

## Document Details

Document Reference	Student Complaints Procedures
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# STUDENT COMPLAINTS PROCEDURE

SC 1 INTRODUCTION

SC 3

9. A declaration of understanding regarding the processing arrangements including, for example, handling personal data.

Any student who, for any reason, feels unable to provide any of these elements can discuss the matter with the Complaints Coordinator to determine if reasonable alternate arrangements are available.

SC 3.2.2 A student is expected to invoke the procedures within three months of the final element of the event(s) that will be subject to the complaint occurring. A student who has left the University can also invoke the procedures, again within three months of the end of registration. Exceptions and extensions will be determined on an ad hoc basis by the University Complaints Coordinator whose decision on this matter is final.

SC 3.2.3 The University Complaints Coordinator, will consider the complaint and make an initial decision as to whether it can be considered under this procedure. In order for the University to consider a complaint, it must meet three requirements.

1. It must be eligible under the application of this process (see section 3).
2. It must be on time or, if late, have good reasons, supported by evidence, for the delay.
3. It must provide the elements identified in 3.2.1.

Where the complaint does not meet these requirements, the Coordinator will either:

- (a) refer the student to an alternate more appropriate procedure;
- (b) enter into a discussion with the student, and potentially other parties as appropriate, about how to take forward the concerns; or
- (c) provide an explanation to the student as to why no action can be taken along with a description of the opportunity for challenge (as described in 3.2.5). The Coordinator will also explain how a Completion of Procedures letter which sets out their right to refer the matter to the Office for the Independent Adjudicator and describes the means to do so can be made available should the challenge be unsuccessful (this can only be done where, at minimum, requirement 1 under 3.2.1 is met).

SC 3.2.4 Where the complaint involves sensitive aspects, for example allegations of bullying, harassment or sexual misconduct, or where the Complaints Coordinator considers that the situation described constitutes a risk, relevant procedures will be communicated with the student and used as appropriate.

SC 3.2.5 Students have the right to challenge the initial decision and, in these cases, the decision will be reviewed by the Head of the Student Programme Administration

or designated alternate nominated by the Director of ~~Stand~~ Standards, Education and Academic Services.

SC 3.2.6 Where the complaint has been deemed within the scope of this procedure, it will be referred to the relevant College, Faculty or Professional Service via either a named person or the head (Principal, Dean, Director), and that person will appoint a Complaint Investigator. This will normally be someone from within the College, Faculty or Professional Service who has not been involved in any aspect of the complaint. Where such a person is not readily identifiable, particularly in smaller bodies such as the Colleges, the College, Faculty or Professional Service will appoint someone from another part of the University. Where a complaint covers multiple areas of the University, or is ~~one~~ complex, the Complaint Investigator will be appointed centrally by Strategic Planning and Governance.

SC 3.2.7 The Complaint Investigator will then ~~do~~ the following.

1. Receive the complaint from ~~the~~ the Complaints Coordinator via a secure means.
2. Contact both the student and those others involved in the complaint to inform them of the investigation and to provide them with the complaint and evidence, ~~redacted~~ as required. (Advice on redaction is available from the Complaints Coordinator who, in turn, will liaise with the Information Governance Manager as required.)
3. Offer separate personal meetings to the student and those others involved in the ~~complaint~~ complaint. Persons attending these meetings can be accompanied or represented.
4. Undertake other work as is considered appropriate. The Complaints Coordinator can provide advice on the process of the investigation as required.
5. Produce a neutral investigation report setting out the particulars of the complaint and the information gathered, highlighting points for consideration, but making no determination of the case.

SC 3.2.8 The student, via the Students' Union, will be offered support for their ~~complaint~~ complaint. Others involved can seek support from ~~the~~ student support arrangements as appropriate.

