

City, University of London

Senate Regulation 26 Student Complaints

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Equality and Diversity Statement

We are committed to promoting equality, diversity and inclusion in all our activities, processes, and culture, under the Public Sector Equality duty 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.

We are committed to championing equality. This includes where applicable to this policy. In the coordination and make up of our decision-making Panels we are striving to fulfil our commitments to racial equality, gender balance, and actively consider representation of other protected groups.

Regulation 26 – Student Complaints

A. Introduction

1. City is committed to providing a high-quality experience for each student and encourages students to inform us where there is any cause for concern or where there may be an opportunity to make improvements. These regulations set out how students can make complaints about such matters.
2. In these regulations “you”, “your” and “yours” refers to the student; “we”, “us” and “our” refer to City, University of London, and its staff acting on its behalf.
3. “You”, “your” and “yours” may also mean a former student, as long as the complaint is raised within the permitted timescale (please see paragraph 15 below.)
4. In sections M, N, O, and P below “you”, “your” and “yours” refers to a student who is following a programme validated by us at another institution.

B. Definition and Scope

5. A complaint is defined as an oral or written expression of dissatisfaction about your learning experience or an aspect of a service or facility which is provided to you or should have been provided to you.
6. If you are studying with us for an award (including time you spend on work placements, engaged in work-based learning or during periods of approved interruption of studies) you can use these regulations to complain. If you are a former student you may also make a complaint, within certain timescales as set out in paragraph 15 below. Our aim is to take no more than 3 months to conclude internal open Stage 2 and Stage 3 procedures.
7. If you are studying on a programme that is delivered by another institution but leads to a City award, your right to complain with these regulations is more limited, because your validated institution is responsible for many aspects of your learning and service provision. Section M below sets out what you can do. Your programme handbook will provide more information.
8. You cannot complain under these regulations about the following matters. You should instead see the relevant regulation, policy and procedure as indicated.
 - a. If you want to appeal against a decision made by an Assessment Board regarding assessment, progression or award, you should use the Senate Regulation 20 - Appeals;
 - b. If you want to complain about a case of alleged misconduct by a student where you are the person against whom misconduct is alleged, you should see the Senate Regulation 13 – Student Discipline;

- c. If you want to complain about matters relating to fitness to practise where there is an existing relevant fitness to practise procedure, you should use that procedure.
- 9. Complaints and academic appeals sometimes overlap. We may reclassify a complaint you make 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 appeal decision. We will inform you if we reclassify a complaint.
- 10. The final decision regarding a matter raised under this Complaints Regulation or any of the associated procedures shall normally be considered to be our final decision: you do not have a right to further consideration of the same matter under a different associated policy.
- 11. We will consider your complaint on its own merits, subject to all legal and professional requirements.
 - a. You will not be treated less favourably by us or suffer any detriment or disadvantage if you make a complaint in good faith, regardless of whether the complaint is successful. Anonymous or vexatious complaints will not normally be considered.
 - b. No member of staff you mention in a complaint will be treated less favourably by us than if the complaint had not been brought. If, however, the complaint against a member of staff is upheld:
 - i. that member may be asked to undertake additional training, or be provided with support, or may be subject to disciplinary proceedings under our internal Human Resources policy and in line with our employee relations arrangements.

OR

 - ii. the outcome of the complaint may require a review and consideration to the enhancement of the University's practices and processes.
 - c. These internal regulations and any associated policies and guidance will be operated in accordance with our Equal Opportunities Statement and Equality, Diversity and Inclusion responsibilities. We will handle your complaints with an appropriate level of confidentiality. There is an expectation that you and our staff members will treat the complaints processes and each other with respect.
- 12. Although students may seek guidance and advice from a third party and be accompanied to meetings, complaints will normally only be processed if submitted directly by the student and not by someone acting on their behalf.

Neither City nor the student would normally be represented by a legal practitioner in considering a complaint under the Complaint procedure. Students who wish to be accompanied to a meeting should notify the University prior to the relevant meeting.

