Student Complaints Policy

Scope

All internal taught and research programmes leading to an award of City, University of London.

Students studying on validated programmes should refer to Appendix A of the Student Complaints Regulations. The complaints regulations and policy to be followed for other types of partnership programme will depend on the nature of the partnership; information will be set out in the Memorandum of Agreement and in the student’s programme handbook.

Senate Regulations: 26 Student Complaints

Date approved/re-approved: June 2013 – Updated and re-approved July 2015

Date for review: To be reviewed on a periodic basis, with allowance for minor annual updates of roles and responsibilities

Equality and Diversity statement

City, University of London is committed to promoting equality, diversity and inclusion in all its activities, processes, and culture, under its Public Sector Equality Duties and the Equality Act 2010. This includes promoting equality and diversity for all, irrespective of any protected characteristic, working pattern, family circumstance, socio-economic background, political belief or other irrelevant distinction.

Where relevant to the policy, decision-making panels will ensure a reasonable gender balance (with at least one man and one woman) and will actively consider representation of other protected groups.
Policy

Complaints by students registered on programmes leading to an award of City, University of London (including those on work placements, engaged in work-based learning or during periods of approved interruption of studies) and by former students will be managed in accordance with Senate Regulation 26 and with this policy. Additional guidance on process is also provided at the end of this policy.

The University is committed to providing a high quality experience for each student. It recognises, however, that on occasion a student may be dissatisfied with or concerned about an aspect of his/her experience and may wish to pursue this using a mechanism beyond day to day feedback processes. The University encourages students to inform it where there is any cause for concern or where there may be an opportunity to make improvements. The University’s Complaints Regulations, and associated policy, therefore exist to enable students to make complaints about such matters.

The Regulation on Student Complaints does not cover the following (separate procedures exist for these as noted in brackets):

(a) appeals relating to decisions made by an Assessment Board regarding assessment, progression or award. (Senate Regulations 20/20b/21/21b);
(b) complaints involving an allegation of misconduct by the complainant unless the complaint relates to breach of procedures in investigating that misconduct (Senate Regulation 13);
(c) matters relating to fitness to practise where there is an existing relevant fitness to practise procedure

The University reserves the right to reclassify a complaint as an academic appeal or vice versa, if the submission has been made to the incorrect procedure, or the submission falls properly within the remit of one procedure rather than the other. The outcome of an appeal cannot be made the subject of a complaint except where there is possible material error in arriving at the decision.

The final decision regarding a matter raised under Regulation 26 or any of the allied procedures shall normally be considered to be the final decision of the University: there is no right to further consideration of the same matter under a different allied policy.

Information for students

Schools are responsible for ensuring that accurate, up_to_date information about the complaints regulations and policy is available in a student’s programme handbook. The programme handbook will also contain information on other sources of advice and guidance students can access.

When informing a student about the outcome of any particular stage of the complaints regulations, s/he should also be informed of any further stages, including any ability to request further reviews of the outcome.

Consideration of complaints

The University takes student complaints seriously and will do its best to resolve matters that are brought to its attention. It encourages early resolution where possible and positive engagement
with those who complain. The University aims to deal with complaints transparently, confidentially, following the principles of natural justice and equality, and in a timely manner. A student will not suffer any detriment or disadvantage if s/he makes a complaint in good faith.

Where a student submits more than one complaint relating to the same substantive issue, the University may choose to treat those complaints as a single complaint. If multiple individual complaints have been made about the same issue(s), the University may treat them as a group complaint.

Staff and students are expected to take every opportunity to resolve a complaint before escalating the matter to the next stage of the process. Each stage of the process should be exhausted before the next stage is used, however matters of a very serious or sensitive nature may be escalated to Stage 2 where appropriate. A student wishing to raise a complaint to Stage 2 or Stage 3 should submit the complaint on the appropriate form (see guidance notes below for more information).

It is important that the student and staff member investigating the complaint understand the purpose and scope of the investigation. If the student’s expectations appear to exceed what the University can reasonably provide, the student should receive written notification of this as soon as possible.

Making a complaint is different from appealing against the decision made by an Assessment Board on a student’s assessment, progression or award. If a student has a concern s/he must ensure that s/he chooses the most appropriate route for pursuing that concern depending on its nature. Concerns should where possible be raised at the time.

Reasonable conduct

It is expected that students, their representatives and staff members should act reasonably and fairly towards each other and respect the complaints processes. The University has a responsibility to protect its staff against unacceptable behaviour according to its regulations and policies and action will be taken as necessary.

Group complaints

If an issue has affected a group of students, those students can submit a complaint as a group. In order to manage the progress of the complaint effectively, the University will normally ask the group to nominate one student to act as their representative. The evidence submitted to support the complaint must be agreed with the group and included with the complaint form. No additional evidence will be accepted once the complaint has been submitted.

The University will liaise with the representative who should communicate with the other students in relation to the complaint as appropriate.

