

17E

Section

Nottingham Trent University

Quality Handbook

Part E: Regulations

Section 17E: Student Complaints Procedure

Introduction

- 1.1 The University is committed to providing high quality education and services to all students. We value the views of our students and aim to provide a supportive environment and manage complaints in a way which is sensitive to the needs of each specific case.
- 1.2 In this document “we”, “our” and “us” refers to Nottingham Trent University and “you” and “your” refers to students enrolled at Nottingham Trent University.
- 1.3 In this document reference to “working days” means University working days during the working week from Monday to Friday, excluding weekends, UK Bank Holidays and all University closure days.
- 1.4 The University is a large organisation and we are aware that problems may arise from time to time with regard to teaching-related or service-related provision. You are encouraged to raise any concerns with us immediately so that we can discuss them with you at an early stage and prevent matters from becoming more complex. We aim to deal with complaints in a timely and consistent way to ensure that you are not disadvantaged as a result of raising your concern with us.
- 1.5 There are 3 levels to this Procedure (see Appendix 2):
 - Level 1: Early Resolution at Local Level;
 - Level 2: Formal Stage; and
 - Level 3: Complaint Review Stage

If you remain reasonably dissatisfied with the outcome once you have completed the University’s internal processes, you have the opportunity to request a review of your complaint by the Office of the Independent Adjudicator (OIA) – please see Section 11.

2. Who can use the Student Complaints Procedure?

- 2.1 All students of Nottingham Trent University can use this Procedure.
- 2.2 You may use the Complaints Procedure if you are, or have been, enrolled as a student of the University, including on part-time and distance learning courses, via apprenticeship routes, and through collaborative provision where you are a student of the University and have completed the partner institution’s complaints processes.
- 2.3 If you are a former student you must raise any complaint no later than **60 working days** from your last day as a student of the University. For the avoidance of doubt, the submission deadline will be calculated by the Academic Registry.
- 2.4 If you are making a collective complaint with a group of students, the University will request that one student is named the main contact for purposes of communication.
- 2.5 Anonymous complaints will not be considered unless the University considers the supporting evidence to be exceptional in the circumstances.
- 2.6 You are encouraged to make a complaint personally. If a parent/guardian or other third party makes a complaint on your behalf, the University will ask for your explicit consent to correspond directly with the third party representative. Where

you give consent the University will correspond only with your representative unless you request otherwise.

3. What constitutes a complaint?

3.1 Grounds for a complaint might include (but are not limited to) the following:

- a. Dissatisfaction with standards of academic provision (for example, course design, content and structure, resources and facilities, information provided to you about your course).
- b. Dissatisfaction with the quality of supervision and/or tuition.
- c. Failure by the University to meet its obligations (for example, as set out in the Student Charter or other policies/processes).
- d. Deficiencies in the standards of service (which may include problems with support facilities such as accommodation, student support services or administrative services).
- e. Harassment, bullying and victimisation.
- f. Other deficiencies in the quality of your learning experience.

4. What does not constitute a complaint?

- 4.1 Challenges to academic judgement. The University defines academic judgement as a judgment made about an academic matter such as degree classification where only the opinion of an academic expert will suffice. You cannot challenge academic judgement simply because you believe you should have received a higher grade or mark. Where appropriate, however, the University may offer an outcome with an academic impact in response to an upheld complaint.
- 4.2 Academic matters relating to examination and assessment performance and outcomes, which will be considered under the [Academic Appeals Procedures](#); or matters of Academic Irregularity and misconduct which will be considered under the [Academic Irregularities Procedures](#).
- 4.3 Disciplinary issues, which will be considered under the [Student Code of Behaviour](#).
- 4.4 Complaints about the admissions process, which should be directed to the Admissions Office (or [Doctoral School](#) for research degrees). See the [Admissions Policy](#) for details.
- 4.5 Non-academic matters raised by students studying at partner institutions under a collaborative arrangement. If you are studying with a partner institution you must complete the partner's local complaints processes before you can raise a complaint with the University.
- 4.6 Complaints about the Students' Union, which should be directed to the [Nottingham Trent Students' Union](#).

5. Principles and scope

- 5.1 This Procedure has been developed by the University to ensure that complaints are treated seriously and, if upheld, are acted upon to ensure your position is protected as far as the University is able to do so.

