

# Complaints Procedure

April 2020

## 1 Introduction

The University welcomes all feedback, both positive and negative, and considers complaints to be a valuable source of information enabling us to improve services and enhance the student experience. A 'complaint' is defined as an expression of dissatisfaction requiring a response.

## 2 Is the complaint procedure right for me?

Whilst the complaint procedure can be used to address concerns relating to a wide variety of University matters, there may be other options available that you consider preferable to raising an official complaint. If you are unsure of the best course of action please contact the Student Casework Team on 0117 32 83371 or at [complaints@uwe.ac.uk](mailto:complaints@uwe.ac.uk).

- **Student Reps**

The role of a Student Rep is to communicate the views of students to the appropriate members of staff; the matters raised by Student Reps are those that affect students' academic experiences such as feedback regarding the content of a module, course or programme. Further information and an online feedback form can be found on the [Student Rep webpage](#). If you would like to submit feedback relating to broad issues of University policy or procedure, please contact your [Students' Union Officer](#).

- **Academic Appeals**

The [Academic Appeal](#) procedure enables students to request, within specified limited grounds, for the outcome of an Examining Board to be reconsidered.

- **Student Conduct Policy**

Complaints about student behaviour, such as harassment by a student, should be addressed via the [Student Conduct Policy](#).

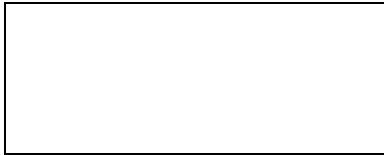
- **Staff grievance**

The Grievance Procedure is designed to deal with grievances arising directly out of an employee's employment or working practices of the University. Further information can be found on the [Human Resources webpage](#).

## 3 About the complaint procedure

The University has developed a three stage complaint procedure to provide a clear route for making a complaint:

Stage One	Stage Two	Stage Three
<ul style="list-style-type: none"><li>• Informal</li><li>• To be raised within 3 months of issue(s)</li><li>• Dealt with 'at source'</li><li>• Quick action and response</li></ul>	<ul style="list-style-type: none"><li>• Formal</li><li>• To be raised within 3 months of response at Stage One</li><li>• Dealt with by independent member of central team</li></ul>	<ul style="list-style-type: none"><li>• Review</li><li>• To be raised within 3 months of response at Stage Two</li><li>• Dealt with by Head of Team or other senior manager</li></ul>



- Response normally within 8 weeks

- Response normally within 4 weeks

#### 4 Our Commitment to You

Throughout the complaint process we will:

- Take all complaints seriously
- Treat you with respect at all times
- Not treat you differently because you have made a complaint
- Take an open and accessible approach
- Be accountable and apologise if we are wrong
- Be fair to all parties involved
- Encourage local resolution in as many cases as possible

#### 5 Who can complain?

The complaint procedure can be used by the following:

- An individual student (full or part time, any programme of study)
- A group of students (in which case the group must nominate one person to be the spokesperson for the group, representing the group in all matters relating to the complaint).
- Prospective students
- Visitors to the University
- Contractors working in the University
- Employers and placement providers
- Members of the public
- Alumni
- Staff – for example where the complaint relates to a service (e.g. car parking), but not personal grievances (which are covered by the grievance procedure).
- Other organisations with which the University works.

#### Third parties

Anyone wishing to make a complaint is strongly encouraged to do so personally. A complaint received from a third party (including a parent) will be considered only with the express written permission of the person to whom the complaint relates.

#### Students in partner institutions

Students in partner institutions are expected to use the complaint procedure of their local institution in the first instance. They are however also free to pursue a complaint through Stage Three of this complaint procedure if the complaint remains unresolved through the local procedure and refers to an aspect over which UWE has jurisdiction and power to deliver a remedy.

#### Students on work placement

Students on placement should use the complaint procedure of their placement provider if they have a complaint relating to aspects of the placement itself. They are however also free to pursue a complaint through the UWE complaint procedure if the complaint refers to an aspect over which UWE has jurisdiction (e.g. arrangements for the placement) and power to deliver a remedy.

## 6 Types of complaint

A complaint may relate to programmes of study, facilities or services provided by the University or actions/lack of action by University staff, for example (not an exhaustive list):

- Teaching and facilities
- Student accommodation
- Research supervision
- Welfare
- Maladministration
- Procedural irregularities
- Unfair practices

### **Criminal behaviour and legal proceedings**

Allegations of criminal behaviour will be referred directly to the Vice-Chancellor's office.

