



University of Brighton

Student Complaints Resolution Procedure

1. Introduction

The University of Brighton is committed to providing the best possible student experience through its teaching, learning opportunities, professional services and facilities. However we recognise that students may sometimes wish to complain about its provision. We seek to ensure that any problem can be raised, investigated and resolved courteously and as quickly as possible in the interests of all concerned.

2. General Principles

- Accessible – we aim to be responsive to the needs of current or recent students and provide clear information, advice and support with access to representation by the Students' Union.
- Clear – we will give a clear definition of a complaint and explain the complaints process in clear language which is easy to understand and well signposted.
- Proportionate – we will aim to resolve any complaint as early as possible whether by informal local resolution, formal action or mediation.
- Timely – we will give clear time limits in which to bring complaints and will identify those complaints that require swift resolution. We will normally complete all complaints within 90 calendar days of the start of the formal Stage 2 complaint.
- Fair - we will ensure that all staff involved in decision making are independent, trained and resourced and that each party is given an equal opportunity to present their case. Students will not be disadvantaged as a result of bringing a complaint
- Independent – decisions will be taken by people without either perceived or actual conflicts of interest at all stages
- Confidential – a complaint will be treated with an appropriate level of confidentiality and your complaint will normally only be disclosed to those involved in its investigation.
- Action taken – the University will ensure appropriate action is taken and will use the process to improve the student experience

3. The use of the Student Complaints Resolution Procedure

The University has a clear 3 stage Student Complaints Procedure to address informal and formal concerns or complaints. In brief this consists of:

Stage 1 Early Resolution

Stage 2 Formal Stage

Stage 3 Review Stage

We hope that most issues can be resolved quickly either by speaking to the person your complaint relates to or if that is not possible by speaking to your School Complaints Officer. However if you are unable to resolve matters within your School then you should submit a Stage 2 Complaint Form which will escalate the complaint to the Formal Stage.

4. What is a Complaint?

For the purpose of this Policy, a student complaint is defined as: “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 or on behalf of the University.”

Examples of complaints include:

- failure by the University to provide a satisfactory service
- the quality of facilities or learning resources
- misleading or incorrect information in prospectuses or promotional material and other information provided by the University
- concerns about the delivery of a programme, teaching or administration including, where applicable, that provided by a partner college
- poor quality of facilities, learning resources or services provided directly by the University
- complaints involving other organisations or contractors providing a service on behalf of the University.

A routine, first-time request for a service is not regarded as a complaint. Similarly where a review procedure already exists (e.g. parking charge appeals, bursary award appeals) these must be completed before a student complaint will be considered

5. Who can make a Complaint?

Any student registered on a University of Brighton course or award (including Brighton and Sussex Medical School awards) may use this procedure but may be referred to the University of Sussex if the matter concerns their provision (e.g. halls of residence). Former students may also use the procedure subject to the timescales in paragraph 10 below.

6. Partner Colleges

Students at the University's Partner Colleges studying for University of Brighton validated awards who wish to make a complaint should use the procedures of the Partner College if the complaint concerns some aspect of course delivery including resources at the College. Thereafter the College will issue a "Completion of Procedures" letter enabling the student, if still dissatisfied, to take their complaint about the College to the Independent Adjudicator for Higher Education ("OIA") without the involvement of the University.

Where the complaint relates to provision by the University or concerns academic standards, the student must, in the first instance, use the complaints procedures of the Partner College. Once the Partner College's complaints procedure has been exhausted, then if a student remains dissatisfied with the outcome, they may proceed to submit a Stage 3 Request for Review to the University. (Please note that Stages 1 & 2 are not applicable to students at Partner Colleges). This is the final stage of review and thereafter a "completion of procedures" letter will be issued within 28 days enabling the student, if still dissatisfied, to bring their complaint to the Office of the Independent Adjudicator for Higher Education ("OIA").

7. Collective or group Complaints

Complaints will normally be made by individual students, but may be brought by groups of students where the subject matter is the same or similar. A complaint may not be lodged by a third party.

8. Anonymous Complaints

We hope that students have confidence that the University will protect them and it should be unnecessary to bring an anonymous complaint. Students should also be aware that anonymity may make it very difficult to carry out a proper investigation. In cases of doubt, independent confidential advice is available from the Students' Union.

9. Mediation

In some cases mediation may be useful to help resolve your complaint or concern. Where both the University and you agree to mediation, revised timescales will need to be agreed and confirmed in writing. The formal Complaints Resolution Procedure may need to be re-started if agreement cannot be reached.

10. Timescales for making a Complaint

You should raise your complaint as soon as you become aware of a problem. Former students are not required to use the Early Resolution stage and must submit their Stage 2 Formal Complaint **within 60 calendar days** of their withdrawal.

11. Complaints against the Students' Union

This Complaints Resolution Procedure does not apply in the case of a student or a group of students who:

- i. are dissatisfied with their dealings with the Students' Union or;
- ii. have suffered disadvantage through choosing not to be a member of the Students' Union.