- 5.2 Complaints will be dealt with fairly and seriously. **By raising a complaint under this Procedure, whether successful or otherwise, you will not be disadvantaged or treated less favourably by any member of staff than if you had not raised the complaint.**
- 5.3 The University will ensure that due regard is given to the need to ensure that students with protected characteristics, as defined under the Equality Act 2010, are treated fairly and without discrimination.
- 5.4 Your complaint will be handled with an appropriate level of confidentiality and information relating to your complaint will only be released to those who need it for the purposes of investigating or responding to your complaint.
- 5.5 It is desirable that complaints are resolved locally, amicably and quickly and that Level 2 of the process is only invoked following an attempt at local resolution.
- 5.6 We encourage you to provide detailed information to support your complaint. We may ask for further information or evidence to enable a full investigation into your complaint.
- 5.7 You are encouraged to seek independent advice from the Students' Union [Information and Advice Service](#). Your School Office will also be able to advise you on this Procedure.
- 5.8 If you are under 18 years of age and you raise a complaint under Level 2 of this Procedure, Academic Registry will notify your parent/guardian that you have submitted a complaint and will keep them informed of progress, unless you expressly ask us not to.
- 5.9 Throughout the complaints process you may be accompanied to any meetings by a representative of the NTSU Information and Advice Centre or a friend. You may be represented by that NTSU representative or friend upon agreement between you and us.
- 5.10 This Procedure is internal to the University and does not have the same degree of formality as a court of law. As such legal representation is not deemed to be necessary or appropriate in the circumstances.
- 5.11 We reserve the right not to investigate complaints which we consider to be frivolous or vexatious (for example, complaints which are obsessive, harassing, repetitious, where your behaviour in submitting a complaint is unreasonable or designed to cause disruption to the University or its community).
- 5.12 We reserve the right to transfer your complaint to another procedure if we feel that your concerns could be more appropriately or effectively addressed through a different University process.
- 5.13 If your concern has been raised through a different University procedure, then you may not pursue it concurrently through the Complaints Procedure; equally, if you have raised a concern through the Complaints Procedure then you may not pursue it concurrently through other existing procedures.

6. Time Limits

- 6.1 The University normally aims to deal with all complaints within 90 calendar days (**approximately 60 working days**) from the start of the Formal Stage (Level 2). 6.2 Where you fail to proceed within the timescales specified in 6.4, we reserve the right to

stop your complaint from progressing through this Complaints Procedure. 6.4: Table of Time Limits

	Student	Acknowledgement	Investigation
Level 1	Raise your complaint within 60 working days of the cause for concern. Submit the Level 1 Complaint Form.	Within 5 working days of receipt of the complaint, setting out the points of complaint.	Response communicated within 20 working days of receipt of the complaint. If this is not possible, an alternative timescale will be provided.
Level 2	Raise your complaint within 10 working days of the date of the Level 1 outcome. Submit the Level 2 Complaint Form.	Within 5 working days of receipt of the complaint, setting out the points of complaint.	Response communicated within 30 working days of receipt of the complaint. If this is not possible, an alternative timescale will be provided.
Level 3	Request a review within 10 working days of the Level 2 outcome date. Submit the Level 3 Complaint Review Form.	Within 5 working days of receipt of the request for a review.	Response communicated within 15 working days of receipt of request for review. If this is not possible, an alternative timescale will be provided.
OIA	Request a review within 12 months of the date of the Completion of Procedures Letter.	The University has no direct involvement with the complainant.	Variable – OIA timescales.

7. Informal Resolution

7.1 The existence of this Procedure does not preclude you from discussing any issues or concerns about your studies informally with your school. School staff can be the first point of contact for you to discuss any concerns that you may have.

8. Procedure for Level 1: Early Resolution at Local Level

8.1 Schools and Professional Services service areas are responsible for ensuring that staff and students are aware of this Procedure and for naming contacts within those areas who will deal with complaints.

- 8.2 You are expected to raise your concerns quickly and directly with your school or the relevant service area. If you are not sure where to raise your complaint or if you feel that you are unable to raise your complaint with your school or the service area concerned, please contact the [Policy and Regulations Team in the Academic Registry](#) who will advise you.
- 8.3 You must raise your complaint no later than **60 working days** from the incident or cause for concern using the Level 1 Complaint Form.
- 8.4 You should describe your concerns clearly and provide information and evidence where possible to support your claims. Submit the form and your supporting evidence to your school or the relevant service area.
- 8.5 Your Level 1 complaint will be acknowledged within **5 working days**. You will receive a response within **20 working days** (see Section 6 for time limits).
- 8.6 If you consider your complaint to be unresolved following the Level 1 outcome you receive, or you are dissatisfied with the outcome, you may choose to escalate your complaint to Level 2 (see Section 6).