If a complainant brings court or tribunal proceedings against the University which may be relevant to the complaint, the University will normally suspend consideration of the complaint under this procedure until the outcome of legal proceedings is known.

### **Anonymous complaints**

Complaints require investigation to enable resolution. Where a complaint is made anonymously, it will not be possible to undertake such an investigation. For practical reasons therefore, no action will normally be taken in the event of a complaint made anonymously.

### **Complaints against a member of staff**

It is recognised that a small minority of complaints may be made about actions or behaviour by a member of UWE staff. A student considering making such a complaint is advised to discuss the concern with the [Students' Union Advice Centre](#) in the first instance.

If a complaint refers to a specific member of staff, the complaint will be brought to the attention of that individual (generally by the relevant Senior Manager) as part of the investigation of the complaint.

The staff member will be kept informed at all stages, and will have the right to make representations to the Caseworker and/or Student Casework Team Manager if s/he is unhappy with the investigation or proposed outcome of the complaint.

A complaint against a member of staff will initially be investigated in line with this procedure. However it may also be necessary to refer such a complaint to the [Human Resources Department](#), particularly where the complaint is relevant to another University policy, for example:

- Staff Ill Health
- Staff Conduct
- Staff Performance
- Dignity at Work Policy
- Equal Opportunities Policy
- Harassment policy

- Advice and support

Informal advice can be obtained from Student Support Advisers, but also Reception/Information Points, Personal Tutors, Module Leaders, Course Leaders, Scheme Directors, Head of Department, Central Service staff and the Students' Union (Student Representatives and Students' Union Advice Centre). Members of the Student Casework Team can also give informal advice about the Complaint Procedure. Students may particularly find it helpful to approach the [Students Union Advice Centre](#) in the first instance, as this centre has considerable experience of advising and supporting students wishing to make a complaint.

## **7 Meeting to discuss a complaint**

In some circumstances a complainant may be invited to discuss a complaint with a member of staff, or attend a meeting with relevant University staff, to establish the precise cause of dissatisfaction or explore the remedy being sought. The complainant will have the right in any meeting to be accompanied by a friend, relative or officer of the Students' Union, who also has the right to speak on behalf of the complainant. A member of staff who has been the subject of a complaint will similarly have the right to be accompanied in any meeting to discuss the complaint. If you would like to meet with a member of the Student Casework Team to discuss your circumstances, please contact us on 0117 32 83371 or at [complaints@uwe.ac.uk](mailto:complaints@uwe.ac.uk).

## **8 Submitting a complaint**

A complaint will not normally be accepted if submitted more than 3 months after the issue arose unless there was good reason why the issue could not have been raised sooner. When submitting a complaint it is important to include all relevant points in chronological order, unnecessary detail or unclear information could prolong the time taken to consider the complaint.

Be clear and realistic about the outcome you are seeking. It will be more difficult to address your complaint if your goal is unclear, or if you are asking for something that is not possible.

Details of a complaint may need to be shared with relevant colleagues in order for a full investigation to take place, and individuals named in a complaint will be made aware of the allegations and have the opportunity to give their version of events. Frivolous, malicious, or unreasonably persistent complaints will not be accepted. The University reserves the right to take appropriate disciplinary and/or legal action against anyone considered to have made such a complaint.

## **9 Outcomes**

Where a complaint is found to be justified or partly justified, the outcome will depend heavily upon the accepted grounds of complaint. Where the University is found to have made a mistake or fallen short of reasonable expectations, an apology will be given, the mistake rectified where appropriate, and actions taken to prevent the same mistake happening again.

There will be some instances in which it would be counter-productive to instigate a long drawn-out investigation, and instead energy will be put into finding a way forward which is acceptable to all concerned.

It is important to note that a complaint may not be accepted if the remedy sought is beyond the power of the University to deliver.

## **10 Submitting a Stage One complaint**

The first stage of the complaint procedure involves raising awareness of the problem, either by email or verbally, and discussing it with the relevant staff in the faculty or service. The University expects that the majority of issues can be resolved informally through normal contacts and discussion between staff, students and other interested parties without the need to instigate formal procedures.

### **Who should I contact?**

An issue should initially be raised through someone close to its origin (lecturer, module leader, award leader, personal tutor, relevant administrator, person responsible for a particular service, Student Representative etc) or taken to a Student Support Adviser (in the case of a complaint relating to a faculty) or the Reception Point of the Service concerned (in the case of a University service department). If you are unsure of whom to contact, please ask one of the [Information Points](#).

