



# GUIDANCE NOTE FOR STUDENT COMPLAINTS PROCEDURE

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## Guidance Note

### Brunel University London Student Complaints Procedure

Please read through these Guidance Notes and the [University Complaints Procedure](#) before raising your concern/complaint. The 'Guidance to the Student Complaints Procedure' provides important information regarding the operation and core principles of the Complaints Procedure.

#### 1. What is a 'Complaint' under the Complaints Procedure?

1.1 One or more students can use this Procedure to express:  
*'dissatisfaction ... about the University's action or lack of action or about the standard of service provided by or on behalf of the University'.*

1.2 Complaints can be made about:

- a non-academic service provided by the University;
- the administration or delivery of a programme;
- the facilities or learning resources provided by the University;
- failure to meet obligations set out in programme, college or student handbook;
- failure to follow published regulations, procedures and / or policies.

This list is not intended to be exhaustive and, where appropriate, other matters will be considered under the Complaints Procedure.

1.3 Students on placement are entitled to bring complaints about their placement experience should they feel it is necessary. Whether the complaint is dealt with by the University, by the employer or by the placement provider is determined by which organisation has responsibility for the incident being complained about. For example, complaints about human resource issues will be dealt with by the employer or placement provider, but academic and/or University pastoral care matters will be dealt with by the University. A student who wishes to raise a complaint regarding their placement experience, but is unsure who has responsibility for dealing with the complaint, should contact their University Placement Convenor / Coordinator in the first instance. If a student thinks they are being bullied, harassed or discriminated against whilst on placement, they should refer to the [Equality Policy: Student Work Placement Policy and Student Work Placement Guideline](#).

1.4 Students studying at partner institutions can raise a complaint under the Complaints Procedure if it relates to the academic provision of

their programme. If the complaint does not relate to the academic provision of their programme, for example, complaints about accommodation, they should raise their complaint with the partner institution under its complaints procedure.

- 1.5 Students using the Complaints Procedure can raise concerns informally with staff at Stage 1, before formalising them as complaints at Stages 2 and 3 of the Complaints Procedure, if not resolved.
- 1.6 However, the following concerns/complaints cannot be made under the Complaints Procedure:
  - Decisions which amount to "academic judgment"<sup>1</sup>. Students who wish to raise an Academic Appeal against a decision of a Panel, or Board of Examiners, or of research degree Examiners relating to the assessment of an undergraduate, postgraduate taught, or postgraduate research student should refer to [Senate Regulation 12](#) or contact [academic-appeals@brunel.ac.uk](mailto:academic-appeals@brunel.ac.uk).
  - Complaints which are covered by other procedures. Annex B provides information on complaints which are not covered by the Complaints Procedure and how to raise a complaint about them.
- 1.7 A student who submits a complaint under the Complaints Procedure may also have a related application progressing under another process (for example, a related appeal under [Senate Regulation 12](#), a related misconduct case under [Senate Regulation 6](#) or / professional suitability case under [Senate Regulation 14](#)). In these situations, a complaint submitted under the Complaints Procedure will normally be suspended until the other process has been completed. The student will be informed of this when they submit their complaint. At the end of the other process, the student must contact the Student Complaints Officer ([student-complaints@brunel.ac.uk](mailto:student-complaints@brunel.ac.uk)) to confirm whether they still want to progress their complaint under the Complaints Procedure.
- 1.8 If the Student Complaints Officer decides that a complaint falls under another process, he/she will advise the student. If a complaint falls under several processes, the Student Complaints Officer will advise how the complaint will be dealt with.

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<sup>1</sup> Academic judgement is a term found in Part 2 of the Higher Education Act 2004. The Office of the Independent Adjudicator states that academic judgment is not any judgment made by an academic, but a judgment that is made about a matter where only the opinion of an academic expert will suffice. For example, a judgment about assessment, a degree classification, professional suitability, research methodology or course content/outcomes and how best to teach, will normally be academic judgment.

## 2. Who can use the Complaints Procedure?

- 2.1 The Complaints Procedure is for the use of students who are registered in the University, including students who are registered for awards made by the University at other institutions. Former students may raise a complaint provided the complaint is about a matter which occurred whilst they were enrolled as a student and they comply with the timescales for the submission of complaints set out below.

## 3. Time Limits for raising and progressing Complaints

There are time limits for both students and the University under the Complaints Procedure.

