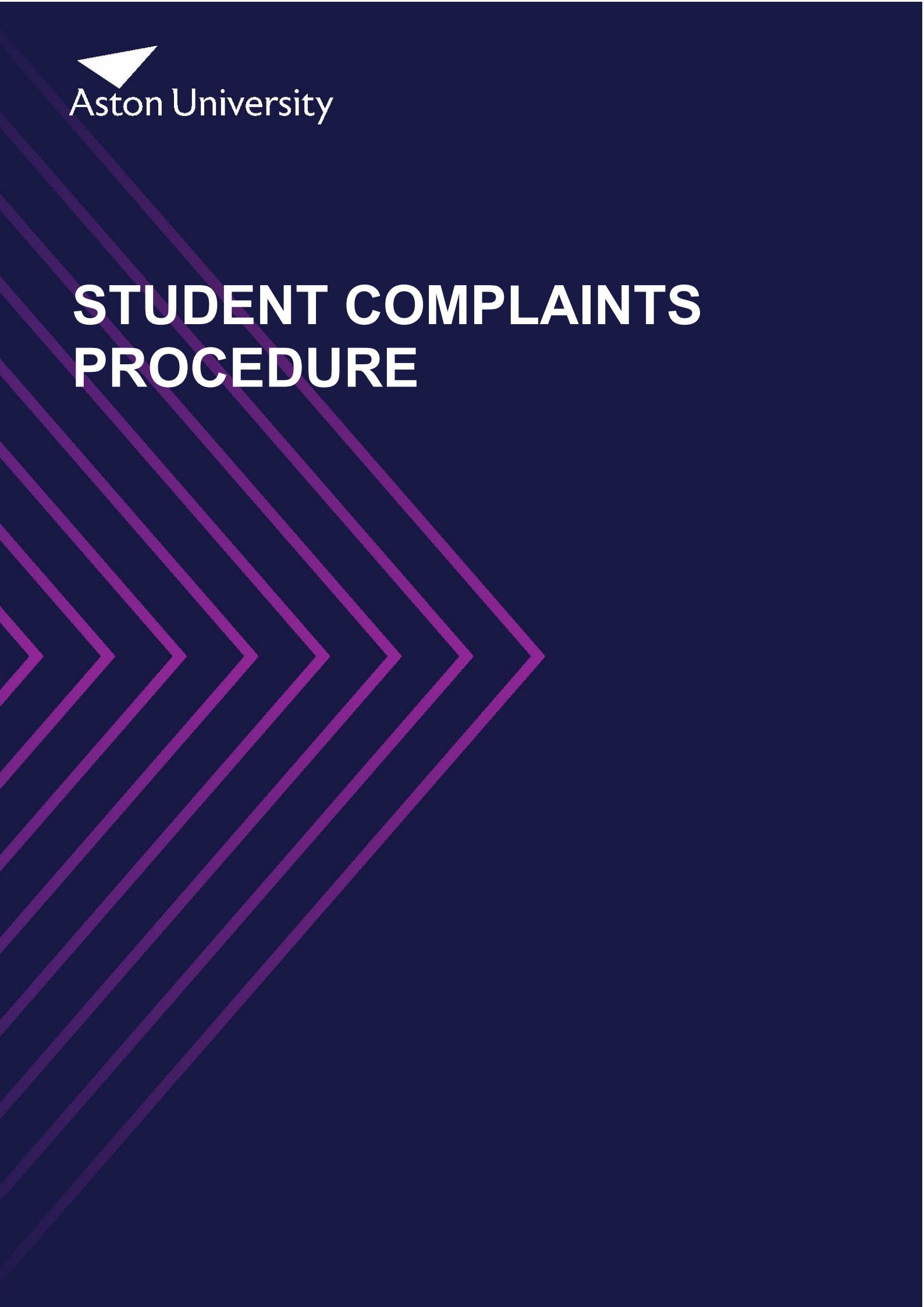


# STUDENT COMPLAINTS PROCEDURE



# 1. SCOPE OF THESE PROCEDURES

## 1.1 What is covered by the Procedure

This procedure must be followed when staff identify that the privacy notices require amendment to reflect changes in how personal data is processed.

The scope of this Complaints Procedure includes suggestions, comments, concerns and complaints in respect of the student experience at the University, including but not limited to services and facilities provided by Colleges or Head of Support Departments such as Student and Academic Services, Catering, Digital Services, Finance, Careers Advice, and Library/Learning Resources.

## 1.2 Who is covered by the Procedure

Students from partner colleges will normally be expected to use the relevant procedures of their college, except where their matter concerns a service provided by University staff on University premises.

