

STUDENT COMPLAINTS PROCEDURE

Purpose

1. This Procedure is designed to ensure that students have a full opportunity to raise, individually or collectively, matters of concern to them without fear of disadvantage and in the knowledge that privacy and confidentiality will be respected. Complaints will be dealt with promptly and fairly. Where a complaint is justified, an appropriate remedy will be offered, within the bounds of what is reasonable and practicable to provide.
2. The University of Suffolk welcomes feedback as this can bring to our attention concerns that could be resolved before they become a cause for complaint. Students can give their views on all aspects of their experience directly to the relevant area, via their Personal Academic Coach or Course Leader (or equivalent at partner institutions) and also via student representatives on a range of committees.
3. The Complaints Procedure operates in accordance with the Quality Assurance Agency (QAA) Quality Code for Higher Education (2024), and the good practice framework for handling complaints and academic appeals issued by the Office of the Independent Adjudicator for Higher Education (OIA) in December 2022.

Definitions

4. A complaint is defined by the OIA as “an expression of dissatisfaction by one or more students about a provider’s action or lack of action, or about the standard of service provided by or on behalf of the provider”. For the purposes of this Procedure, the provider is the University of Suffolk or one of its partner institutions.
5. The person bringing the complaint will be referred to within this Procedure as the complainant.

Scope and Principles

6. This Procedure applies to students who are enrolled on all courses offered by the University of Suffolk, including those in the University’s partner institutions. It is also available to students for three months after they have left the University. If you are an apprentice, then you should follow this Procedure if you wish to raise a complaint relating to your Apprenticeship Programme (including any End-Point Assessment (EPA) delivered by the University), or the facilities and services provided by the University.

7. For some partnership arrangements, responsibility for handling complaints about aspects of the student experience that do not relate to the quality and standard of the academic award may rest with the partner as delivery provider. This may include, for example, complaints about access to local facilities, resources, or support services. In these cases, the University may signpost a student back to an internal partnership procedure where appropriate.

8. There are specific procedures that deal with academic appeals against decisions of Assessment Boards, or appeals in relation to Academic Misconduct, Extenuating Circumstances, Fitness to Practise, Fitness to Study, and Student Discipline. Any appeals or complaints that fall outside these procedures are dealt with under this Complaints Procedure. Advice is available from the Office for Student Appeals, Complaints and Conduct (OSACC), the Student Centre, Student Life and the Students' Union Advice Service about the most appropriate procedure to be used.

9. The complainant will not have the right to have the same case heard again through a different route.

10. Complaints will normally be considered individually. Where complaints raised by a number of complainants involve the same issue, the complaints may be considered collectively, subject to any confidentiality requirements. In such circumstances, the individual complainants involved will normally be invited to nominate one of their number as a spokesperson to facilitate the process.

11. Complaints received from an anonymous source will be given consideration at the University's discretion. The University encourages any student to raise a concern without fear of suffering any disadvantage. A complaint made anonymously could impede the investigation and communication of the outcome.

12. The University will not investigate complaints made by a third party (for example by a parent, guardian or spouse) acting on behalf of a student under this procedure unless there is evidence to show that the student does not have the capacity to raise the complaint themselves.

13. In considering complaints, the University will apply the Procedure in accordance with its Equality and Diversity Policy. In particular, reasonable adjustments will be made for those with disabilities, specific learning disabilities, or long-term medical conditions.

14. All personal information will be processed in accordance with the General Data

Protection Regulation (GDPR).

15. All parties to the complaint and individuals who are involved in any related investigation and/or administration of the complaint must observe the requirement for confidentiality. While confidential information may need to be disclosed in order to consider the complaint, this will only be to those staff involved in consideration of the complaint. Where the complaint is made against another person (the alleged perpetrator), the alleged perpetrator will be provided with all relevant details of the complaint, including the name of the complainant and any appropriate evidence.

16. The University expects that students will not engage in frivolous, vexatious or malicious complaints. This could include:

- complaints which are harassing, repetitive or pursued in an unreasonable manner, including complaints which are pursued in a manner which has a seriously negative impact on university staff or workloads;
- insistence on pursuing non-meritorious complaints and/or unrealistic or unreasonable outcomes;
- complaints which are not based on genuine concerns or a desire for resolution and/or are designed to cause disruption or annoyance;
- demands for redress, such as monetary compensation or some other form of remedy, which are not based on any valid reason or meaningful need and/or would lead to no positive or constructive outcome.

In such cases, the Academic Registrar or nominee reserves the right to terminate consideration of the complaint. The complainant will be given an explanation, in writing, of why their complaint has been terminated and details of any further right to complain. Where a complaint is found to have been brought with frivolous, vexatious or malicious intent, this may itself prove grounds for disciplinary action against the complainant.