### 3.1 Students

- 3.1.1 Stage 1 – Concerns should be raised as soon as possible after the incident being complained about. Concerns which are raised at Stage 1 of the Complaints Procedure more than 3 months after the incident occurred may be deemed to be out of time and staff may not consider them. Students studying at partner institutions should raise their Stage 1 concerns with their Brunel supervisor, Academic Lead Tutor or Programme Co-ordinator.
- 3.1.2 Stage 2 - Stage 2 Complaints must be submitted within 3 months after the events complained about. A Stage 2 complaint received after this time will not be considered unless the student can provide a good reason, supported by evidence, why he/she was unable to submit the complaint within the 3 month period. The University will determine what constitutes a 'good reason' in these circumstances, but this may include the student having a serious illness or operation, or being directly involved with a medical emergency. If a Stage 2 complaint is submitted out of time without a good reason, a [Completion of Procedures Letter](#) will be issued to confirm that the University's procedures have ended.
- 3.1.3 Stage 3 - Stage 3 complaints must be submitted within 14 days of the date of the letter responding to the Stage 2 complaint. A Stage 3 complaint received after this date will not be considered unless the student can provide a good reason, supported by evidence, why he/she was unable to submit the complaint within the time limit. The University will determine what constitutes a 'good reason' in these circumstances, but this may include the student having a serious illness or operation, or being directly involved with a medical emergency. If a Stage 3 complaint is submitted out of time without a good reason, a [Completion of Procedures Letter](#) will be issued to confirm that the University's procedures have ended.

3.1.4 The following reasons are not considered to be 'good reasons' for not submitting a complaint on time:

- holidays;
- exams;
- continuing discussions at Stage 1.

## 3.2 University

3.2.1 Stage 1 - Stage 1 is designed to address straightforward concerns locally and as swiftly as possible. This might be done, for example, by face to face discussion with a member of staff.

3.2.2 Stage 2 - The Student Complaints Officer will normally respond in writing to a Stage 2 complaint within 60 days of receipt of the Stage 2 complaint. If the investigation takes longer than this, because, for example, of the complexity of the Stage 2 complaint or the absence of relevant staff, the student will be kept informed and will be provided with a revised date for a formal response to the Stage 2 complaint.

3.2.3 Stage 3 - The Chief Operating Officer will normally respond in writing to a Stage 3 complaint within 14 days of receipt of the Stage 3 complaint. If the review at Stage 3 takes longer than this, the student will be kept informed and provided with a revised date for a formal response to the Stage 3 complaint.

## 4. Mediation

4.1 Students can use the University's Mediation Service at any time to resolve their Complaints. The University's Mediation Service is a free, confidential and impartial service aimed at resolving concerns in a quick and informal fashion. Information about mediation can be found in the [leaflet](#) available.

4.2 A student can refer a complaint to mediation even if they have started the Complaints Procedure. In that case, the University will normally suspend the investigation of the complaint while the mediation process continues. This is because the mediation may resolve all or some of the complaint issues. If mediation is unsuccessful, students can ask for the investigation of their complaint to be continued. In this case, students will be provided with revised time limits in which to continue their complaint.

4.3 Further information about mediation can be obtained from the Student Complaints Officer or the [Advice & Representation Centre \(ARC\)](#) of the [Union of Brunel Students \(UBS\)](#), whose details can be found in Annex A, or by emailing [studentmediation@brunel.ac.uk](mailto:studentmediation@brunel.ac.uk).

## 5. General Principles

- 5.1 **Fair Dealing** - Students will not suffer a disadvantage as a consequence of making a genuine complaint. A student's complaint will be handled with due discretion by staff in the University. The University reserves the right to investigate the authenticity of any documents submitted (e.g. medical papers) in support of a complaint. Submission of forged documents may lead to a complaint being suspended, and action possibly being taken under [Senate Regulation 6 \(Student Conduct \(Academic and Non-Academic\)\)](#).
- 5.2 **Early Resolution** – All parties are expected to make reasonable efforts to resolve matters informally as early as possible at Stage 1 of the Complaints Procedure.
- 5.3 **Anonymous Complaints** – Complaints which are submitted anonymously will not normally be considered because they may impede the investigation and communication of the outcome.
- 5.4 **Unreasonable, Vexatious, Frivolous or Malicious Complaints** - The University reserves the right to refuse to consider any complaints which are thought to be unreasonable, vexatious, frivolous or malicious. Examples of these types of complaints may include the following:
- Complaints which are obsessive, harassing or repetitive;
  - Insistence on pursuing non-deserving complaints and / or unrealistic, unreasonable outcomes;
  - Insistence on pursuing what may be deserving complaints in an unreasonable manner;
  - Complaints which are designed to cause disruption or annoyance;
  - Demands for redress which lack any serious purpose or value.