SC 3.2.9 Investigations will normally take no longer than one calendar month, except where cases are particularly complex. In these cases, a reasonable ~~time~~ time will be provided to the student. In the interests of transparency, fairness and integrity, the investigation will be conducted through a process of open correspondence, unless there are reasons for any information or communication to remain confidential. As such, all parties will see all ~~relevant~~ relevant documentation (subject to data protection restrictions) and, if meetings are held with members of staff or other students, notes will be taken and all parties will



SC 3.2.14 Where recommendations are made as a consequence of the complaint, the complaining student will be entitled to know the recommendations which directly relate to their specific issues (as outlined in the student's complaint) and how the University intends to take them forward.

SC 3.2.15 If the student considers the complaint resolved, this should be indicated to the Complaints Coordinator in writing. Failure to do so, however, will not negate the resolution.

### SC 3.3 The Review Stage

SC 3.3.1 If the complaining student considers that the complaint has not been resolved, including disputing the remedy, a request for a review can be sent to the Complaints Coordinator. This must be done within two weeks of the date of the written decision. The request must explain the dissatisfaction with the outcome provide evidence as appropriate and identify a remedy.

SC 3.3.2 Requests for review will be judged against the following grounds:

- (a) that there exists evidence that could not reasonably have been made available for the formal consideration; or
- (b) that there exists evidence of a material procedural irregularity in the consideration; or
- (c) that there exists evidence that the judgement is unreasonable, i.e. it was not a judgement that could have been reached by a reasonable person in receipt of the materials formally considered.

No new complaint may be requested as part of the review, but the complaining student may submit further evidence in support of their case, subject to point (a) above.

SC 3.3.3 The University Complaints Coordinator will consider the application and make an initial decision as to whether or not to allow a review in light of evidence provided against the grounds identified in SC 3.3.2. Where a review is rejected the Complaints Coordinator will write to the complainant explaining the reasons for the decision.

SC 3.3.4 Students have the right to challenge this decision and, in these cases, the decision will be reviewed by the Head of Student Programme Administration or designated alternate nominated by the Director of Students, Education and Academic Services.

SC 3.3.5 If a review is deemed not to have grounds, the student will be provided with a Completion of Procedures letter that sets out the right to refer the matter to the Office for the Independent Adjudicator and describes the means to do so.

SC 3.3.6 Where a review is deemed within the scope of the procedures a Review Panel will be convened. A Review Panel will consist of the Chancellor, or senior management nominee not previously involved in the process, one member of staff appointed by the Vice-Chancellor and one student appointed by the Students' Union President. No member of the panel will have been associated with the complaint or the institutional body (Faculty, etc) against which the complaint has been made.

SC 3.3.7 The Complaints Coordinator, or nominee, will act as Clerk to the panel and will prepare the documentation. The Chair of the original Complaint Panel will be invited to submit a statement addressing the student's submission. Both the student and the Chair of the Complaint Panel will be invited to attend; however, failure to attend by either party will not invalidate the proceeding, as determination will be made via the submitted documentation.

SC 3.3.8 If present, the student will be invited to make an opening statement as to why, in their view, the case should be subject to review. This will be restricted to consideration against the identified review grounds; the Review Panel will not rehear the original complaint. If present, the Chair of the Complaint Panel will then be invited to present an opening statement explaining how the panel's decision was determined and how, in their view, it was reasonable. If the student presents either new evidence or alternative remedies, the Complaint Panel Chair will also be invited to comment on these. Neither the student nor the Complaint Panel Chair will be allowed to question the other, but the members of the Review Panel may question either. Both the Complaint Panel Chair and the student will be given the opportunity to sum up their position. The burden of proof will be on the student and the standard of proof will be on the balance of probability. Following the proceeding, the panel will deliberate in private and will determine their conclusions including, as appropriate, any modifications and/or additions to the Complaint's Panel actions/remedies. Only in exceptional circumstances would a rehearing be recommended. The Complaints Coordinator will provide advice on the scope of actions/remedies available to the Panel.

SC 3.3.9 The student will receive a written decision that addresses the points they have made and gives reasons for the conclusion reached. They will also receive a Completion of Procedures letter that will advise of the right to refer the matter to the Office of the Independent Adjudicator and describe the means to do so.