17. Information which comes to light as a result of a complaint may lead to the University of Suffolk or other agencies taking other kinds of action. This includes staff and student disciplinary procedures and civil or police investigations. In some cases, the matter may need to be referred to an external agency such the Local Authority Designated Officer, please see the Safeguarding Policy and Code of Conduct for more information. If this happens the resolution of the complaint may be delayed until that other action has been taken or the external investigation has received an outcome. Complainants will be informed if this is the case and advised of a timescale by which it is intended to complete enquiries where this is possible.

Outline of Procedure

18. The Complaints Procedure comprises three stages: an informal stage for early resolution; a formal stage if a complainant was not able to resolve their complaint informally and wishes to pursue their concerns further; and a review stage which a complainant may follow if they were not satisfied with the outcome of their formal stage complaint. At any time during the formal and review stages, OSACC may attempt to resolve the matter in collaboration with other colleagues.

19. A complainant can withdraw their complaint at any point providing OSACC is advised via email, but may not later re-launch the same complaint.

20. While it may not always be necessary to hold face-to-face meetings when a complaint is considered, either party may request a meeting. Throughout the Procedure the complainant has the right to be accompanied at meetings by a friend. A friend is defined as a member of staff of the University of Suffolk or the relevant partner institution, or a registered student of the University, or a member of staff or sabbatical officer of the Students' Union. The role of the friend is to act as an observer, give moral support and to assist the complainant to make their case. In addition, where reasonable adjustments are required, a complainant may be accompanied by a supporter e.g. a sign language communicator or a notetaker, and a complainant with difficulty in understanding English may be accompanied by an interpreter. If attendance at a meeting is not possible, an alternative may be arranged, for example by MS Teams.

21. Audio/video recordings of meetings will not routinely be permitted, although reasonable adjustments may be made if required in accordance with the Equality and Diversity Policy. Requests for adjustments must be made at least three working days in advance of a meeting. All participants in a meeting must agree to permit a recording prior to the meeting beginning. Students may be provided with copies of recorded meetings if appropriate and required in accordance with the Equality and Diversity Policy. Copies should not be disseminated or otherwise shared by any student or staff without explicit permission from all participants in a meeting.

22. At any time during or after an informal, formal or review stage complaint, the University may offer to facilitate a voluntary meeting between the relevant parties to help resolve the issue. The use of mediation or conciliation can help both parties to understand the concern and reach a mutually satisfactory conclusion and may be particularly helpful in resolving disputes between individuals. Where both parties to the complaint agree to mediation or conciliation, an impartial third party (i.e. with no conflict of interest or prior involvement in the case) will be appointed by

the Academic Registrar to facilitate the meeting and agree the purpose and scope.

EARLY RESOLUTION (INFORMAL STAGE)

23. In the first instance a complainant should, whenever possible, seek to resolve the matter in an informal manner by taking it up as quickly as possible with the person(s) most directly involved, if at all practicable. This may involve contacting their Personal Academic Coach, another member of academic staff or other appropriate person, such as the manager of the service they are concerned about if it is a non-academic matter. If the matter is related to a safeguarding concern, this may be raised in the first instance to the Designated Safeguarding Lead and Officers. At the early resolution stage, the complainant should be able to air their concerns and feel that they have been listened to. This is often best done verbally and informally, although a complainant may present their complaint in writing if they wish. It may be possible to resolve the concern by providing an on-the-spot explanation of why the issue occurred and/or an explanation of what will be done to stop a similar situation happening in the future. A student can be assisted in making such an approach by the Students' Union Advice Service and/or Student Life. The Students' Union Advice Service offers independent advice, advocacy and support at meetings, and is available to all students enrolled on a course with the University of Suffolk.

24. Where one or more students have a concern but, for legitimate reasons related to maintaining anonymity, are unwilling to raise an informal complaint, the Students' Union Advice Service or a member of the Student Life team (or equivalent in partner institutions) may act as a proxy to raise an informal complaint on behalf of the student(s). The proxy complainant will be responsible for providing the appropriate evidence to allow the complaint to be investigated as fully as possible, and will report the outcome to the student(s) who raised the concern.

25. The member of staff contacted regarding an informal complaint will investigate and attempt to resolve the problem as appropriate, and report back to the complainant in a timely fashion. It is good practice for the member of staff to record the actions taken to consider and resolve the concern, the outcome, and minimum details of what was communicated to the student and when. This can then be made available to OSACC where appropriate should the complaint progress to the formal stage.

