

The University of Manchester

Regulation XVIII

Student Complaints Procedure

Introduction and Principles

1. As part of its commitment to ensuring the standard and quality of its programmes of study, services, and facilities, the University has established this Procedure to deal with complaints from students. Complaints provide useful feedback information and, where appropriate, will be used to improve services and facilities.
2. This Procedure is available for students registered for programmes of study at the University. For the purposes of this Procedure, the term “student” will include also those who have recently been registered as a student at the University.
3. The Procedure is not available to students registered in a partner organisation on recognised programmes of study. These students should use the mechanisms and procedures for considering complaints which are in place within the partner organisation. However, such students may be able to submit a final request to the University for a Review of the partner organisation’s final decision within ten working days of the decision being issued if they believe that their case has not been dealt with appropriately by the partner organisation (see paragraph 22-24 of this Procedure).
4. The Procedure comprises a number of stages, both informal and formal. Students who have a complaint to make should raise it directly with the staff concerned at the earliest opportunity, as matters that are dealt with informally at an early stage have the best chance of being resolved effectively. Only where the informal procedures have been completed and the complainant remains dissatisfied should the formal stage be instituted. It is recognised, however, that there may be occasions where an informal approach is not appropriate and the student may wish to proceed directly to a later stage in the procedure, giving reasons for doing so. In such situations, the recipient of the complaint should decide at which stage in the procedure the complaint should most appropriately be considered, taking account of its particular nature and circumstances. In respect of particularly serious complaints, the student may write directly to the Director of Teaching and Learning Support in the Teaching and Learning Support Office (TLSO) without having followed the informal and formal stages of this procedure set out below. In such cases, the Director of Teaching and Learning Support will decide whether to refer the complaint for consideration by a Complaints Panel or whether it should more appropriately be referred to an earlier stage in the procedure.
5. Formal complaints should be made as soon as possible, and in any case within 40 working days of the events or actions (or lack of actions) which have prompted the complaint. The University will not normally consider complaints made after this period, unless there is a credible and compelling reason for the delay.
6. Every reasonable effort will be made to deal promptly and efficiently with all complaints, to investigate them thoroughly and objectively and to seek to resolve them satisfactorily. Complaints will be dealt with positively and constructively. If a complaint is upheld, the University will seek to provide an appropriate response and will correct any mistakes or misunderstandings and will take any other action as appropriate. If a complaint is not upheld then reasons for that decision will be given.

7. All complaints will be dealt with in confidence with the proviso that enquiries will have to be made to investigate the matters that are the subject of the complaint. Also, an individual against whom a complaint is made has the right to be supplied with a copy of the complaint and to comment on it. If this presents a problem for a student who wishes their complaint to be given complete confidentiality, he or she is advised to discuss how the complaint might be addressed with an appropriate officer in his or her Faculty (such as the Head of Faculty Administration or the Dean of the Faculty).
8. The effectiveness of any complaints procedure depends on the University being able to collect appropriate information from the parties involved in order to investigate the matter properly. For this reason, anonymous complaints will not be dealt with under this Procedure. It is at the discretion of the member of staff receiving an anonymous complaint to determine how the matter is handled, e.g., by taking no further action or by direction to the Public Interest Disclosure Policy (<http://documents.manchester.ac.uk/display.aspx?DocID=28>).
9. The University will treat all complaints seriously and will deal with them without recrimination. When complaints are submitted, complainants and University staff should act reasonably and fairly towards each other and respectfully adhere to this Procedure. Where a complaint is shown to be frivolous, vexatious or motivated by malice, disciplinary action may be taken against the complainant under the provisions of Regulation XVII Conduct and Discipline of Students.
 - (a) The University reserves the right to terminate consideration of a complaint and/or restrict access to staff or procedures for complainants who seek, by pursuing an unreasonable course of conduct:
 - i. To be, or are, disruptive; and/or
 - ii. Whose requests are disproportionate and/or unnecessary and/or cause disproportionate and/or repeated efforts by members of staff.
 - (b) Where a complaint is found to meet the above criteria, the recipient of the complaint should inform the complainant accordingly and direct them to the next appropriate stage of the Procedure.
10. The time limits set out in this Procedure will normally be followed. However, where, for good reason, this is not possible, the complainant will be kept informed of progress.
11. The University reserves the right to postpone considering, dealing with and/or responding to a complaint when the student is pursuing legal proceedings against the University.
12. Students seeking help in using this procedure, or if they are uncertain as to whom their complaint should be referred, should seek advice from any of the following:
 - (a) the Information, Advice and Guidance Service in the Atrium (<https://uomtheatrium.wordpress.com/>); and
 - (b) an appropriate Faculty or School Officer as identified in their programme handbook;
 - (c) the Students' Union Advice Service (<http://manchesterstudentsunion.com/advice/service>).
 A quick guide to Student Complaints is also available at: <http://documents.manchester.ac.uk/display.aspx?DocID=23875>

Definition and Scope of the Procedure

13. The University defines a complaint 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'.¹

¹ Paragraph 14, OIA Good Practice Framework.

