

## Section 5D: Student complaints

### 1. Introduction

1.1. The experience of our students is of paramount importance to us, and we are committed to providing a high-quality experience at all times and in all areas and activities. However, we recognise that, from time to time, our students may have legitimate complaints about our provision, facilities, services and staff. If as a student, you feel that the quality of academic or service delivery falls short of what may reasonably be expected, this regulation details how to best raise and resolve issues.

1.2. We aim to ensure that student complaints are treated seriously and dealt with promptly, fairly, impartially and consistently across the School. We also aim to learn from the outcomes of complaints' investigations in order to help us improve our services and enhance our student experiences.

1.3. Any complaints or concerns you raise will be treated sensitively and professionally.

1.4. Wherever possible, you should raise your concerns about your course, services provided by the School or any other aspects of your experience at the School at the earliest opportunity and through informal discussion with the parties concerned. Where it is not possible to resolve your concerns to your satisfaction informally, you may wish to initiate a formal complaint under [Stage 2 of this Student complaints procedure](#).

1.5. If you have graduated, you may raise your complaint within 90 calendar days from the end date of your programme. Where more than 90 calendar days have passed since the end of your programme, you may raise your complaint under the School's *Handling historical complaints* procedure if your concern qualifies as a serious concern under the scope of that procedure.

1.6. You may submit a group complaint if you are a group of students (or former students) who collectively have a concern about a matter that is common to all the complainants.

1.7. We deal with complaints without recrimination. This means that if you make a complaint in good faith and in accordance with this regulation, you will not suffer any disadvantage or reproach and your studies whilst at the School will not be prejudiced as a result of making a complaint.

### 2. Scope

2.1. For the purpose of this regulation, we define 'complaint' as a dissatisfaction by one or more of our students (or in some cases, former students), about the School's action or lack of action, or about the standard of services provided by or on behalf of the School. Reasons for complaint might include:

- Dissatisfaction with School academic provision or the student experience (for example course design, curriculum content and structure, assessment arrangements and information);
- Dissatisfaction with the quality of service provision (resources and facilities, halls of residence);
- Dissatisfaction with the quality of supervision or tuition
- Issues of inappropriate conduct by a member of staff (these may need to be considered in conjunction with HR procedures on staff disciplinary and safeguarding procedures – please see [section 9](#) below)
- Failure, on our part, to maintain stated obligations (for example those set out in our prospectus or on the website).

2.3. The following scenarios are **not** considered to come under the definition of a complaint and cannot be considered under this Regulation. Please note this is not an exhaustive list:

- Concerns about or appeals against decisions of Assessment Boards, including issues of academic judgement or outcomes of the mitigating circumstances procedure. Such matters must be considered in accordance with the Academic Appeal Regulations (see section 3 of the Academic regulatory framework);
- Concerns about the actions of other students. Such matters will normally be considered in accordance with either the Student Disciplinary and Code of Conduct Regulation (see section 5A of the Academic regulatory framework) or the Academic Misconduct regulations (see section 3 of the Academic regulatory framework), as appropriate;
- Concerns or appeals by a student who is or has been the subject of disciplinary action arising from actions or decisions taken under the Student Disciplinary and Code of Conduct Regulation (see section 5A of the Academic regulatory framework), which will be considered solely under that Regulation;
- Concerns or appeals by a student who is or has been the subject of disciplinary action arising from actions or decisions taken under the Academic Misconduct Regulations (see section 3 of the Academic regulatory framework), which will be considered solely under that Regulation;
- Concerns or appeals arising from actions or decisions taken under the Support to train and study Regulation (see section 5B of the Academic regulatory framework), which will be considered solely under that Regulation;
- Concerns or appeals arising from actions or decisions taken under the Fitness to Practice Regulation (see section 5E of the Academic regulatory framework), which will be considered solely under that Regulation;
- Complaints or appeals concerning the School's admission process, which will be considered in accordance with the Admissions complaints procedure;
- Concerns or appeals concerning Junior Guildhall, which will be considered in accordance with the Junior Guildhall complaints policy.

### 3. Advice and support

3.1 If you wish to raise a concern under this regulation, you should familiarise yourself with the procedure set out below.