If a complaint from a student is thought to fall into any of these categories, the University may manage a student's communication or terminate its consideration of the complaint and the student will be informed of the reasons for this. The student may request a review of this decision by submitting a Stage 3 complaint to the Chief Operating Officer. In appropriate cases, the student's behaviour may be considered under [Senate Regulation 6 \(Student Conduct \(Academic and Non-Academic\)\)](#) which may result in a penalty being imposed on them.

- 5.5 **Advice** - [The Advice and Representation Centre \(ARC\)](#) in the [Union of Brunel Students \(UBS\)](#) can give independent information and advice about submitting a complaint and progressing it through the Complaints Procedure. Please also refer to Annex A of this document for other sources of advice and/or guidance. The

University does not encourage students to seek legal representation to bring a complaint under the Complaints Procedure because it is not a legal process. In addition, lawyers are expensive and may form a barrier to open dialogue and resolution.

## 5.6 Representatives

- 5.6.1 A student may be accompanied to a meeting by a representative, who may present the student's case if the student so wishes, and / or by a friend. Only a current student or a member of staff of the University, or an adviser from [the Advice and Representation Centre \(ARC\)](#) in the [Union of Brunel Students \(UBS\)](#), or (in the case of reasonable adjustments being made for a disabled student) an appropriate individual (for example, a social worker or mental health nurse), shall normally be permitted to be a representative or friend of the student. **Students should notify the University in writing, 7 days in advance of any meeting, of the name and status of the representative or friend who will be accompanying them to the meeting. See Annex A for sources of advice or guidance. The [ARC](#) can supply independent information and advice should it be required.**
- 5.6.2 Although a student may obtain advice and guidance relating to an issue and be accompanied to a meeting, a complaint will normally only be processed if submitted directly by the student and not by someone acting on their behalf. Neither the student nor the University shall normally be represented by a legal practitioner in considering a complaint under the Complaints Procedure.
- 5.7 **Confidentiality** – By raising a complaint, a student gives the University permission to inform other relevant members of staff/organisations of his/her complaint, to investigate the facts and to discuss them with appropriate people. Information submitted will remain confidential as far as this is consistent with other parties' right to know of any allegations and evidence against them. It might also be necessary to provide the complaint to, and request information from, relevant departments in order to investigate the issues in the complaint. If a student makes allegations against staff they will normally be asked to respond to them. If a student is unhappy with such disclosures, they should state this clearly on their Complaint Action Form and we will advise as to the extent to which we are able to process the complaint.
- 5.8 **Disclosure** – The University operates a disclosure policy, which means that the student complainant will normally be provided with a copy of the information considered in deciding the outcome of the Stage 2 complaint. The documents provided to students may have information deleted to protect the privacy and confidentiality rights of third parties.

- 5.9 **Disciplinary Action** – Complaints may lead to misconduct action being taken against other students or members of staff. Complainants are advised that, where misconduct action is taken in connection with a complaint, the complaint may be used as evidence and the complainant may be asked to give evidence either in writing or in person. Due to confidentiality and data protection it will not be possible for the student to be informed of the outcome of any misconduct action which is taken.
- 5.10 **Hearings** – In most cases there will be the opportunity to discuss a complaint with the person who is dealing with the case at each stage. There is, however, no automatic right to a formal hearing.
- 5.11 **Submission of Additional Evidence** – While a complaint is being considered under one of the stages of the Complaints Procedure, a student may submit relevant new evidence as it becomes available. However, this may increase the length of time taken to deal with the complaint.
- 5.12 **Recordings**– Students are not permitted to make a recording on any recording device of discussions held under the Complaints Procedure, whether at a meeting or by telephone or otherwise unless with the express permission of all parties to the discussions. The student or their representative/friend are free to take informal written notes.
- 5.13 **Legal proceedings** - The University will normally seek a stay of legal proceedings if the internal processes have not been exhausted. If legal action is pending, the University reserves the right to suspend any internal investigations until such a time as the legal action is resolved. Complainants should also note the position of the [Office of the Independent Adjudicator \(OIA\)](#) on such matters.
- 5.14 **Nominees under this procedure** – Where in the Complaints Procedure reference is made to an officer of the University, such references are to be read as including a reference to his/her nominee.
- 5.15 **Variations to the Complaints Procedure** – Where it is appropriate to do so, the procedures set out in the Complaints Procedure may be varied by the Student Complaints Officer.