There are issues that will not be considered through this Complaints Procedure, including but not limited to:

- A complaint related to an academic decision made by examiners and the Boards of Examiners. This would be dealt with under Academic Appeal Procedure and you should contact Academic Services.
- A complaint related to an admissions decision. This would be dealt with under the Applicant Appeals and Complaints Procedure and you should contact the Director of Admissions, Outreach and Recruitment.
- An attempt to have a same complaint reconsidered where the University has completed its procedures, unless new material evidence has come to light or a new, material event has occurred.
- Where the complainant has entered another University process regarding the same or similar matter.
- A complaint which relates to an issue currently being considered by the Office of the Independent Adjudicator for Higher Education (OIA), a court or tribunal.

For the purposes of this Complaints Procedure, the term “student” includes:

- all individuals currently enrolled either full-time or part-time on any programme of study, including those on a placement year;
- former students who have been enrolled at the University (either full-time or part-time on any programme of study, including those on a placement year) at any time within the previous 12 months;
- students who are on an official leave of absence; or
- a group of two or more students who are making a Group Complaint.

# 2. VERSION CONTROL

Version	Executive Sponsor	Officer Responsible	Consultation Process	Effective Date
2021.2	Deputy Vice Chancellor Engagement	Associate Pro Vice Chancellor Students	Student User Group, Learning and Teaching Committee, Executive	August 2021

### 3. DETAILED PROCEDURES STATEMENT

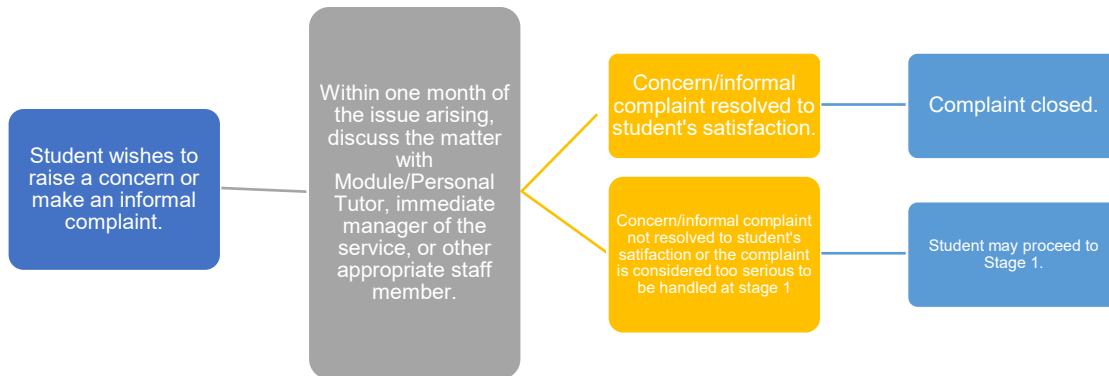
The Complaints Procedure comprises three stages:

Informal Stage	Informal discussions directly with individual or area concerned.
Stage 1	Following submission of a Formal Complaint Form, formal investigation, and determination of an outcome.
Stage 2	Following submission of a Complaint Outcome Review Form, review of the Stage 2 outcome including an assessment of the reasonableness of the outcome and the procedures followed.

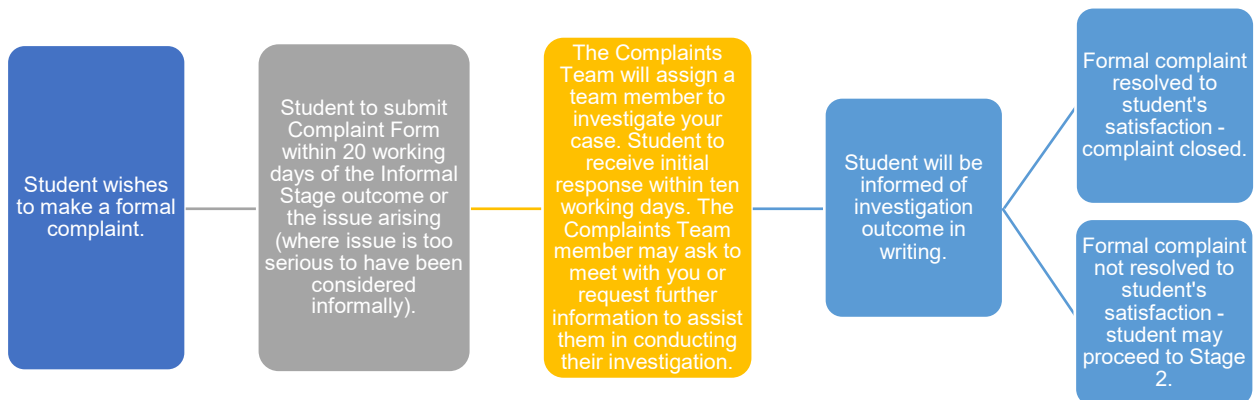
It is expected that in most cases, students will use each stage of the Complaints Procedure. Where a student has skipped a stage, the University may refer a complaint back to the appropriate stage. If the University considers that avenues towards resolution have been exhausted under the informal stage, the University may request that the student progresses their complaint to Stage 1 by submitting a Formal Complaint Form.