3.2 Advice on the procedure set out in this Regulation can be obtained from members of staff across the School such as Heads of Programme, the [Student Experience team](#) within Registry or from the Students' Union.

3.3 Where you are making a complaint, you may be accompanied by a friend at any interview or meeting conducted in connection with the investigation of the complaint provided that the name of the friend and their relationship to you is made known prior to the meeting (please see Regulation 5 The Student Experience, paragraph 3.5. for more information on the definition of 'friend').

3.4. We appreciate that raising a complaint may be a stressful experience, so you are encouraged to seek support from the School's support services, such as Student Services.

3.5. Any member of staff directly affected by a complaint from a student may seek support from Human Resources, their trade union, the Employee Assistance Programme or occupational health service. Staff required to attend any meetings in relation to a student complaint where they are the subject of the complaint, have the right to be accompanied by a work colleague or Trade Union Representative.

## **4. General Principles**

4.1. The Student complaints procedure provides an internal confidential process for considering and determining complaints by students and, in some cases, former students. Where possible, this procedure is and should remain confidential. However, in some circumstances we may be required to make disclosures either to other relevant staff within the School or to third parties where we are able to do so in accordance with data protection obligations. All individuals involved in the complaints procedure (including a student, former student, friend, witness and member of staff) are required to respect the confidential nature of the procedure and of all information relating to a complaint and its handling. Breach of confidentiality by a student, their friend and/or representative or by a member of staff may be treated by the School as misconduct and referred to be dealt with under the relevant disciplinary procedure. We will comply with our obligations of confidentiality and under data protection legislation when sharing or otherwise processing information under this Regulation.

4.2. We will, wherever practicable, seek to adhere to the time limits outlined in this Regulation. However, in cases where there are special circumstances which require variance from specified time limits, you will be advised of the reasons for this by the officer handling your case.

4.3. If you make a complaint under this procedure, you may be given the opportunity to attend any meetings virtually or in person if necessary or if you require it as a reasonable adjustment. We reserve the right, however, to proceed with any meeting or investigation, in your absence, if you fail to attend without good reason, subject to you having been properly notified of the date and time of the meeting.

4.4. We may postpone or adjourn any procedural step or stage under this regulation (including any investigation or meeting) and/or modify any of the

procedural provisions of the procedure in the interests of fairness and/or to assist us to comply with our legal and/or regulatory obligations and/or for other very good reason.

4.5. The standard of proof to be adopted during the application of this regulation will be the balance of probabilities.

4.6. You should not make false, frivolous, vexatious or malicious complaints. This could include:

- complaints which are obsessive, harassing, prolific or repetitive;
- insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes;
- insistence on pursuing what may be meritorious complaints in an unreasonable manner;
- complaints which are designed to cause disruption or annoyance;
- demands for redress which lack any serious purpose or value;
- complaints which are submitted outside of the normal timeframe, where an adequate reason for the delay has not been provided;
- complaints which are considered to be without foundation or in bad faith.

In such cases, the Dean of Students may terminate consideration of your complaint. You will be given an explanation, in writing of why the complaint has been terminated. A false, frivolous, vexatious or malicious complaint may be treated as suspected misconduct and referred to be dealt with under the School's Student code of conduct and disciplinary procedure (section 5A) or Fitness to practise procedure (section 5E).

4.7. You are expected to submit a complaint using the procedures outlined here. Whilst we recognise that bringing a complaint may be a stressful experience for students, all parties involved in a process under this regulation (including students, their representatives, friends and staff) are required to act with courtesy, reasonably and fairly towards each other at all times and to treat the complaints process with respect and to respect its confidential nature. If you fail to do so or otherwise act unacceptably, you may be suspected as having committed misconduct and referred to be dealt with under the Student code of conduct and disciplinary procedure (section 5A) or Fitness to practise Regulation (section 5E). What we consider as unacceptable behaviour is outlined on the Student code of conduct (section 5A).

4.8. Written communications will be sent to your School e-mail address (or, in the case of a former student your personal email registered with the School). You are required to check your School e-mail account regularly. Written communications will not be sent out as hard copies unless you request it. You are responsible for ensuring that your contact details are kept up to date. Non-receipt of properly addressed and dispatched correspondence will not be accepted as valid grounds for delay or annulment of procedures or outcomes under this, nor will it be accepted as grounds for further complaint.

