

## How to make a complaint and the Student Complaints Procedure

The university recognises that there will be a small number of cases where a mutually satisfactory resolution may not be achieved informally. You are entitled to make a complaint through the following Student Complaints Procedure.

Please remember that your right to express your opinion is balanced by your responsibility to do so without being defamatory or derogatory to or about individuals whether online, in writing, or in person.

### 1. Introduction

The University recognises that students may have legitimate complaints about its provision, facilities, services or staff. This complaints procedure seeks to ensure that complaints made by students are treated seriously and resolved as quickly as possible.

### 2. Principles underlying the procedure

2.1 The guiding principles of this student complaints procedure are that:

- complaints are dealt with **without recrimination**. Students making complaints will not suffer any disadvantage or recrimination and their career in the University will not be prejudiced as the result of making a complaint. However, if a complaint is judged to have been made maliciously, the student may be subject to the University's disciplinary procedures;
- complaints are dealt with **promptly and fairly**. All complaints should be dealt with promptly, with fairness, transparency and consistency that respects the rights of all individuals involved. If a complaint is found to be justified, the University will take prompt and appropriate action. If a complaint is not upheld, the student will be notified of the reasons for the decision;
- students should be able to consult any member of staff to discuss problems in complete confidence and to expect a complaint to be dealt with **confidentially**. A member of staff named in a written complaint should expect the complaint to be handled with discretion and confidentiality to be maintained;
- complaints should be resolved quickly and simply **within the student's School**, as far as possible. As such this complaints procedure provides a number of stages for handling a complaint. Complaints will not normally

be considered at the Stage 2 until it is established that the informal stage has been exhausted;

- students should bring complaints to the attention of the University as soon as possible;
- the procedures for complaints should be made **widely available** to all students and staff;
- where a student wishes to make a complaint, further guidance can be obtained from the Students' Union.
- it does not affect the student's rights to pursue **legal remedies** outside the University.
- the University operates a disclosure policy, with both parties involved in the complaint having the right to access any documents used in considering the complaint, unless they compromise the privacy of third parties.

### **3. The use of the complaints procedure**

- 3.1 The Student Complaints Procedure is available to any student registered on a University of Brighton course or award (including Brighton and Sussex Medical School awards). Students at the University's Partner Colleges studying for University of Brighton validated awards who wish to make a complaint should, in the first instance, use the procedures of the Partner College if the complaint concerns some aspect of course delivery at the College.
- 3.2 Former students may also use the procedure but complaints must be submitted within 60 days of notification of their examination results or the date recorded as their last in the University if they left before a formal assessment/progression point.
- 3.3 Students on placement who wish to make a complaint about their placement should discuss the matter with their placement tutor (sometimes called link lecturer or organiser) at the University of Brighton or, where they are employed by the placement provider, should refer to the relevant procedure of the employer. In case of doubt, Complaints Resolution or a Students' Union Adviser will be able to advise whether your complaint relates to, for example, assessment to be dealt with by the University or to an employment matter better dealt with by the employer.

- 3.4 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.
- 3.5 A complaint may not be lodged by a third party. Anonymous complaints will not normally be investigated under the complaints procedure. If a complaint is judged to have been made maliciously, the student may be subject to the University's disciplinary procedures.
- 3.6 This 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.

## **4 Complaints procedure**

### **4.1 Introduction**

4.1.1 There are three stages to the University of Brighton student complaints procedure:

- Stage 1 Informal discussion;
- Stage 2 Written complaint;
- Stage 3 Review.

4.1.2 You are entitled to be accompanied at any meetings within the complaints procedure by a person of your choosing. This would usually be a member of staff, student or 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.

4.1.3 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 are made to the associated proceedings to accommodate your needs.

## **4.2 Stage 1 - Informal discussion**

The majority of concerns can be resolved informally within your school or department. In most cases this approach provides a quick solution and avoids the formality of submitting a written complaint. You are encouraged to raise issues either with staff directly (this could be your Personal Tutor, Course Leader, Head of School or a member of staff of student services) or approach the Students' Union where concerns relate to general matters of course delivery or support and are not specific to an individual.