C. Confidentiality

13. We will handle complaints 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. Where it is necessary for us to obtain information from a third party in relation to the investigation, we will only give the third party as much detail about the complaint as is necessary in order to obtain the information required from them.
14. Where you have raised a complaint against a student or member of staff and it has been upheld, we will advise you of this. However, it may not be appropriate to share any specific details with you, particularly where further action is being taken. We will advise you of this at the earliest opportunity, to help manage your expectations.

D. Timeframe for making a complaint

15. If you are a current student, you should complain within 3 months of the event which has given rise to the complaint or, if a series of events has given rise to a complaint, within 3 months of the final event in the series. If you are a former student, you can use this regulation to complain about matters relating to when you studied at City and within 3 months of your last registered date as a student. If matters are left for too long it may be impossible for us to investigate properly and find a suitable remedy. Please refer to Clause 40 and Clause 50 for the timeframes to bring complaints after the outcome of a Stage 1 and a Stage 2 complaint respectively.
16. Discussions and investigations to resolve complaints may take place by a number of different means, including face-to-face, telephone, video-conference. We will usually correspond with you by email and ask that you use email to correspond with us. Only where necessary and appropriate, would we use other modes of communication to correspond with you.

E. Delegation of responsibility

17. Responsibility for dealing with student complaints is as follows:
 - a. Stage 1 (Early Resolution) and Stage 2 (Local-Level Resolution) complaints are dealt with by the appropriate Schools and/or Professional Services departments as applicable. Different investigating officers will be nominated at Stage 1 and Stage 2. Deans of Schools normally assign responsibility for managing student complaints to the School Head of Academic Services (which for the purposes of this regulation includes an equivalent role).

- b. Stage 3 (Institutional Level Review) investigations are managed by Academic Services.

- 18. Your school will ensure that accurate, up-to-date information about the complaints process is available to you as part of the information about studying at City. The programme handbook will also contain information on other sources of advice and guidance you can access.

F. Equality, Diversity and Inclusion

- 19. We are committed to promoting equality, diversity and inclusion in all our activities, processes, and culture, under our 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.
- 20. We will operate these regulations in accordance with our Equality duty under the Equality Act 2010, Human Rights Act 1998 and our duty of care as set out in law.
- 21. Members of staff taking action under this Regulation or their nominee will actively consider any Equality, Diversity and Inclusion issues which may arise.
- 22. We are committed to championing equality. We will ensure that in the coordination and make up of decision-making panels we are striving to fulfil our commitments to racial equality, gender balance, and actively consider representation of other protected groups.

G. Complaints Procedure Stages

- 23. We have a three-step procedure, enabling us to respond effectively and proportionately. You should 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. If your complaint is of a very serious or sensitive nature you may raise it at Stage 2 in the first place. The stages are:
 - a. Stage 1 focuses on early informal resolution, and is based around an effective resolution.
 - b. Stage 2 focuses on formal resolution within the school or service.
 - c. Stage 3 focuses on formal resolution outside the school or service in which the complaint originated.
- 24. The Students' Union has a [Student Advice Team](#) from which you may seek advice about complaints. You may also request that a Students' Union Support Officer accompanies you to any meetings associated with the investigation of the complaint.

25. If you submit more than one complaint relating to the same substantive issue, we may choose to treat those complaints as a single complaint.

H. Group Complaints

26. If multiple individual complaints have been made about the same issue(s), we may treat them as a group complaint.
27. If the same issue(s) 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 or two students 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.
28. In handling the complaint, we will liaise with the representative(s) who should communicate with the other students in relation to the complaint as appropriate.

Anonymous, vexatious or malicious complaints

29. Complaints that are submitted anonymously will not normally be considered and complaints that are found to be unsubstantiated will be dismissed.
30. 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.
31. If you make a vexatious or malicious complaint, or in making your complaint you behave inappropriately, disciplinary action may be taken against you and the consideration of that complaint will be terminated.
32. If we consider it is necessary to terminate consideration of a complaint, we will send you this decision in writing, within 14 calendar days of the decision. You may appeal against such a decision to the Deputy President, details of which would be provided in our written confirmation.