14. The Procedure is designed for complaints in respect of the student's experience at the University related to:
 - (a) the provision of programmes, or parts of programmes of study, services or facilities by the University;
 - (b) the actions or lack of actions by the University or its staff.
15. The Procedure does not cover the following, for which separate procedures exist (as noted in brackets):
 - (a) appeals relating to examinations or assessments or to academic progress or against expulsion or exclusion on academic grounds (Regulation XIX, Academic Appeals Procedure);
 - (b) complaints involving an allegation of misconduct by a student (Regulation XVII Conduct and Discipline of Students);
 - (c) complaints involving an allegation of harassment, discrimination, victimisation and/or bullying by a student or member of staff (Dignity at Work and Study Policy and Procedure);
 - (d) complaints against the Students' Union (Code of Practice on the Students' Union), other than through requesting a review of the outcome of any complaint against the Students' Union having exhausted the Students' Union complaints procedure.

Information about these separate procedures can be obtained from the student or programme handbook, the Students' Union Advice Service or the Information, Advice and Guidance Service.

16. This Procedure can be used by students for both individual or collective complaints. It is expected that the student(s) concerned will pursue the complaint personally; complaints submitted by a third party will not be accepted unless accompanied by written authorisation from the student(s). Complaints by a group of students are often of a general nature where it is usually more appropriate for the students to raise the matter with a student representative on the relevant School or service committee in the first instance. Complaints may then be made by the group of students if the relevant representation system has not achieved a satisfactory outcome, or if this is not thought to be an appropriate route.

Informal Stage – Local Resolution

17. Most complaints can be resolved informally and, where practicable, a complaint should be dealt with as close as possible to the point at which it arises. The complaint should therefore be made initially to the appropriate member of staff who seems best placed to deal with the matter (e.g. Academic Adviser, Personal Tutor, Programme Director, Head of School, Adviser or Tutor in the Hall of Residence, local service provider, or Head of the office concerned in the Professional Support Services). A student should normally expect to receive a written or verbal acknowledgement of receipt within five working days of making the complaint and a full written response within 20 working days of receipt of the complaint.

Formal Procedure

18. If the student is not satisfied with the response at the informal stage, he or she may initiate a formal complaint by completing a Complaints Form and submitting it to the relevant Faculty Office. Copies of the Complaints Form may be obtained from School or Faculty Offices, the Students' Union, the Information, Advice and Guidance Service and from the My Manchester student intranet on the University website. The information to be given on the Complaints Form is as follows:
 - (a) details of the complaint, including the attachment of any relevant supporting evidence, e.g., emails and correspondence that the student wishes to have taken into account. Such

- evidence should normally be contemporaneous and capable of verification. All evidence should be written in English or, if not, certifiably translated;
- (b) a statement of the steps already taken to try to resolve the complaint informally and why the response has not been considered to be satisfactory;
 - (c) the form of resolution or redress sought.

The Faculty Office will acknowledge receipt of the Complaints Form within five working days and will determine whether the complaint should be dealt within the Faculty or whether the complaint should more appropriately be investigated by the head of a service provider (e.g., Director of Residential Services, the Director of IT Services, the Librarian or the Director of a professional support service). In the event that the complaint is referred to the head of a service provider, the student will be informed accordingly.

19. The person dealing with the formal complaint (hereafter referred to as the 'Investigator'), who must be independent of the source of the complaint, will undertake an investigation into the substance of the complaint using whatever means he/she feels appropriate. If a meeting with the student takes place, the student may be accompanied by a fellow student, a Students' Union officer or a member of staff. The Investigator will attempt resolution of the complaint by a means appropriate to its nature and circumstances. Such means may include:
- (a) correspondence between the parties;
 - (b) negotiation with the student or with appropriate members of staff or with both;
 - (c) facilitation of a conciliation meeting between the student and the staff concerned;
 - (d) if both parties agree, referral for mediation.
20. Students who submit a formal complaint after 40 working days from the issue that prompted the complaint, without a credible and compelling explanation for the late submission, will be issued with a Completion of Procedures letter by the Investigator (see paragraph 32).
21. It is expected that the formal procedure should normally be completed and a written response sent to the student within 30 working days of receipt of the completed Complaints Form. The possible outcomes at this stage include:
- (a) specific action to resolve the matter;
 - (b) provision to the student of information in explanation of the circumstances which led to the complaint;
 - (c) referral of the matter to the Complaints Panel if the complaint raises serious or complex matters which require further investigation and enquiry;
 - (d) dismissal of the complaint as being without foundation, with reasons given to the student in writing.
22. If the student is not satisfied with the outcome of the formal complaint and believes that his or her complaint has not been handled properly or fairly according to these procedures, or if the student has new evidence which they were unable (for credible and compelling reasons) to provide with the formal complaint, the student may request a Review (see paragraphs 23-25).

