible, the OIA will provide independent adjudication on the resolution of complaints, once the institution's internal procedures have been exhausted. For independent advice on how to submit a complaint to the OIA, students can contact The SU Advice and Support Centre by emailing suadvice@bath.ac.uk. The OIA website can be found at: <https://www.oiahe.org.uk/>

13. Monitoring

13.1 All formal complaints received, decisions made and resulting outcomes will be recorded. An annual report to Senate will identify common themes and provide recommendations to improve the service provision and promote best practice. Where there are several complaints

regarding a Service, School, or Department these will also be raised with the relevant member of staff to improve student experience. Where there are several complaints regarding the same service, facility, or academic provision this will also be raised with the relevant Head of Department or Head of Service to improve student experience.

14. Record keeping

14.1 All records taken under this policy will be held for the recommended period of time for which records should be retained to comply with legal requirements and meet operational needs as defined with the [University Records Retention Schedule](#)

15. Related Policies and Procedures

Student Appeals Policy and Procedure
Dignity & Respect Policy and Procedure
Staff Disciplinary Policy and Procedure

16. Document Control Information

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Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.

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