Complaints to the Vice-Chancellor and other senior members of Staff

If a complaint is made to the Vice-Chancellor’s Office or the Office of any Senior Manager, it will be acknowledged and referred to Student and Academic Services who will ensure that it enters the procedure at the appropriate point. If no substantive attempt has been made by the complainant to resolve the complaint locally using the early resolution procedure as outlined in Regulation 26, the complainant will be advised to take up the issues raised with the School Head
Anonymous, vexatious or malicious complaints

Complaints that are submitted anonymously will not normally be considered and complaints that are found to be unsubstantiated will be dismissed.

A vexatious or malicious complaint is defined as a complaint which is trivial or untrue, having been put forward so as to abuse the process of the complaints procedure or, for example, to attempt to defame the name or character of another person or the University.

A student should also be aware that if a complaint is vexatious or pursued inappropriately disciplinary action may be taken against him/her and the consideration of that complaint will be terminated. If it is deemed necessary to terminate consideration of a complaint, the student will receive written confirmation of this decision. The student may appeal against the decision by writing to the Deputy Vice-Chancellor within 28 days of receipt of the formal notification from the University.

Support for members of staff cited in a complaint

If a complaint has been made about a member of staff it is the University’s duty to ensure that its staff are treated fairly throughout the process. The member of staff will be informed if a complaint has been made about them.

Any member of staff mentioned in a complaint will not be treated less favourably by the University than if the complaint had not been brought. If, however, after investigation the complaint against a member of staff is upheld, that member may be subject to disciplinary proceedings under University policy.

A member of staff has the right to be supported by his/her line manager and/or a Human Resources representative throughout the process. If the line manager is also involved in the complaint, then the respective Dean/Director or Head of Professional Service will take the lead in providing that support.

People involved in managing student complaints

The guidance at the end of this policy lists those who are involved in the various stages of the complaints regulations. Appropriate consideration will be given to ensuring that the Officers involved do not have a conflict of interest in the case; and the same members of staff will not be used at different stages of the regulations.

Third parties

Students may seek advice from the Students’ Union Support Service in relation to bringing a complaint. Students may request that a Students’ Union Support Officer accompanies them to any meetings associated with the investigation of the complaint.

The University will not however accept complaints from third parties except where they are acting as the students’ representative with the student’s written consent.
Any communication with third parties should comply with data protection legislation and the University’s guidance on handling personal information.

Confidentiality

Complaints will be handled with an appropriate level of confidentiality, with information released only to those who need it for the purposes of investigating or responding to the complaint or academic appeal. Where it is necessary to obtain information from a third party in relation to the investigation, the third party should only be given as much detail about the complaint as is necessary in order to obtain the information required from them.

Where a complaint has been raised against a student or member of staff and has been upheld, the student bringing the complaint will be advised of this. However, it may not be appropriate to share specific details affecting individual students or staff members, particularly where disciplinary action is being taken. It is important that the student is advised of this at the earliest opportunity in order to manage expectations.

Reporting and monitoring

A School will provide an annual report on formal complaints considered at the local level to the Board of Studies. This will detail the number of formal complaints as well as the outcomes and will highlight any potential areas for enhancement or lessons learned. A Validated Institution will also provide the Course Board with an annual report on any formal complaints considered through the University’s Complaints Regulations.

These reports will be collated with information on University level reviews so that an annual report of all complaints can be provided to Senate.

Student and Academic Services will oversee the tracking of complaints and recording of key data on behalf of Senate. All data held will be monitored in accordance with the University's Equal Opportunities and Diversity Policies and reported on an annual basis to Senate. The annual report will identify and evaluate any issues for which further action needs to be taken.

The Office of the Independent Adjudicator (OIA) for Higher Education

The Office of the Independent Adjudicator (OIA) for Higher Education is a national body. It operates an independent scheme for the review of student complaints which is free to students. The University is expected to comply with the formal decision and any recommendations of an OIA Reviewer, but OIA decisions are not binding on students.

Guidance

i. Responsibilities within the Complaints Regulations

The Complaints Regulations refer to University officers and departments with responsibilities for complaints handling, as listed below. Schools should provide students with information on the specific people who will fulfil these roles, for example in Programme Handbooks or on the School or Programme website:

- School Head of Academic Services (or equivalent)
- Student and Academic Services – the University department nominated by the Vice-Chancellor for handling internal reviews of student complaints made in relation to
University or validated institution provision - Director of Student and Academic Services or his/her nominee

- Member of staff to whom validated students can ask advice on which Regulations should be used – Director of Student and Academic Services or his/her nominee.

Appropriate consideration will be given to ensuring that the University officers involved do not have a conflict of interest in the case. At the early resolution stage, a student should if at all possible address his/her complaint to the person most directly involved in the event leading to the complaint. However, at other stages the following groups of staff will not normally be permitted to be involved in investigating and considering complaints cases:

- The student’s Programme Director;
- The student’s personal tutor;
- Any member of staff related to the event which has given rise to the complaint;
- Any member of staff who might be considered to have a vested interest in the outcome of the case, normally including those directly involved with the student or involved in the student’s programme and/or other activities with which the student is involved; Any member of staff who declares him/herself as having a conflict of interest.

In addition, the same members of staff will not be used at different stages of the regulations.

ii. Forms

The University has developed standard forms to be used by students wishing to submit a formal complaint at local level or University level.

Forms are available on the Student and Academic Services website. Students requiring more information on the form should contact one of the Student Experience Officers.