I. Stage 1: Early Resolution

33. Initially, you should seek to deal with your complaint at the level at which the event leading to the complaint occurred. This could be either at programme-level, School-level or within the relevant service department.
34. You should, if at all possible, address your complaint to the member of staff most directly involved in the event leading to the complaint, in order to give that person the opportunity to address your concerns.
35. If for any reason you do not feel that this is possible, you should seek advice from the School Head of Academic Services (or equivalent) or the Director/Head of the professional service department in order to identify an appropriate

alternative mechanism of early resolution. If necessary, the School Head of Academic Services (or equivalent) or the Director/Head of the professional service department will nominate an Investigating Officer to deal with your complaint.

36. Every effort will be made by the Investigating Officer to resolve the complaint simply and quickly. The Investigating Officer may invite you to a meeting to discuss the matter in an attempt to reach a resolution.
37. At the end of Stage 1, we will provide you with a written response to your complaint, which will either:
 - a. Detail the proposed resolution; OR
 - b. Explain why we do not feel that we can propose a satisfactory resolution to your complaint.
38. Our written response will also advise you of the options open to you to take the matter further.
39. We will deal with Stage 1 complaints in a timely fashion. Those involved in investigating the complaint will establish appropriate timescales based on its nature and complexity. We will tell you these timescales and keep you informed of any changes. Where possible, we will complete the investigation within six weeks.

J. Stage 2: Local-level Resolution

40. If you are not satisfied with the outcome of Stage 1, you may choose to submit a Stage 2 complaint, by completing the Complaints Form. You should do this within 21 calendar days of us sending to you the written response to Stage 1. We will normally only consider a Stage 2 complaint following the completion of the early resolution stage.
41. If you wish to submit a Stage 2 complaint you should complete the complaint form on the Student Hub and your complaint will be directed to:
 - a. the School Head of Academic Services (or equivalent) or their nominee (for academic programme or School-related complaints), or
 - b. the Head of the relevant service department or their nominee (for service-related complaints).
42. If the Head of Academic Services or Head of the service department was involved in the case at Stage 1, they will nominate an appropriate alternative individual to consider the case. If no appropriate individual can be found within the School or service department, they will refer it to Academic Services, who will then assign the case to an appropriate individual. This person is known as the **Responsible Person**.

43. We will normally acknowledge receipt of your complaint form within 14 calendar days of receipt.
44. We will deal with your complaint in a timely fashion. The Responsible Person will establish appropriate timescales based on the nature and complexity of the complaint. We will tell you these timescales and keep you informed of any changes. Our aim is to take no more than 3 months to conclude open Stage 2 and Stage 3 procedures.
45. The Responsible Person will consider the case appropriately. This will normally involve discussions with you and the subject of the complaint, and any other investigation which they consider necessary.
46. When the Responsible Person has completed their consideration, they will inform you and the subject of the complaint of the proposed outcome of the investigation and give you the opportunity to comment. Once they have received and considered any response, they will finalise their consideration of your complaint and send to you, with reasons, their final decision.
47. The written response will also advise you of the options open to you to take the matter further.
48. We monitor complaints across the University. A summary of the outcome will be reported to the Board of Studies, or to Academic Services in the case of a complaint about a service. An annual summary report of student complaints will be received by Senate and a record retained.

K. Stage 3: Institutional level review

49. You can request a review of the outcome of the Stage 2 investigation if you consider that:
 - a. there has been a procedural irregularity in the conduct of the Stage 2 investigation, or
 - b. new information has come to light, which you were unable to disclose previously and which would have had a material impact upon the investigation previously undertaken,
50. If you wish to request a review you must do so within 21 calendar days of the written response to Stage 2. The review request must be submitted to Academic Services using the Complaints Institutional Level Review Form available on the Student Hub.
51. We will acknowledge receipt of your review request within 14 calendar days of receipt.
52. The review will be carried out by a designated Stage 3 Investigating Officer (the Officer). The review will consider whether the outcome of Stage 2 was reasonable rather than reconsider the original case and its evidence.