If at any stage students are not aware who they should contact about their complaint, they should seek advice from the Complaints Team.

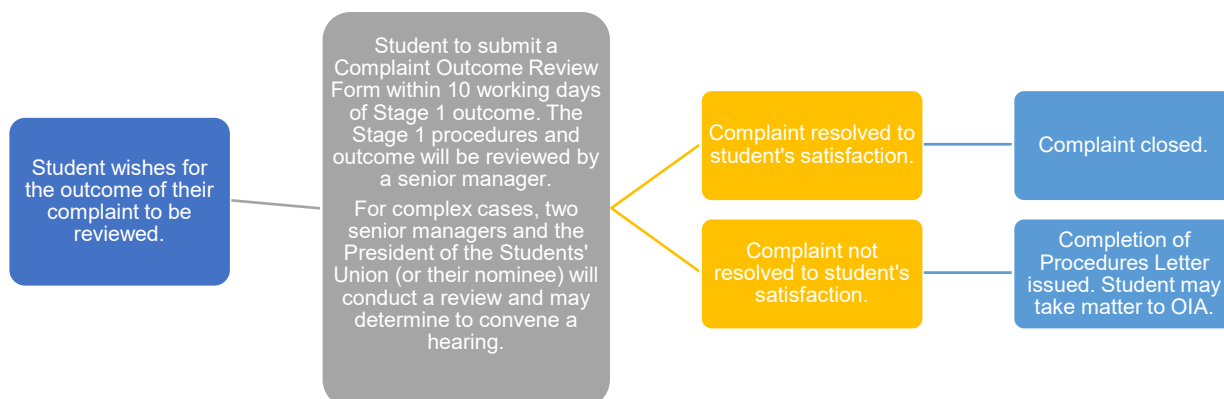
#### Informal Stage



#### Stage 1



## **Stage 2**



## **Informal Stage**

It is hoped that most concerns or complaints can be dealt with informally without the need to progress to Stage 1 of this Complaints Procedure.

It is expected that students will raise any concerns or complaints promptly after an issue arises, usually within one month. This will enable the University to address and resolve issues swiftly.

Any general issues relating to Programmes may be addressed through the Course Representative system whereby students can notify their Course Representative of any issues (e.g. dissatisfaction with resources/equipment/teaching), and these issues can then be raised at the Student Staff Committees.

Where a student wishes to raise a concern or make an informal complaint, they should first take steps to resolve the matter with an appropriate staff member (for example, their Module/Person Tutor or with the immediate manager of the service) as often, they will be best placed to respond to the issue. Students may wish to raise their concern or informal complaint via email, or by requesting an informal meeting.

In the spirit of collaboration and conciliation, the University encourages students to meet with one or more appropriate staff members as early as possible to discuss their concern or informal complaint and explore how it can be resolved to reach a mutually satisfactory outcome.

If the student is satisfied by the outcome of their concern or informal complaint, the matter will be considered resolved. If the student does not consider their concern or informal complaint has been resolved, they may progress to Stage 1.

## **Stage 1: Formal Complaint**

A student may raise a Formal Complaint with the Complaints Team in Academic Services,

- if the student remains dissatisfied with the outcome of their concern or informal complaint at the Informal Stage; or
- if the student wishes to raise a complaint that is too serious in nature to be dealt with informally at the Informal Stage.

The Formal Complaint should be made in writing using the University's Formal Complaint Form, available on the Aston University website.

Unless there is a demonstrable, good reason for needing a longer period, the Formal Complaint Form should be submitted:

- within 20 working days of the outcome of the Informal Stage (where applicable).
- within 20 working days of the problem giving rise to the complaint.

The Complaints Team will acknowledge the complaint in writing within two working days.

Within 10 working days from the date the Formal Complaint Form was submitted, the Complaints Team will write to the student, explaining how the matter will be processed.

The matter will be assigned to an investigator from a different area than the complaint refers to and will be investigated fully.

As part of the investigation, a member of the Complaints Team may request a meeting with the student so they can discuss the complaint to explore what the student is seeking and whether it will be possible to reach a mutually acceptable resolution.

If the Complaints Team identifies the need for any further information to assist their investigation which they believe the student can provide, they will request it from the student. It is expected that the student will supply the information, or explain why they cannot, within five working days.