9. Procedure for Level 2: Formal Stage

- 9.1 If you invoke Level 2 of this Procedure you must submit the Level 2 Complaint Form within **10 working days** from the date of your Level 1 outcome.
- 9.2 You must explain clearly on the Level 2 Complaint Form why you believe that your complaint remains unresolved; this information will help us to understand your complaint. If your explanation or any detail on the complaint form is unclear or ambiguous, we may ask you for further clarification or information.
- 9.3 You must describe the resolution that you seek as a result of your complaint. An indication of the outcome that you seek can be extremely helpful to us. However, you must recognise that our response may differ significantly from your desired outcome.
- 9.4 You should provide detailed information to support your claims and documentary evidence where possible.
- 9.5 Your Level 2 complaint will be investigated by a Complaint Investigator within Academic Registry, which is a central University department independent of all schools and service areas. The Complaint Investigator will:
- consider whether your complaint is eligible and has been submitted within the time limit (see Section 6 above); and
 - consider whether the issues you have raised in your complaint should be investigated under this Procedure or whether they would be more effectively addressed through another procedure.
- 9.6 Your complaint will be acknowledged within **5 working days** of receipt.
- 9.7 If your complaint is eligible the Complaint Investigator will assess your claims against the evidence you have provided, consulting other staff where appropriate. The Complaint Investigator may deem it necessary to meet with you in person or remotely by telephone or, e.g., Skype, to discuss your complaint. If you are unwilling to attend a meeting this will be taken into account in the outcome of your complaint.

- 9.8 You may request to meet with the Complaint Investigator if you wish to discuss your issues in person and in more detail. Such a request will not be unreasonably denied by the University.
- 9.9 You may be asked to explain the information or evidence you submitted with your Level 2 Complaint Form or you may be asked for further information or evidence. You are expected to co-operate with our reasonable requests within the time limit we set for a response.
- 9.10 You will receive an outcome within **30 working days** from receipt of your Level 2 Complaint Form. If the investigation into your complaint will take longer we will notify you of the reasons and provide you with an expected date of response. The outcome will be sufficiently detailed for you to understand our response and enable you to decide whether to request a Level 3 Complaint Review.
- 9.11 If your complaint is upheld (in full or in part) a proposed remedy or other form of redress will be offered to you.
- 9.12 If your complaint is not upheld, you will be provided with an explanation for the decision.
- 9.13 Other staff at the University may be informed of the complaint outcome with due regard to confidentiality, as appropriate.

9.14 **Complaint Panel Investigation**

- a. The Academic Registrar or nominee may decide that your complaint is best considered by a Complaint Panel. Should this be the case, you will be informed of this decision and the following will apply:
- b. The Complaint Panel will comprise:
 - i. A Dean from outside the School in which you are enrolled or Head of Service from a different service area.
 - ii. One member of staff from outside the School in which you are enrolled (or others involved in the complaint).
 - iii. A representative from the Students' Union Executive committee.
- c. The Academic Registrar shall appoint a Clerk to the Panel (supported as necessary by other staff).
- d. You may be accompanied to the Panel Meeting by a friend or representative and the area of concern may be represented by up to two members of staff. If the complaint relates to the actions of a staff member (or more than one staff member) that staff member may attend the Panel Meeting and has the right to bring a friend or representative.
- e. All relevant papers will be provided to the members of the Panel and to you. You will be informed of the composition of the Panel 5 working days before the Panel Meeting. If you feel that a Panel member has a conflict of interest, you can submit a request in writing to the Academic Registrar for a replacement.
- f. The Panel will hear the complaint in accordance with the procedure outlined in Appendix 2. If you fail to attend the Panel Meeting, the Panel will decide whether to consider your complaint in your absence, dismiss the complaint or invite you to a re-convened Panel Meeting.