#### SC 4 OFFICE OF THE INDEPENDENT ADJUDICATOR

Once all internal complaints procedures have been exhausted, if the student is still not satisfied they have the right to take the case to the Office of the



## ANNEX

### 1 Additional information

#### SCA1.1 Group Complaints

Where students want to complain as a group, the group collectively submit the complaint while nominating a spokesperson for communication. Reasonable adjustment will be made in the processes as necessary to meet requirements related to protected characteristics.

#### SCA1.2 Anonymous Complaints

The purpose of a complaint is to provide a resolution for a student. To do this the identity of the student is required. The University, under its procedures, will not consider anonymous complaints. To raise an anonymous concern, for which independently verifiable evidence would be required, students should use the [Raising Serious Concerns and Disclosing Public Interest Matters \(Whistleblowing\)](#) policy where further details are provided.

#### SCA1.3 Sourcing evidence

It is the responsibility of the student to source and provide the evidence to support a complaint. Where the University holds evidence, we will provide reasonable assistance in applying this to the student, directing students to formal processes as required. Evidence should be relevant and the onus is on the student to provide any necessary editing and/or contextualisation.

#### SCA1.4 Personal data and data sharing

By using these complaints procedures the student will acknowledge their understanding that the University will handle personal details, which could include sensitive information (for example, relating to health matters) to deal with the complaint effectively. The University will not share this information with other staff or students.

complaints procedure is procedurally equivalent. The procedures continue to apply for three months following the end of registration.

SCA2.3 These procedures do not apply to the following people

1. members of staff (except those who are also registered as a student, and then only to those aspects that related to their student status)
2. persons applying to come onto a Lancaster programme
3. persons in other formal relationships with the University (for example commercial businesses);
4. persons not in a formal relationship with the University.

SCA2.4 These procedures apply to dissatisfaction of service delivery by University staff. For the avoidance of doubt, these procedures do not address capability or discipline, and staff records do not record the results of student complaints. Potential staff capability or discipline issues identified under this procedure will be referred for consideration under the relevant staff policy.

SCA2.5 These procedures do not apply to dissatisfaction about

- x other students (it may be appropriate for referral to the Student Discipline Regulations at [\[link\]](#));
- x minor faults in University facilities (these should be reported through PlanOn)
- x persons on campus who are not members of the University or;
- x services over which the University has no authority (e.g. on campus commercial businesses, transport links, etc)

Students with concerns about these areas can seek the advice of either the Students' Union or the Complaints Coordinator as to how best to have these concerns addressed.

SCA2.6 These procedures also do not apply to dissatisfaction about:

- x outcome and decisions of Boards of Examiners or other academic matters governed by the Academic Appeal Procedures (i.e. matters of academic judgement);
- x outcomes, decisions, actions and behaviours where other University procedures apply and take precedence (for example those elements considered under the auspices of the Standing Academic Committee or Board of Discipline);
- x services provided by the Students' Union (they have their own complaints procedures [webpage](#));
- x any potential breach of criminal law (these should be referred to the police).

SCA2.7 The University will make every reasonable effort to complete complaints procedures in a timely manner and aims to complete all aspects of the complaints process normally within ninety calendar days. If the University is unable to comply, on reasonable grounds, (for example, complaints involving

factually complex matters or mutually agreed pauses in proceedings) it will provide the complainant with an explanation and inform them of the timeframe for completion.

SCA2.8 A student has the right to be accompanied and supported at any meeting by one person, and may be represented where the student expressly authorises a third party in writing to act on their behalf.

### 3 Implementation, oversight and review

SCA3.1 This procedure is approved by Council, taking into consideration the recommendation of Senate, and of the Student Experience Committee (SEC) (or any successor body).

SCA3.2 SEC shall keep these procedures under review to ensure best practice internally as well as consistency with national expectations, primarily as set out by the Office for the Independent Adjudicator.

SCA3.3 SEC will discuss and approve an anonymised annual review of complaints. Council and Senate will receive the review for information.

SCA3.4 The University will appoint a University Complaints Coordinator who will oversee this procedure and provide advice to all parties on process. The Complaints Coordinator is not an advocate for either party and will not act in this capacity.

SCA3.5 The Complaints Go