4.9. Documentation related to your complaint will be retained in accordance with the School's retention policy.

4.10. We will not normally consider complaints which are made anonymously unless there is serious risk or concern for staff or students. Further, it is a principle of fairness that a person being complained about should generally have a right to know the identity of the complainant. We will only consider anonymous complaints, or refrain from disclosing the identity of the complainant, where there is a compelling reason, supported by evidence, to do so.

4.11. The Student Complaints procedure is an internal (and confidential) School process for dealing with complaints by students and, in some cases, former students and we will treat all complaints sensitively. We may share information or evidence relating to a complaint and/or its outcomes with others where such disclosure is in compliance with data protection and confidentiality obligations.

4.12. This procedure is not intended to be used by a third party making a complaint on behalf of a student, or, if appropriate, a former student. We will only consider third party complaints in very exceptional circumstances (for example when the student wishing to make a complaint is under 18 years old).

## **5. Making a complaint: an overview of the process.**

5.1. There are a number of ways to make your concerns heard, and most issues can be resolved early on and informally with the relevant parties. Whatever your concern or complaint, raising it promptly, will enable the School to address it and implement an appropriate solution as soon as possible.

5.2. There are many opportunities to feedback comments or concerns about your studies and student experience to teaching staff, your student representatives, the Students' Union and Professional Services teams. However, if you have a particular complaint, you should, in the first instance, raise this informally with the appropriate member of staff ([see Stage 1 of the Student complaints procedure outlined below – section 6](#)). If the issue or problem cannot be resolved informally in this way, you will need to move to the next, [formal stage of the complaints procedure detailed below \(section 7\)](#).

5.3. You must state clearly the nature and circumstances of your complaint and the remedy you are seeking as an outcome of your complaint.

5.4. You can seek an informal resolution with the School at any point and if you wish to withdraw your complaint you may do so at any time.

5.5. There are three stages of the complaint procedure:

- [Stage 1: Informal resolution with the Head of Department \(or equivalent\)](#)
- [Stage 2: Formal complaint to the Student Experience team within Registry for investigation and decision](#)
- [Stage 3: Request for review of the Formal complaint decision to the Academic Registrar](#)

At the end of Stage 3, once the School's Student complaints procedure has been completed, a Completion of Procedures (COP) letter will be issued to you which will set out the decision made on your complaint including any redress offered to you.

5.6. If you wish to bring a formal complaint, you must do so promptly and in any event within 90 calendar days of the occurrence of the matter being complained about.

5.7. The length of time required to consider your complaint will depend on the nature and complexity of your complaint. The timescales for each stage of the process are detailed under each relevant section.

5.8. At the end of each stage, we will determine whether your complaint is either **not upheld**, **upheld** or **partially upheld**. Where your complaint is upheld or partially upheld, we will offer you a remedy in line with guidance from [the Office of the Independent Adjudicator for Higher Education \(OIA\)](#) of what is considered reasonable.

5.9. At the of the process, should you remain dissatisfied with the outcome, you may request that the Office of the Independent Adjudicator for Higher Education (OIA) review your case. This is an independent external review. Please see [section 10](#) below.

## **6. Stage One: Informal resolution**

6.1. In the first instance, you should raise your complaint with the head of department or service responsible for the matter being complained about. You should do so by contacting them in writing via email.

6.2. If you are unsure who you need to contact, then you should seek guidance from the Students' Union or [the Student Experience team](#). They will be able to advise you of the most appropriate person with whom you should raise your complaint, and how to contact them.

6.3. You must make it clear from the outset what the nature of your complaint is and any remedy you are seeking for you to consider the complaint resolved.

6.4. The person with whom you have raised your complaint will investigate and endeavour to resolve your complaint appropriately. They will notify you of their decision and remedy in writing.

6.5. The person investigating your complaint at Stage 1 will aim to investigate and respond to you within 30 calendar days of them receiving your complaint.

6.6. A record of the complaint and the written response should be logged with [the Student Experience team](#).

## 7. Stage Two: Formal Complaint

7.1. Should you remain dissatisfied with the outcome of your informal complaint, you may escalate your complaint to the next stage by raising a formal complaint.