53. The Officer may hold further discussions with you and/or the subject of the complaint, with members of staff involved at Stage 1 and/or Stage 2, and with other staff as necessary.
54. The Designated Officer undertaking the review will establish appropriate timescales based on the nature and complexity of the case. We will tell you these timescales and keep you informed of any changes. Our aim is to take no more than 3 months to conclude open Stage 2 and Stage 3 procedures.
55. The Designated Officer will inform you and the subject of the complaint of the proposed outcome of their investigation and give you both the opportunity to comment. The Designated Officer will then send to you, with reasons, the outcome.
56. The written response will also advise you of the options open to you to take the matter further.
57. An annual summary report of the number of student complaints and overall actions taken to resolve them will be received by Senate. There will be no reference to individual cases. A confidential record will be kept separately of individual cases.

L. The Office of the Independent Adjudicator

58. When City's internal procedures have been concluded you will be issued with a Completion of Procedures (CoP) letter. Following this, if you are dissatisfied with the final decision on your case, you may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education.
59. Information and eligibility rules are available at: www.oiahe.org.uk

M. Complaints from students studying on validated programmes

60. We validate programmes offered at other institutions as leading to our awards. We have overarching responsibility for the quality and standards of the academic programmes offered by these institutions.
61. If you are a student on a validated programme you may complain to us on matters related to the quality of your academic programme. You may only do so once you have completed the Validated Institution's own complaints procedures.
62. You may, as a student on a validated programme, make use of some of our services. Where you use such services and are dissatisfied about aspects of our service delivery, you may complain about any of these services directly to us, in line with clause 63(a) and 63(b).

N. Managing student complaints for validated programmes

63. If you wish to complain you should follow one of the following courses of action depending on the nature of your complaint:

- a. If you wish to complain about a non-academic matter, except one which relates to one of our services, you must follow the Validated Institution's own complaints policy and procedures.
- b. If you wish to complain about one of our services, you should follow the procedure outlined in section G above. If you want to complain, but are unsure of the department responsible, you should seek advice from a senior member of our administrative staff. Your student handbook will tell you who to contact.
- c. If you wish to complain about your academic programme you should first do so in accordance with the Validated Institution's own complaints policy and procedures. If, following completion of those procedures, you consider the outcome to be unsatisfactory, you can request that we review that outcome, in line with section O below.

O. Institutional-level review

- 64. You can request that we review the outcome of the investigation carried out by the Validated Institution if you consider that
 - a. there has been a procedural irregularity in the final outcome of the investigation of a complaint regarding a matter related to your academic programme carried out by the Validated Institution, or
 - b. new information has come to light, which you were unable to disclose previously and which would have had a material impact upon the investigation previously undertaken.
- 65. You are expected to submit your request within 21 calendar days of receiving written confirmation from the Validated Institution of the final outcome of the Validated Institution's investigation. You must submit your review request to Academic Services at the University using the Complaints Institutional Level Review Form available on the Student Hub.
- 66. We will normally acknowledge your request within 14 calendar days of receipt.
- 67. The review will be carried out by a Stage 3 Investigating Officer (the **Officer**). The review will consider whether the outcome of Stage 2 was reasonable rather than reconsider the original case and its evidence.
- 68. The Officer may hold further discussions with you and/or the subject of the complaint, with members of staff involved at Stage 1 and/or Stage 2, and with other staff as necessary.
- 69. The Designated Officer undertaking the review will establish appropriate timescales based on the nature and complexity of the case. We will tell you these timescales and keep you informed of any changes. Our aim is to take no more than 3 months to conclude internal open Stage 2 and Stage 3 procedures.

- 70. The Officer will inform you and the Validated Institution of the proposed outcome of their investigation and give you both the opportunity to comment. The Officer will then send to you, with reasons, the outcome.
- 71. An annual summary report of the number of student complaints and overall actions taken to resolve them will be received by Senate. There will be no reference to individual cases. A confidential record will be kept separately of individual cases.

P. The Office of the Independent Adjudicator

- 72. When the review has been concluded the student will be issued with a Completion of Procedures (CoP) Letter. Following this, any student who is dissatisfied with the final decision on their case may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education.
- 73. Information and eligibility rules are available at: www.oiahe.org.uk/.