A complaint may initially be raised verbally or by email, and should indicate the outcome being sought. A student complainant may wish to consult the [Students Union Advice Centre](#) for advice.

### **Timescales**

A complaint should be raised as soon as possible after the actions/lack of actions which prompted it; the greater the time delay from an action/lack of action to submission of the complaint, the more difficult it will be for the complaint to be thoroughly investigated. Complaints will not normally be accepted if submitted more than 3 months after the issue arose unless there was good reason why the issue could not have been raised sooner.

If an immediate solution cannot be found and further investigation is required, the person receiving the complaint should acknowledge receipt within three working days or as soon as is practically possible (recognising that if a complaint is addressed to an individual, that person won't always be immediately available), giving an indication of the likely timescale for a full response to be given.

### **What should I expect from a Stage One response?**

If the complaint is made in writing, an attempt should be made to contact the complainant by telephone or in person to discuss the issues raised. In instances where a complaint covers more than one area of the University (e.g. because its location is not clear cut or because it covers more than one faculty/service), the person first receiving the complaint will ensure that responsibility for investigation and response is quickly agreed, and will liaise with a third party if necessary to determine this.

The response should normally be in writing; even if the original complaint was raised orally. The response will include information on the steps to be taken if the complainant remains dissatisfied.

## **11 Submitting a Stage Two complaint**

The second stage of the Complaint Procedure involves raising a formal complaint with the Student Casework Team; Stage Two should normally only take place once an individual has attempted to resolve matters informally under Stage One of the complaint process and once a written response has been received at Stage One.

### **Who should I contact?**

At Stage Two, cases are investigated and considered by a Caseworker within the Student Casework Team. A student submitting a complaint may wish to obtain advice and guidance from the [Students' Union Advice Centre](#) prior to completing the Stage Two form.

The complaint must normally be made in writing, using the form provided for this purpose through the UWE website or from the University, and addressed to the Student Casework Team. The form can be sent via email to: [complaints@uwe.ac.uk](mailto:complaints@uwe.ac.uk) or posted to the address below.

Student Casework Team, Student and Academic Services  
UWE Frenchay Campus, Coldharbour Lane, Bristol BS16 1QY

Where this is not possible, the complainant needs to contact the Student Casework Team to discuss alternative methods. Complaints submitted by letter or email (i.e. not on the Stage Two form) will be accepted provided they include:

Complainant's name, address, student number, telephone number, email address and programme (as appropriate)

- The nature of the complaint (in the complainant's own words)
- The Stage One steps already taken
- Details of the response received
- A statement why the complainant remains dissatisfied
- The outcome being sought

### **Timescales**

A Stage Two complaint should be submitted as soon as possible after receiving a response to the Stage One complaint; the greater the time delay, the more difficult it will be for the complaint to be thoroughly investigated. In any event a Stage Two complaint will not normally be accepted if submitted more than 3 months after the complainant was notified of the outcome at Stage One, unless there was good reason why a Stage Two complaint could not have been submitted sooner.

A caseworker will acknowledge receipt of the complaint within three working days, giving an indication of the likely timescale for a full response to be given.

The caseworker will aim to respond in full within eight weeks of the complaint being received, providing there are no undue delays, for example in obtaining further evidence from the complainant. On very rare occasions where this is not possible, for example because a complaint is particularly complex, the caseworker will contact the complainant to provide an update.

### **The Stage Two process**

Once the complaint has been received, the caseworker will inform the relevant faculty or service and will provide a brief outline of the concerns raised. The Caseworker may telephone or meet with the complainant to discuss the complaint

and/or seek more details, if necessary. The Caseworker will then investigate the complaint, speaking to concerned parties and requesting written statements as appropriate.

A response will be sent to the complainant in writing, it will indicate the outcome, reasons for the outcome, and how the complainant can, if desired, take the complaint further through Stage Three of the Complaint Procedure. Any complainant who wants to submit a Stage Three complaint should do so as soon as possible and within three months of the date of the Stage Two outcome letter.

### **Stage Two Form**

To submit a Stage Two complaint, please complete the [Stage Two form](#) and return it to the Student Casework Team as detailed above.

## **12 Submitting a Stage Three complaint**

The third stage of the Complaint Procedure involves a review and final consideration of the case by another person, usually the Student Casework Team Manager, or another senior manager.