7.2. In circumstances where it is not reasonably appropriate for you to make an informal complaint (for example in light of the nature or seriousness of the allegations you are raising), the complaint may, at your request and with the agreement of the Assistant Registrar (Student Experience), be initiated as a formal complaint without having first to attempt informal resolution. We may also at our discretion initiate the student complaints process at Stage 2 without the informal Stage 1 stage having been implemented or exhausted.

7.3. To raise a formal complaint you must complete a Student Complaints Form available via MyGuildhall. If you require the form in a different format please email your request to [casework@gsmd.ac.uk](mailto:casework@gsmd.ac.uk).

7.4. The completed form must be received by the [Student Experience team](#) promptly and in any event within 90 calendar days of the occurrence of the matter you are complaining about. Normally complaints received after this 90-day limit will be regarded as 'out of time' and will not be considered, unless you can demonstrate, to the satisfaction of the Dean of Students, good reason for not having been able to submit your complaint within this period. The School has a time scale within which to submit a complaint as it enables matters to be investigated in a timely way and, if appropriate, for remedies to put in place as soon as possible. Late complaints will only be considered in highly exceptional circumstances, where there is credible and compelling evidence supporting the reason for late submission. The evidence should also explicitly support the inability to submit the complaint by the School's published timeframe ([please also see paragraph 9.15 for complaints bringing serious allegations against members of staff](#)). This helps to ensure that we apply our procedures consistently for all students.

7.5. Your completed form must set out clearly all the allegations you wish to make against the School in connection with the complaint, and you must enclose with your form all evidence on which you wish to rely, including any witness statements.

7.6. You must set out what attempts you have made to resolve the complaint informally (or why there have been no attempts to seek to resolve the matter informally under Stage 1 of the procedure) and explain why you are unhappy with the outcome of any informal resolution.

7.7. You must state clearly any remedy that you are seeking – i.e. how you would like to see the matter resolved.

7.8. The form must be completed in full. We will normally only consider a formal complaint where it has been submitted on a fully completed Student Complaint Form.

7.9. The Student Experience team will write to you to acknowledge receipt of the Student Complaint Form normally within 14 calendar days of receipt of them receiving the completed form.

7.10. Upon receipt of your complaint the Student Experience team will check the eligibility of your complaint, that is, they will check that the form has been completed in full, that evidence referred to in the form has been submitted, whether the matter has been considered under stage 1 of these procedures, and that the complaint has been submitted within the published timeframe. If it is identified that a different procedure should be used to raise the matter, you will be written to and informed and the complaint will be marked as withdrawn.

7.11. If your complaint is eligible for consideration under Stage 2, an investigating officer will be appointed. This will normally be a member of the Student Experience team, but other appropriate persons may be appointed as necessary. We may, at our discretion, and in appropriate circumstances, appoint an investigating officer who is external to the School.

7.12. You will be informed in writing of the name and identity of the investigating officer. Any investigating officer will be impartial.

7.13. The investigating officer will investigate your complaint and will have discretion to determine the most appropriate way in which to undertake the investigation including considering the nature, seriousness and sensitivity of the allegations raised. This may include, for example, meeting with you, interviewing witnesses, meeting with other individuals (such as members of staff or third parties outside of the School), calling for documents and reviewing any available evidence.

7.14. As part of the investigation, you may be invited to meet with the investigating officer to discuss your complaint and/or to clarify any aspects of it or to explore and support academic and /or wellbeing needs. You will normally be given at least 7 calendar days' notice of such a meeting, and you may be accompanied by a friend.

7.15. The outcome of the formal complaint investigation and any recommended remedies will be shared with the head of department or service being complained about.

7.16. Where your complaint is upheld, either fully or partially, and as part of the determination process, the investigating officer will consider what consequential impact there has been on you and your student experience. They will also consider any remedy that should be afforded to you. These may include one or more of the following remedies:

- a formal apology
- remedial action to be taken by the School
- a review of relevant School regulation, policy or procedure
- financial compensation for actual loss (where appropriate)
- compensation for distress and inconvenience
- a recommendation that the disciplinary process is initiated in relation to a member of staff



- any other appropriate remedy.