26. Most complaints will not need to progress beyond this initial stage. However, where it is clear that informal resolution is not appropriate or possible, if the complainant did not feel able to seek informal resolution, or if the informal approach did not resolve the matter to the complainant's satisfaction, the complainant may make a formal complaint under the Formal

Stage of the procedure.

FORMAL STAGE

Submitting a Formal Stage Complaint

27. To make a formal complaint, the complainant must submit the completed Complaint (Formal Stage) form (available on the University of Suffolk website) to OSACC within three months of the matter occurring. The complainant will need to clearly define the resolution they are seeking and promptly provide any supporting evidence. Appropriate evidence may include published materials, correspondence, or other written evidence to demonstrate the matter being complained about. Covert recordings will not normally be accepted. Evidence which is not provided within 5 working days following submission of a completed Complaint (Formal Stage) form will not normally be accepted.

28. Complaints about matters that occurred more than three months ago will not normally be considered without good reason for the delay. The Academic Registrar or nominee will determine whether a late complaint can be accepted. This decision will be final. If the late complaint is not accepted, the complainant will be issued with a Completion of Procedures letter.

29. The University normally expects allegations of sexual misconduct, bullying, harassment and/or discrimination to be disclosed within 3 months of the incident taking place to allow for the most effective investigation to take place. However, the University recognises that there may be circumstances where it may take longer for a student to disclose an incident. Where a disclosure is received more than 3 months from the date the incident is alleged to have taken place, the disclosure will be taken seriously and where possible, reasonable attempts will be made to obtain relevant information to determine the appropriate response.

Consideration of Formal Stage Complaints

30. All formal stage complaints submitted will be screened by OSACC to confirm that the complaint has been submitted under the correct procedure (see paragraph 8) and that the form is fully completed with necessary supporting documentation, including evidence of any attempt at early resolution where applicable. The Academic Registrar or nominee may ask the complainant for further clarification and/or additional evidence.

31. Where additional evidence and/or clarification is requested from the complainant, this should be submitted to OSACC by the given deadline. Should it not be received by this date, the complaint will be considered on the evidence provided with the original submission.

32. Where a complaint has met the requirements as detailed in paragraph 8 above, OSACC will acknowledge the complaint and inform the complainant who will be dealing with the complaint (the Investigating Officer). The Investigating Officer will have been trained for the role. To avoid any potential conflict of interest or perception of bias, the Investigating Officer will normally be a senior academic or an appropriate manager from another school or service who has had no previous involvement in the matter.

33. The Investigating Officer will consider the complaint and may talk to key staff and other students, as well as considering relevant documents and other written evidence. A meeting may also be arranged with the complainant (see paragraphs 20-22) to discuss the purpose and scope of the complaint and consider options for a mutually acceptable resolution.

34. If the complaint is against another student (the alleged perpetrator), the Investigating Officer will normally discuss the complaint with the alleged perpetrator and give them the opportunity to respond. The alleged perpetrator may bring a friend (as defined in paragraph 20 above) to the meeting. On conclusion of the investigation, the alleged perpetrator will be informed of the outcome. If the Investigating Officer decides that there is a case to answer, the alleged perpetrator will be subject to disciplinary action under the Student Discipline Procedure and/or Fitness to Practise Procedure.

35. If the complaint is against a member of staff, OSACC will inform the relevant People and Organisational Development (POD) (or equivalent at partner institutions) team on receipt of the complaint. POD (or the equivalent at partner institutions) will arrange to meet with OSACC and the Investigating Officer to discuss the scope and purpose of the investigation and any potential link to other procedures should further action be taken (for example under staff disciplinary or capability) before the Investigating Officer meets with the member of staff to discuss the complaint and give them the opportunity to respond. The member of staff may be accompanied at the meeting by a colleague or trade union representative. On conclusion of the investigation, the Investigating Officer will submit their investigation report (see paragraph 36 below) to the Director of People and Organisational Development (or equivalent in partner institutions) who will determine if any further action should be taken under the appropriate staff procedure. The member of staff will be informed of the outcome.

36. Following their investigation, the Investigating Officer will produce a report which outlines the process followed, the information gathered, the conclusions drawn and any recommendations. Where appropriate, the Investigating Officer may refer their report to another senior member of staff for a second opinion or for the recommendations to be agreed before it is

submitted to OSACC. On receipt of the final agreed report, OSACC will provide a written response to the complainant which will contain a summary of the investigation undertaken and findings, along with a copy of the investigation report where necessary. The written response will include the decision with regard to the complaint (justified, partly justified or not justified), the reasons for the decision, and, if the complaint is justified, in part or in full, notice of any specific action to be taken by way of remedy and for the prevention of a recurrence of the original cause of the complaint if relevant. Where practical, the University will look to conclude the outcome of Formal Stage Complaints within twenty-five working days of the date of the acknowledgement email.