- g. You will be provided with a written outcome from the Panel Meeting within 5 working days of the meeting.
- h. Where a Complaint Panel Investigation is deemed appropriate by the Academic Registrar or nominee, you will be provided with an amended date of response since the Level 2 time limit (see Section 6) will not be applicable.

10. Level 3: Complaint Review Stage

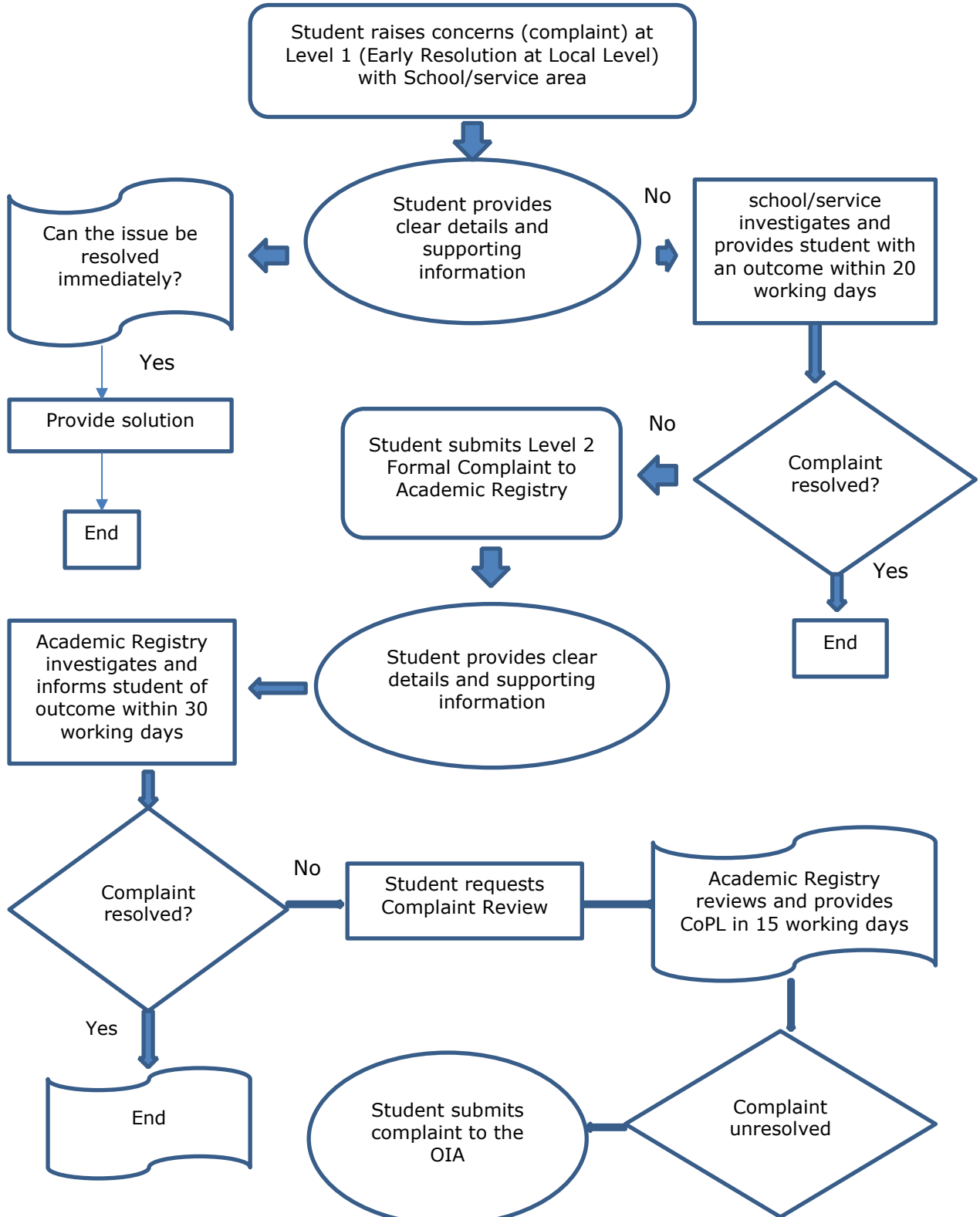
- 10.1 Should you feel dissatisfied with the outcome of your Level 2 complaint you may request a Complaint Review by completing the Level 3 Complaint Review Form. You must complete Level 2 before you can request a Complaint Review.
- 10.2 Your request for a Complaint Review must be received within **10 working days** from the date of your Level 2 outcome.
- 10.3 The only permissible grounds for a Complaint Review are:
 - a. That there was a procedural irregularity in the consideration of the complaint which has materially affected the outcome; or
 - b. That you have new material evidence which could not have previously been made available, for valid reasons.
- 10.4 Your request for a Complaint Review will be acknowledged within **5 working days** of receipt.
- 10.5 The Academic Registrar will nominate a member of staff (not involved in any previous stage) to undertake a review of your complaint.
- 10.6 The Complaint Review will not consider **new or previous** issues of your complaint afresh, nor will it involve further investigation. It will consist of a review of the evidence submitted in relation to the permissible grounds.
- 10.7 You will receive a Completion of Procedures Letter within **15 working days** from receipt of your request for a Complaint Review. This letter will confirm that you have completed the University's internal Procedure and will indicate how you may submit a complaint to the OIA.