7.17. When the investigation and determination is concluded, you will be informed in writing of the outcome of your complaint. This will include an investigation report detailing the facts as found by the investigating officer, the decision and clear reasons for that decision, and any remedial actions arising from that decision. The report may have information deleted to protect the data protection and confidentiality rights of other individuals.

7.18. We will endeavour to conclude the investigation and notify you of the outcome within 30 calendar days of the date of receipt of the formal complaint. In more complex cases, or during periods such as School vacations when parties to the complaint may not be available, this timescale may not be achievable. In such cases, you will be notified of any delay, the reasons for it and a revised timeline for providing an outcome.

## **8. Stage three: Request for review**

8.1. You can request a review of the outcome of the formal complaint investigation if you consider that:

- There has been a procedural irregularity in the conduct of the Stage 2 investigation, or
- New information has come to light, which you were unable to disclose previously, and which would have had a material impact upon the investigation previously undertaken.

8.2. If you wish to request a review you must do so within 14 calendar days of the written response received at the formal complaint stage. The review request must be submitted to the Academic Registrar using the Request for Review Complaint Form.

8.3. The Academic Registrar will acknowledge receipt of your request for review within 14 calendar days of them receiving the form.

8.4. The review will be carried out by the Academic Registrar or a nominee independent of the previous formal complaint investigation. The review will consider whether the outcome of the formal complaint was reasonable, rather than reconsider the original case and its evidence. The request for review stage is not a reinvestigation of the original complaint.

8.5. The Academic Registrar or nominee may hold further discussions with you and/ or the subject of the complaint, with members of staff involved at previous stages, and with other staff as necessary.

8.6. The Academic Registrar or nominee will establish appropriate timescales based on the nature and complexity of the case. We will tell you these timescales and keep you informed of any changes. Our aim is to take no longer than 30 calendar days to conclude the review.

8.7. The Academic Registrar or nominee will inform you and the subject of the complaint of the proposed outcome of their investigation and give you both the opportunity to comment. The Academic Registrar will then send to you, with reasons, the outcome.

8.8. The written response will also advise you of the options open to you to take the matter further.

## **9. Complaints against the conduct of members of staff**

### **General principles for complaints against the conduct of members of staff**

9.1. We will initially investigate complaints relating to the conduct of a member of staff (including, but not limited to alleged bullying, harassment, and sexual misconduct by a member of staff) under this regulation. However, if there is evidence of behaviour which warrants investigation under the Human Resources Disciplinary procedure, then any further action under this regulation may be paused, pending the outcome of that procedure.

9.2. Human Resources and the Staff disciplinary procedure may be referred to where a complaint includes an allegation of misconduct against a member of staff. The investigating officer appointed under this regulation will evaluate any complaint against a member of staff and draw a distinction between a complaint about alleged misconduct of a member of staff that should normally be handled in conjunction with Human Resources, and what effectively amounts to a service complaint directed at an individual member of staff. The latter will normally be handled solely under this Regulation.

9.3. Where a complaint alleges misconduct by a member of staff, a copy of the complaint, or the relevant parts thereof, will be provided to the member of staff in order that they understand the complaint against them and are able to participate meaningfully in this process. Where the complaint raises other concerns besides the alleged misconduct of a member of staff, those will be investigated by the relevant investigating officer under this regulation.

9.4. If your complaint is about a member of staff, they will normally have the right to be informed of the complaint and its contents and to respond as part of the investigation process. The member of staff will be invited to submit a written statement and will normally be invited for an interview to discuss the complaint as part of the investigation process. The member of staff will have the right to be accompanied at the interview by either a School colleague, or an official employed by a trade union recognised by the School, or another accredited trade union official. You will have access to the statement provided by the member of staff in question and they will have access to your complaint.

9.5. Where your complaint alleges misconduct by a member of staff, the line manager of the specific staff member may need to be informed of the allegations and/ or any investigation outcomes where they need to take any specific actions.

### **Complaints about staff conduct which may amount to a criminal offence**

9.6. Where you make a complaint which alleges that a member of staff has engaged in conduct that may amount to a criminal offence, we will support you including in connection with reporting a matter to the Police. We will also provide support to the member of staff.