### **Who should I contact?**

A Stage Three complaint should be submitted to the Complaints and Appeals Office. If the complainant is a student, s/he may wish to consult the [Students' Union Advice Centre](#) for support and guidance prior to submitting the complaint.

The complaint must normally be made in writing, using the form provided for this purpose through the UWE website or from the University, and addressed to the Student Casework Team. The form can be sent via email to: [complaints@uwe.ac.uk](mailto:complaints@uwe.ac.uk) or posted to the address below.

Student Casework Team, Academic Services  
UWE Frenchay Campus, Coldharbour Lane, Bristol BS16 1QY

Where this is not possible, the complainant should contact the Student Casework Team to discuss alternative methods. Complaints submitted by letter or email (i.e. not on the Stage Three form) will be accepted provided they include:

- Complainant's name, address, student number (if appropriate), telephone number, email address and programme
- The nature of the complaint and outcome of the earlier investigation
- The reasons for requesting further consideration of the complaint, i.e. supply of new evidence, or explanation of alleged material irregularity in the investigation of the complaint
- The outcome being sought

### **Timescales**

A Stage Three complaint should be submitted as soon as possible and within three months of the date of the Stage Two outcome letter - the greater the time delay, the more difficult it will be for the complaint to be thoroughly investigated.

Receipt of the complaint will be acknowledged within three working days, giving an indication of the likely timescale before a full response is provided. A response will



normally be sent within four weeks of the Stage Three complaint being received, provided there are no undue delays (for example in obtaining further evidence from the complainant); on very rare occasions where it is not possible to respond within this time limit, the complainant will be contacted every four weeks to update on progress.

### **The Stage Three process**

The reviewer dealing with the Stage 3 complaint will be expected to conduct an impartial review of the complaint, though this will not necessarily mean carrying out a full new investigation of the matters raised. S/he will review the case, the way in which it was investigated, and the response given, they will also take into account any new evidence or issues raised by the complainant. The reviewer may telephone the complainant to discuss the complaint, and may arrange a meeting with the complainant and any other relevant persons. S/he may (or may not) seek further information from the complainant and/or those members of staff involved in the earlier investigation of the complaint. S/he may also consult a senior colleague responsible for the area under investigation.

The reviewer may decide:

- a) That the investigation was properly carried out and the response given was appropriate and consistent with other responses, and no further action is required.
- b) That there were shortcomings in the investigation carried out and/or the response given and/or that new evidence had been provided which warranted further investigation. In such cases the reviewer may make a decision regarding resolution of the complaint, or may refer the complaint back to the Caseworker for further action.

The reviewer will ensure that a response is sent to the complainant in writing, copied to all other relevant parties. Depending on the nature of the complaint, the reviewer may respond directly or ensure that a response is sent directly by an appropriate colleague.

The response will indicate the outcome and reasons for the outcome, and will confirm that internal procedures are complete; it will outline the right of the complainant to pursue the complaint further through the [Office of the Independent Adjudicator](#) (in the case of complaints from current and former students) if s/he is not satisfied with the response. The reviewer will provide the complainant with a 'Completion of Procedures' letter in line with OIA guidance.

### **Stage Three Form**

To submit a Stage Three complaint, please complete the [Stage Three form](#) and return it to the Student Casework Team as detailed above.

### **13 Referral to the Office of the Independent Adjudicator (OIA)**

The [Office of the Independent Adjudicator for Higher Education](#) (OIA) has been set up to provide an independent scheme for the review of student complaints. A

complaint by a current or former student may be taken to the OIA once the University's internal complaints procedures have been exhausted and a 'Completion of Procedures' letter has been issued.

After a complaint has been referred to the OIA, the OIA will write to the University asking for additional information. The Student Casework Team will respond to such enquiries, and will do so in accordance with OIA timeframes.

The OIA will investigate the complaint, and if the complaint is found to be justified may ultimately make recommendations to the University, which are actioned via relevant departments and reported on in an annual report.

Complainants who are not current or former students are not able to pursue a complaint through the OIA. Any complainant has the right to pursue legal action against the University. The Student Casework Team Manager will coordinate the University's response to such action. Further information regarding the OIA can be found on the [Office of the Independent Adjudicator for Higher Education website](#)

#### **14 Referral to the Financial Ombudsman**

A student who completes State three of the procedure following a complaint about debt advice or debt counselling provided by the University will be informed of their right to request a review of their case by the Financial Ombudsman Service should they remain dissatisfied with the outcome of this internal Procedure.

Student Casework Team: as at April 2020