This is the end of the University's internal Procedure. 11.

Office of the Independent Adjudicator (OIA)

- 11.1 In the event that you are not satisfied with the outcome of the Complaint Review, you may request an independent external review of your case by the OIA. You must complete the University's internal procedures before you can request an OIA review.
- 11.2 Your complaint must be submitted to the OIA within **12 months** from the date of your Completion of Procedures Letter from the University and must be submitted using the OIA's form. You must include your Completion of Procedures Letter with your submission.
- 11.3 Further information can be found on the OIA's website at www.oiahe.org.uk.

APPENDIX 1 STUDENT COMPLAINTS PROCEDURE



APPENDIX 2

CONDUCT OF THE COMPLAINT HEARING

1. The Complaint Panel Meeting shall take place at the date and time confirmed in writing to the parties concerned (i.e. student who made the complaint and members of staff concerned). As much notice as possible will be given (normally at least 5 working days) but there may be flexibility as to notice, dependent upon the circumstances of the investigation and urgency of the complaint.
2. The student will be advised of the composition of the Panel and the names of any 'witnesses' who may be called. Witnesses can be called by the student if they wish to do so.
3. The student (and any staff concerned) has the right to attend the Panel Meeting with a friend (or representative). If any party is to be accompanied they shall advise the Clerk of the name, address and occupation not less than 24 hours prior to the Panel Meeting.
4. If the student does not attend the Panel Meeting without providing reasonable details for non-attendance, the Panel shall decide whether to consider the appeal in their absence, dismiss the complaint or re-convene a Panel Meeting at a later date, to which the student will be invited.
5. The burden of proof to demonstrate grounds for the complaint lies with the student.
6. The parties concerned shall be permitted to question each other and any witnesses and to address the Panel. The Panel may question the parties concerned and any witnesses.
7. If any party wishes to introduce documents to the Panel which have not previously been provided within the Complaint Form, they shall provide such copies to the Clerk no later than 5 working days prior to the Panel Meeting. The Clerk shall provide one copy of the documents (should they be accepted) to each Panel Member and attending party.
8. The Panel will meet in private.
9. The Panel shall be given absolute discretion to regulate its own procedures subject to keeping within the spirit of this Procedure. The Panel will base its judgements on the 'balance of probabilities'.
10. The Panel will consider the facts and provide its outcome to the complaint which will be provided to the student within 5 days of the Panel Meeting. The Panel may reject the complaint (not upheld) or uphold (in full or in part) the complaint, identifying appropriate redress.
11. The University will take the opportunity, where appropriate, to consider any issues as part of its quality assurance processes.

Policy owner			
Academic Registry			
Change history			
<i>Version:</i>	<i>Approval date:</i>	<i>Implementation date:</i>	<i>Nature of significant revisions:</i>
Sept 2017	12.09.17	01.10.17	New. Approved at Academic Board in June 2017, subject to minor changes.
Sept 2018	12.09.18	01.10.18	Removal of a level 2 complaint outcome as unreasonable as permissible grounds for a level 3 Complaint Review; Clarification that a level 3 Complaint Review will not consider new or previous issues of the complaint afresh.
Jan 19	24.01.19	24.01.19	Clarification that where Level 1 & 3 timescales will not be met, alternative timescale will be provided.

Equality Impact Assessment		
<i>Version:</i>	<i>EIA date:</i>	<i>Completed by:</i>
Sept 2017	01.09.17	Academic Registry

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