9.7. Where alleged conduct by a member of staff is also subject to police investigation or criminal prosecution, we may suspend the process under this regulation or the Staff disciplinary procedure until the police investigation and/or any criminal proceedings have been concluded. We will consider each matter on a case-by-case basis and may continue with or proceed to take action under this regulation (or other School procedure), including but not limited to undertaking an investigation, at its discretion notwithstanding any police investigation and/or criminal proceedings.

9.8. When police investigations and/or any criminal proceedings have concluded, the Principal will decide whether the School should continue with or proceed with action under this regulation and/ or the Staff disciplinary procedure. Where, following investigation by the Police, a decision has been taken not to proceed to a criminal trial, this does not preclude us from conducting our own investigations and/or implementing the Student complaints procedure and/ or the Staff disciplinary procedure.

### **Temporary precautionary measures**

9.9. Where you allege serious misconduct by a member of staff, we may, at any stage of this procedure, consider the application of temporary precautionary measures, where we determine that you face any of the following risks and that such measures are necessary to manage those risks:

9.9.1 risk of serious harm to your health, safety and/ or welfare (or the wider community)

9.9.2 risk of severe disruption to your learning, study and/ or student experience

9.10. Where the case involves a complaint of sexual misconduct or serious harassment by a member of staff, a Student Casework Risk Panel meeting will be convened. The membership of the Panel will depend upon the nature of the alleged incident, but will normally include the following (or their nominees):

- The Dean of Students
- Head of Administration from the department of the student involved in the complaint
- Assistant Registrar (Student Experience)
- Head of Student Services
- Head of Human Resources
- Head of Safeguarding
- Head of Equity, Diversity, and Inclusion
- A senior academic representative from the department of the student involved in the complaint

9.11. During the Student Casework Risk Panel meeting, members will:

- Consider the academic, welfare and support needs of the student, of the member of staff and of any other members of the School community that may be affected
- Identify any actions or measures required to ensure that the needs of the student, the member of staff and the wider community are met
- Undertake a risk assessment in order to determine whether any precautionary action needs to be put in place in order to:
  - Ensure that a full and proper investigation can be carried out (either by the police or the School) and/or
  - Implement measures to reasonably ensure the safety and wellbeing of those involved during an investigation carried out by the police or the School

9.12. The measures which we may introduce under this section include the following:

9.12.1 allocating you a different supervisor

9.12.2 changing your tutorial group

9.12.3 appointing you a specific point of contact for academic or pastoral work

9.12.4 any other such measures which the School determines to be necessary to manage a serious risk of harm or damage posed to you.

9.13. Where a complaint alleges serious misconduct by a member of staff against a student and the Student Casework Risk Panel determine that the member of staff poses:

9.13.1. a risk of serious harm to the student and/ or

9.13.2. a risk of serious harm or disruption to the interests, activities, property or reputation of the School

9.13.3. where the conditions outlined in section 9.11 cannot be implemented or are not sufficient to address the risks identified, the Panel may impose precautionary measures on the member of staff in accordance with the Staff disciplinary procedure.

9.14. The imposition of measures under this section are only imposed by us in order to mitigate serious risks which it determines are posed by a member of staff. They do not constitute disciplinary action or a penalty and do not indicate that the member of staff has committed misconduct, nor do they imply that the outcome of this procedure has been pre-determined.

### **Complaints of sexual misconduct or harassment by members of staff**

9.15. We acknowledge that making a complaint of a serious and sensitive nature, such as sexual misconduct or harassment by a member of staff may be very difficult,

so you are encouraged to seek wellbeing support from the School's student support services. The School's safeguarding procedure will also be referred throughout the investigation process. We also acknowledge that it may not always be possible for you to bring to our attention a complaint of a serious and sensitive nature within the timeframes stated in paragraph 7.4. above. As a result, these types of complaints may be considered as highly exceptional circumstances in line with 7.4 above.