## **4.3 Stage 2 – Written Complaint**

4.3.1 Students wishing to proceed to the Stage 2 should usually do so within 30 days of the informal stage being exhausted. If you have been unable to resolve matters informally then your complaint should be set out in writing and addressed to Complaints Resolution, Room 211, Mithras House, Lewes Road, Brighton BN2 4AT (or via email to [StudentComplaints@brighton.ac.uk](mailto:StudentComplaints@brighton.ac.uk)). It is important that you give sufficient detail of the complaint, and an explanation of what action you have taken informally (including why you consider this was ineffective), together with an indication of the form of resolution or redress you are seeking.

4.3.2 On receipt of your letter, Complaints Resolution will arrange for your complaint to be dealt with by one or more members of University staff of appropriate seniority (this may be either the Head of School and/or their nominee(s)) who were not involved in the subject of your complaint and who have had no previous involvement in the matter. The appointed member(s) of staff will normally meet with you to ascertain the extent of your complaint and will carry out appropriate investigations before reaching a decision and/or recommending any remedial action, which will be notified to you in writing usually within 20 working days. If it is not possible to complete the investigation within this time you will be informed of the delay.

## **4.4 Stage 3 - Review**

4.4.1 If you remain dissatisfied with the outcome of Stage 2, you may request that the matter is reviewed by writing to Complaints Resolution, Room 211, Mithras House, Lewes Road, Brighton BN2 4AT within 20 days of receipt of the outcome letter for Stage 2. Your letter should specify the reasons why you believe your complaint should be reviewed, which would normally fall within one or more of the following categories.

- i) new facts have come to light which were not previously available

- ii) information submitted at stage 2 was not considered
- iii) the resolution proposed was disproportionate to the outcome of the investigation

On receipt of your letter, Complaints Resolution will consider whether grounds for a review exist and may refer the matter to the Registrar and Secretary or her nominee for determination as to whether the matter may be reviewed.

- 4.4.2 Subject to complying with the above a Review Meeting will be arranged to which the student will be invited to attend. The meeting will take the form of a complete re-consideration of the complaint and the student or their companion may make any suitable representations they feel appropriate.
- 4.4.3 The Review will be carried out by the following persons, who may also be varied with the consent of the Student:
  - i. Chair - a Dean of Faculty, Head of School or a member of the Senior Management Team, not directly concerned with the complaint
  - ii. a staff representative, who will normally be from a different School than that of the complainant.
  - iii. a student representative, who will normally be from a different School than that of the complainant, appointed by the Students' Union.
- 4.4.4 Any potential member of i, ii or iii above who has been involved in counselling or advising the student making the complaint will be ineligible.
- 4.4.5 If the student making the complaint does not attend the meeting and the Chair is satisfied that notice of the meeting was duly sent to him/her then the Review may take place in their absence
- 4.4.6 The Review Meeting will make a recommendation which it will normally expect to be implemented. In case of any difficulty the Vice-Chancellor will be notified and will then ensure appropriate action is taken.

## **5 Referral to the Office of the Independent Adjudicator**

- 5.1 On exhaustion of the University's internal procedures, the University will issue a letter ('Completion of Procedures Letter'), to you confirming that the internal complaints procedures have been exhausted.
- 5.2 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). This must be done within three months from the date of issue of the Completion of Procedures Letter.

- 5.3 Information on the Office of the Independent Adjudicator can be obtained from the Students' Union, Student Services or the OIA website ([www.oiahe.ac.uk](http://www.oiahe.ac.uk)).

## 6 Relationship to other student procedures

The Student Complaints Procedure **does not** cover the following, as separate procedures exist for these matters:

- complaints of harassment or bullying;
- whistleblowing - where a student wishes to raise a concern, for example about financial or constitutional malpractice (i.e. not a personal grievance);
- an appeals procedure for issues related to the University's admissions policy,
- a request to review a decision of an Examination Board or to appeal against exclusion from the university on academic grounds other than failure at assessment. Follow the procedures outlined in the University's *General Examination and Assessment Regulations for Taught Courses*;
- a request to review a decision of a research degree examination team. Follow the procedures outlined in the University's *Regulations for MPhil, PhD and Professional Doctorates*;
- when the issue is currently the subject of disciplinary action under the University's *Student Disciplinary Procedure*;
- where there is a complaint against another student which is currently the subject of action according to the procedures within the Students' Union constitution;
- an appeal to review a decision regarding an award from the Access to Learning Fund.
- Complaints by students on placement which are against their employer and should be dealt with through the employer's procedures.