The normal time limit for a written response shall be within 20 working days from the date the Formal Complaint Form was submitted. However, if for a demonstrable, good reason the normal time limit does not allow sufficient time for the University to conduct an appropriately thorough investigation, this time limit may be extended, and the student will be notified.

Once a comprehensive investigation has been carried out, the student will be advised of the outcome in writing. This concludes Stage 1 of the Complaints Procedure.

## **Stage 2: Complaint Review**

If the student is dissatisfied with the outcome of Stage 1, they may request a Complaint Review if they meet one or more of the following Allowed Grounds:

- That a procedural irregularity occurred during Stage 1 which had a material impact on the outcome.
- That new material evidence which the student was unable, for valid reasons, to provide earlier in the process casts substantial doubt on the appropriateness of the outcome of Stage 1.
- That the outcome of Stage 1 could be considered unreasonable taking account of all the circumstances.

The request for a Complaint Review should be made in writing using the University's Complaint Outcome Review Form, available on the Aston University website.

Unless there is a demonstrable, good reason for needing a longer period, the Complaint Outcome Review Form must be submitted within 10 working days of the Stage 1 outcome. In the Complaint Outcome Review Form, the student must clearly demonstrate how they meet one or more of the Allowed Grounds.

The Complaint Outcome Review Form will be acknowledged within 2 working days.

The Deputy Vice-Chancellor Engagement will nominate a Reviewer to conduct the Complaint Review. The Reviewer will be a senior manager not previously involved in the matter and from an area not related to the complaint. The Reviewer will review the procedures followed at Stage 1 and the reasonableness of the outcome.

The Complaint Review will not involve a re-opening of the investigation conducted at Stage 2, but a consideration of whether:

- The relevant procedures were properly followed during Stage 1 and whether any errors or failings made a material difference to the outcome.
- The outcome could be considered unreasonable taking account of all the circumstances.

- Any new evidence provided by the student could have been supplied earlier in the process, and if it had been, whether it would have made a difference to the decision.
- The student received clear reasons why their complaint was not upheld.

If a student requests a review beyond this remit, the Reviewer will communicate the limits of the Complaint Review.

In consultation with the Deputy Vice-Chancellor Engagement, the Reviewer (at their sole discretion) will determine whether the Complaint Review is deemed complex.

If the Reviewer determines the Complaint Review not to be complex, the Reviewer will conduct the Complaint Review on the papers. Depending on the nature of the complaint and at their sole discretion, the Reviewer may request to meet with the student to discuss the Complaint Review.

If the Reviewer determines that the Complaint Review is complex, in consultation with the Deputy Vice-Chancellor Engagement, they will establish a Complaint Review Panel comprising the Reviewer, the President of Aston Students' Union (or their nominee) and another senior member of University staff not previously involved in the matter and/or from an area the complaint relates to. The Complaint Review Panel will conduct the Complaint Review.

If the Complaint Review Panel, having reviewed the papers, determine at their sole discretion that a Complaint Review Hearing should take place, the student and representative of the University's Stage 1 outcome decision will be invited to attend a Complaint Review Hearing. If a Complaint Review Hearing takes place, the student may be accompanied by an adviser or friend. The Complaint Review Hearing will take place in person or via video conference.

For Complaint Reviews which do not involve a Complaint Review Hearing, the Reviewer will communicate the outcome of the Complaint Review in a Completion of Procedures letter within 20 working days of the University's acknowledgement of receipt of the Complaint Outcome Review Form.

For Complaint Reviews which have involved a Complaint Review Hearing, the Reviewer will communicate the outcome of the Complaints Review Hearing in a Completion of Procedures letter within 15 working days of the Complaint Review Hearing.

The Completion of Procedures letter will confirm the outcome of the Complaint Review along with the reasons for why the decision has been made. It will also include details of how to take their case to the Office of the Independent Adjudicator for Higher Education if they remain dissatisfied.

This concludes the University's Complaints Procedure.

### **Office of the Independent Adjudicator for Higher Education (OIA)**

If the student remains dissatisfied with the outcome of their complaint following completion of Stage 2 and receipt of the University's Completion of Procedures letter, they may take their complaint to the OIA. The OIA will not normally review complaints unless they have been considered through the University's own complaints procedure.

The student must submit their complaint in writing using the OIA complaint form which can be found on the OIA's website [OIA Complaint Form \(oiahe.org.uk\)](http://oiahe.org.uk).

The OIA must receive the student's complaint form within 12 months from the date of the Completion of Procedures letter received following Stage 2 under this Complaints Procedure.

Guidance on submitting a complaint to the OIA can be found on the OIA's website. Students may also wish to seek advice from the Advice & Representation Centre (ARC) in the Students' Union.

Students should note that the OIA will not review complaints about an application for admission to the University unless the individual is a former student of the University.