9.16. Student complaints alleging sexual misconduct or harassment by members of staff will be considered in relation to the following School policies and procedures:

- Safeguarding Policy
- Student Bullying, Harassment and Sexual Misconduct Policy
- Staff Disciplinary Policy and Procedure

9.17. Where a complaint alleges sexual misconduct or harassment by a member of staff against a student, an investigating officer will be appointed directly at Stage 2 who will investigate and report their findings of facts and recommendations, using the provision set out in section 7 above. However, the investigating officer will not be making a decision on the complaint. The investigating officer's report will be sent to the Dean of Students to convene a Panel to consider the findings and make a decision.

9.18. The Panel members will be:

- Dean of Students (who will normally act as Chair)
- An HR officer
- A Students' Union representative
- Head of Safeguarding
- Head of the department of the member of staff subject to the allegations
- One senior member of staff from an area of the School that is not a subject of the complaint
- A Registry officer will act as secretary

9.19. You and the member of staff who is the subject of the complaint will be provided with the opportunity to provide written comments to the Panel on the Investigating Officer's report before the Panel makes their decision.

9.20. The Panel may invite you to present your complaint or hear from you as part of their deliberations. If you are invited to speak to the panel you may be accompanied by a friend. Support is also available to you from the Student Services team.

9.21. The Panel may also invite the member of staff to speak to the panel. The member of staff will have the right to be accompanied at the interview by either a School colleague, or an official employed by a trade union recognised by the School, or another accredited trade union official.

9.22. Steps will be taken to safeguard you during your meeting with the panel. For example, you will not at any point be expected to be questioned by either the member of staff or their representative.

9.23. The Panel also has the right to speak to any witnesses.

9.24. Following consideration of all the evidence, including your and the members of staff comments on the investigating officer's report, the Panel will make one of the following decisions:

- That your Complaint is upheld
- That your Complaint is partially upheld
- That your Complaint is not upheld

9.25. The Panel will also determine whether there is sufficient evidence for the matter to be referred to Staff Disciplinary Policy and Procedure.

9.26. The Panel's decision related to the member of staff will be communicated to the member of staff in writing.

9.27. You will be informed of the Panel's decision and the outcome of the complaint.

9.28. Where a recommendation is made that the matter be referred to the Staff Disciplinary Policy and Procedure, you will be informed of appropriate information regarding the outcome and/or sanction of the staff disciplinary procedure which directly impacts you (subject to the member of staff's legal rights, including under data protection legislation).

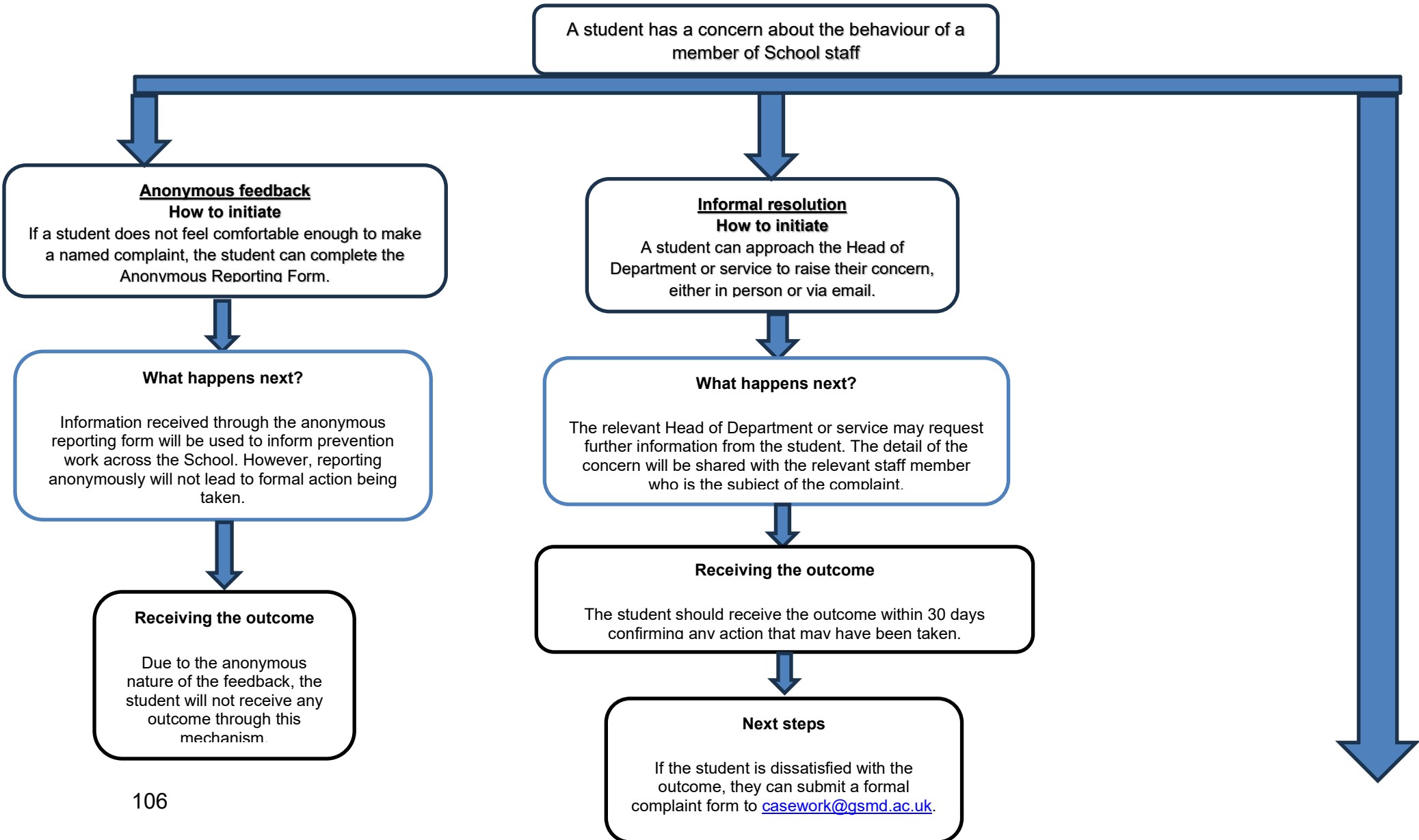
## **10. Office of the Independent Adjudicator**