In these instances, a complaint should be addressed to the Registrar and Secretary who, under the Education Act 1994 Section 22(2) (m) is appointed by the Board of Governors to investigate and report on such complaints.

12. Right to be Accompanied

You are entitled to be accompanied at any meetings by a member of the University. This would usually be a member of staff, another student or a Students' Union adviser. You are responsible for making any such arrangements and should provide details of any such companion in advance to the member of staff you are meeting. Please note that legal representation is not permitted and the University will correspond only with the student and not with any legal representatives.

13. Frivolous or vexatious Complaints

The University may reject any complaint without full consideration if it is considered frivolous or vexatious. Examples of what the University considers to be frivolous or vexatious include:

- complaints which are obsessive, harassing, or repetitive
- insistence on pursuing unmeritorious complaints
- seeking unrealistic or unreasonable outcomes
- insistence on pursuing what may be meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress which lack any serious purpose or value.

If the University considers your complaint falls into this category, you will be advised that your complaint will not be considered further. You will be given the opportunity to appeal against this decision by submitting written reasons to the Registrar and Secretary within 14 calendar days of the date on the letter.

14. Reasonable Adjustments

Where you have declared a disability to the University, the University will endeavour to ensure that information is available to you at all stages of the procedure in appropriate formats, and where needed, reasonable adjustments will be made to the complaints investigation process.

15. Stage 1 Early Resolution

The majority of concerns can be resolved informally within your school. In most cases this approach provides a quick solution and avoids the formality of submitting a written complaint. You are encouraged to raise issues with your School Complaints Officer.

The School Complaints Officer will consider:

- What specifically is the concern about and which area(s) of the university is/are involved?
- What outcome are you hoping for and can it be achieved?
- Is the concern straightforward and likely to be resolved with little or no investigation?
- Can it be resolved on the spot by providing, where appropriate, an explanation, an alternative solution or an apology?
- Can someone else assist in seeking resolution, for example where an informal administrative resolution is required?
- Is there merit in using confidential mediation with the agreement of both parties?
- What assistance or support can be provided to you to take this forward?

The School Complaints Officer will make every attempt to resolve the matter in consultation with you. Where it is clear that early resolution is not appropriate or possible within in timescale of 14 calendar days, you will be advised in writing to complete the Stage 2 Formal Student Complaint Form and will be advised that independent help and advice is available from Students' Union. You should submit the Stage 2 Formal Student Complaint Form as soon as possible and not later than 14 calendar days of the outcome.

16. Stage 2 Formal Complaint

If your complaint is not resolved through the early resolution process informal discussion, then you should complete a Formal Stage 2 Complaints Form. Copies of the form are available electronically from studentcentral in the Student Handbook Section.

The Formal Stage 2 Complaints Form should be completed in order to provide information on:

- i. the nature of your concern;
- ii. supporting evidence;
- iii. any actions you have taken to try to resolve the complaint;
- iv. the outcome/resolution that you are seeking.

Your Formal Stage 2 Complaint Form should be submitted via email to complaints@brighton.ac.uk. It is important that you give sufficient detail of the complaint as it will be considered by a member of staff without prior knowledge of the matter.

On receipt of your Complaint Form, we will check that you have correctly completed your form and attached any relevant documentation and allocate your complaint to be investigated by a University Complaints Officer who has no prior involvement in the subject of your complaint. She or he will discuss the complaint with you and will carry out appropriate investigations before reaching a decision and/or recommendation of remedial action which will be notified to you in writing.

17. Stage 3 Review

If you remain dissatisfied with the outcome of your formal student complaint, you may request that the University carries out a review of the procedures followed at the Formal Complaints Stage by completing a Stage 3 Review Form (available on studentcentral or from the Students' Union).

Your form should specify the reasons why you believe your complaint should be reviewed, which must fall within one or more of the following categories.

- i) proper procedures were not followed
- ii) the outcome was unreasonable.
- iii) new material evidence has come to light which you were unable for valid reason to provide earlier in the process.

The Stage 3 form must be submitted via email to complaints@brighton.ac.uk within 14 calendar days of receipt of the outcome letter for the Formal Stage 2.

The Stage 3 Review will not consider the issues afresh or involve a further investigation but will consider whether the relevant procedures were followed during the formal stage (including the giving of clear reasons why the complaint was rejected at the Formal

Stage). If the Review Stage is upheld then the complaint will be returned either to the original complaints officer to consider the further material or to a complaints officer not previously involved in the matter.

18. Referral to the Office of the Independent Adjudicator

Within 28 days of completion of the University's complaints procedures, the University will issue a 'Completion of Procedures Letter' to you confirming that the internal complaints procedures have been exhausted. If you remain dissatisfied with the outcome of the University's internal complaints procedures, then you may refer the matter to the Office of the Independent Adjudicator (OIA) within 12 months of the date of issue of the Completion of Procedures Letter. Further information can be obtained from the Students' Union, Student Services or the OIA website (www.oiahe.ac.uk).

31.7.18