Review

23. If, once a decision on the complaint has been given, the student believes that the complaint has not been handled fairly or properly in accordance with these procedures, or if the student has new evidence which they were unable (for credible and compelling reasons) to provide with the formal complaint, the student may request a review by writing to the Director of Teaching and Learning Support within ten working days of receipt of the formal response. The request should include details of why the student remains dissatisfied and what resolution the student is seeking, and

should include copies of correspondence exchanged during the preceding stages, and any other relevant evidence.

24. Receipt of the request for Review will be acknowledged in writing within five working days. The Director of Teaching and Learning Support or nominee will review the documents relating to the case in order to determine whether the case has been handled properly and the decision is reasonable in the light of the available evidence or if any new evidence should be accepted. During the review further information may be sought from the student and/or from others concerned. Taking account of the substance of the complaint and the previous attempts at resolution, the Director of Teaching and Learning Support or nominee will then decide on an appropriate course of action, which may include:
- (a) specific action to resolve the matter;
 - (b) referral to the Complaints Panel or to a new Complaints Panel; or
 - (c) dismissal of the complaint as being without foundation, in which case reasons will be given to the student in writing.
- The student should usually be notified of the Director of Teaching and Learning Support's decision within 20 working days of receipt of the request for Review.
25. If the Reviewer dismisses the complaint as being without foundation, there will be no further opportunity for the complaint to be pursued within the University (see paragraph 32).

Complaints Panel

26. A complaint may be referred to the Complaints Panel by the Investigator (as set out in paragraph 21), or by the Director of Teaching and Learning Support or nominee (as explained in paragraph 4 and 23).
27. Where the matter is referred to a Complaints Panel, the Panel should normally convene to hear the complaint within twenty working days of the referral. All members chosen to serve on the Panel will be independent of the source of the complaint and will be from a School not related to the complaint. The Complaints Panel will consist of:
- A Vice-President or Associate Vice-President or former holders of these positions (in the Chair);
 - A Head of School;
 - One member of academic staff, drawn from a panel appointed from time to time by the Senate for this purpose;
 - A representative of the Students' Union.
28. The student will be entitled to attend the meeting and to be accompanied by a fellow student, a Students' Union officer or a member of staff. The School or service department that is the subject of the complaint may be represented by up to two members of staff. If the complaint relates to the actions of an individual member of staff rather than a School or service department, that individual has the right to be informed of the substance of the complaint and to attend and be accompanied by a fellow member of staff or Trade Union representative.
29. The Complaints Panel will consider both the substance of the complaint and also the way in which the complaint had been handled in the earlier stages of the procedure.
30. The outcomes of the Complaints Panel may include:
- a. if the complaint is upheld:
 - i. recommendations to the Dean of Faculty, Head of School or Head of Service Provider;
 - ii. recommendations to University or Faculty committees in respect of relevant quality assurance issues or other procedures or policies;

- iii. appropriate redress to the student which may include payment of compensation and reasonable expenses;
- b. if the complaint is not upheld, the student will be informed in writing with reasons for its dismissal.

31. The conclusions and recommendations of the Complaints Panel, with reasons, should be notified in writing to the student and other involved parties within ten working days of the meeting. If there is a delay in reaching a conclusion because of, for example, the need for clarification of matters with either party or for further information, all parties will be kept informed of progress and explanations will be given. The student will be issued with a Completion of Procedures Letter (see paragraph 32).

Conclusion of the Student Complaints Procedure

32. At the conclusion of the Procedure, the student will be issued with a Completion of Procedures Letter. There are no other complaints procedures within the University beyond those detailed above. Students who believe that their case has not been dealt with properly by the University or that the outcome is unreasonable may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) if the complaint is eligible under its rules and once all internal procedures have been concluded.

[Note: information about the role of the OIA and the procedure for submitting complaints can be obtained from the Students' Union Advice Service or from the OIA website: www.oiahe.org.uk.]

Annual Report

33. Each year, the Director of Teaching and Learning Support will prepare a report for the Senate on the number and nature of complaints, identifying any general issues that may have arisen.

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