10.1. If you are dissatisfied with the outcome of the Request for Review stage, you may take your complaint to the Office of the Independent Adjudicator (OIA). When you have exhausted the internal processes of the School, we will provide you with a Completion of Procedures ("COP") letter and all the necessary information you need to pursue your complaint with the OIA. Please see Regulation 5 The Student Experience, section 4 of the Academic Regulatory Framework.

## **11. Summary Report**

11.1. An annual summary report of the number of student complaints and overall actions taken to resolve them will be received by the relevant committees. There will be no reference to individual cases. A confidential record will be kept separately of individual cases.

## Appendix A: Flowchart of processes for student complaints about staff behaviour



## **Formal Complaint**

### **How to initiate**

If a student's concerns are serious or if the informal resolution did not resolve their concerns students can make a formal complaint by completing the Student Complaints Form.



### **What happens next?**

#### **Acknowledgement**

Within 14 days of submitting the form, the student will receive an acknowledgement of the submission. Depending on the nature of the allegations the Student Experience team may also confirm:

- The next steps of the process
- What temporary precautionary measures have been put in place (if any)
- When the staff member will be informed
- The likely timeframe for the investigation
- The support available for the student

#### **Investigation meeting**

The student may be requested to attend an investigation meeting with the appointed investigator.

#### **Case updates**

The student will normally receive a case update every few weeks – investigations can take a few months if they are complex.



### **Panel for serious allegations such as sexual misconduct or harassment**

Where a student alleges serious misconduct by a member of staff, the investigation report will be reviewed by a Panel chaired by the Dean of Students. Based on the findings of the investigation and the report, the Panel will decide on the appropriate outcome.



### **Receiving the outcome**

Once the investigation has been completed, the student will receive an outcome (whether the complaint is upheld or dismissed) and any remedy or action that is required by the staff member that has a direct impact on the student.



### **Next steps**

#### **Review Stage**

If the student is dissatisfied with the complaint outcome, the student has 14 days to request a review of the decision. The review will look at how the School handled the complaint and will not re-investigate the staff member.

#### **Complaint to the OIA**

If the student is dissatisfied with the review outcome, the student has 12 months to raise a complaint with the external ombudsman for HE student, the Office of the Independent Adjudicator (OIA).