37. Where the complexity of the case or the sourcing of additional information prevents the complaint from being fully responded to within twenty-five working days, OSACC will inform the complainant of the delay and a timescale by which a full response will be issued where possible.

REVIEW STAGE

Submitting a Review Stage Complaint

38. If the complainant is not satisfied with the outcome of the formal stage, they may proceed to the review stage. The complainant must submit a completed Complaints (Review Stage) form and any supporting evidence to OSACC within ten working days of the receipt of the written outcome of the formal stage of the Complaints Procedure. The complainant should contact OSACC immediately if they are unable to meet this deadline. The Academic Registrar or nominee will determine whether a late form can be accepted. This decision will be final. If the late form is not accepted, the complainant will be issued with a Completion of Procedures letter.

39. The Complaints (Review Stage) form is available on University of Suffolk website. The complainant must state the grounds on which they wish to proceed to review stage and must include all necessary supporting evidence and documentation. The complainant must also clearly define the resolution they are seeking.

Grounds for Review Stage Complaints

40. The grounds on which a review stage complaint can be considered are:

- a) There is new information put forward by the complainant that was not known to the Investigating Officer dealing with the original complaint and which could not have reasonably been made known to the Investigating Officer before they made their decision.
- b) Evidence put forward at the formal stage was not fully and properly considered and/or the outcome was not reasonable in the circumstances.

- c) There was procedural irregularity, prejudice and/or bias, or the appearance of prejudice and/or bias in the conduct of the formal stage.

Consideration of Review Stage Complaints

41. OSACC will acknowledge receipt of the review stage complaint form and undertake an initial assessment of the form in consultation with the Academic Registrar (or nominee). The Academic Registrar (or nominee) will take into account all documentary evidence supplied by the complainant, including the original Complaints (Formal Stage) form, investigation report and outcome letter, the Complaints (Review Stage) form and any other written response(s) by the relevant manager, and determine whether there are grounds for the complaint to be considered further at review stage.

42. If the Academic Registrar (or nominee) determines that there is no basis for the complaint to be considered further, they may consult with a senior representative where necessary. If the decision is made that no further consideration should be given to the case then the complainant will have exhausted the internal procedures. The complainant will be informed of this decision in writing by OSACC through the issue of a Completion of Procedures letter, normally within twenty working days of receipt of the review stage complaint form. In such cases, the complainant may be able to seek a further review of their complaint by the OIA (see paragraph 46).

43. If the Academic Registrar (or nominee) considers that there is a basis for further consideration, or if the senior representative of the awarding institution requests further consideration, then the complaint will be referred to an appropriate nominee, appointed by the Academic Registrar (or nominee). The complainant will be informed that the review is proceeding, normally within five working days of the receipt of their review stage complaint where possible.

44. The nominee will conduct the review and assemble the evidence relevant to the complaint. In assembling such evidence, the nominee may interview those involved and will consider any relevant records or other written information. The review should be concluded within fifteen working days of referral to the appropriate nominee where possible. If the review is going to extend beyond this time, the complainant will be informed and given a likely timescale for completion of the review where possible.

45. On conclusion of the review, the nominee of the Academic Registrar will produce a report setting out the purpose and scope of the review, the process followed, their findings and

any recommendations, which will be considered by a senior representative of the awarding institution, in consultation with the Academic Registrar (or nominee) where necessary. The complainant will receive a written response within five working days of the completion of the review, where possible. The response will be a Completion of Procedures letter and will include the decision with regard to the complaint, the reasons for the decision, and, if the complaint is justified, notice of any specific action to be taken by way of remedy and for the prevention of a recurrence of the original cause of the complaint if relevant. The issue of a Completion of Procedures letter concludes the internal procedures.

Office of the Independent Adjudicator for Higher Education (OIA)

46. If having exhausted the above Complaints Procedure the complainant considers that their complaint has not been satisfactorily dealt with, they may be able to take their complaint to the OIA. If the complainant is, or was, a registered student, and is eligible to raise a complaint with the OIA, details of the OIA scheme will be sent with the Completion of Procedures letter. Details are also available from the OIA website (www.oiahe.org.uk). The OIA will normally only consider complaints where a Completion of Procedures letter has been issued.

Monitoring and Evaluation

47. The University of Suffolk will monitor and evaluate the effectiveness of the Complaints Procedure and reflect upon the outcomes for enhancement purposes. A report will be submitted annually to the Equality and Diversity Committee, Quality Committee and Senate. The report will include equality monitoring data.