## 6. Group Complaints

Where a complaint is raised by more than one student, it may be dealt with as one collective complaint (a 'Group Complaint'). However, students submitting a Group Complaint must complete the following additional administrative steps:

- 6.1 All students submitting the Group Complaint should provide their names to the Student Complaints Officer and sign a Complaint Action Form for the Group Complaint.
- 6.2 One of the students in the Group agrees in writing to be the Lead Contact for the Group. The University will only contact the Lead Contact in connection with the Group Complaint. The University will expect the Lead Contact to distribute the University's communications among the Group and collate the Group's response to the University's enquiries to give to the University. The University cannot be held responsible if the Lead Contact does not accurately provide the views of any member of the Group or if he/she does not pass on information from the University.
- 6.3 All students in the Group agree in writing that the Lead Contact can represent him/her in the Group Complaint. The University will only communicate with the Lead Contact and no other members of the Group;
- 6.4 All students in the Group agree in writing that any information about themselves in the Group Complaint and / or which arises during the investigation of the Group Complaint, may be passed to the Lead Contact and to other members of the Group.

## **7. Remedies**

- 7.1 Remedies for complaints can include an apology, alterations to a process or to a service provided by the University and, exceptionally, compensation for loss or damage suffered. The University seeks to ensure that any remedies proposed are reasonable and appropriate to the nature and circumstances of the complaint.
- 7.2 Financial remedies are usually only considered when a practical remedy is not available or is inappropriate or insufficient.
- 7.3 If the student's preferred remedy is a claim for actual financial loss that they have suffered, documentary evidence of that loss should be provided, for example, receipts for any payments they have had to make because of the University's failings.
- 7.4 Under the Complaints Procedure, the University cannot provide remedies which affect an academic decision of the University, for example, an increase of a student's marks or degree classification. If a student wishes to raise an academic appeal against academic assessment and progress decisions, they should refer to [Senate Regulation 12: Academic Appeals](#) and contact [academic-appeals@brunel.ac.uk](mailto:academic-appeals@brunel.ac.uk).

## 8. Completing the Complaint Action Form

All sections of the Complaints Action Form must be completed in full. If a student needs advice or has difficulty with the form or does not understand the procedures, they should contact an adviser from [the Advice and Representation Centre \(ARC\)](#) in the [Union of Brunel Students \(UBS\)](#), details of which can be found in Annex A.

### 8.1 Name

The student should give their first name and family name as shown on their University ID Card. The University will normally not investigate complaints if it does not know who sent them.

### 8.2 Student Identification Number

The Student Identification number is also shown on a student's University ID Card.

### 8.3 Course

The Course is the degree/qualification the student is studying for, e.g. BSc Computing or MA International Business.

### 8.4 College

The student should indicate which College they are in.

### 8.5 Year of Study

This is the year the student is in or the level they are studying at.

### 8.6 Address for Correspondence

The student should give the address to which they would like the University to send all correspondence relating to their complaint.

Correspondence sent to the address provided on a student's Complaint Action Form will be assumed to have been received.

### 8.7 Telephone Numbers

Students should include their home and mobile telephone phone number where they may be contacted during the day.

### 8.8 E-Mail Address

The main email address should be the one provided by the University and students should check this at least once every day so that the mail box does not get overly full.

Students should also provide their personal email address, if they prefer to use this option.

### 8.9 Brief details of the Complaint

The student should give brief details of their complaint. The complaint must be summarised even if students attach supporting documents. Students can provide additional information or expand on their complaint on a separate sheet of paper but it is helpful to explain the complaint as concisely as possible.

#### **8.10 Please give an indication of the desired outcome**

Students should let us know what they want done about their complaint. The University will consider any remedy proposed. However, it is important for students to be realistic about what they would like to be done about their complaint. Please see paragraph 7 above regarding the University's approach towards Remedies.

#### **8.11 Evidence to support the Complaint**

8.11.1 Students must provide evidence to support their complaint. The type of evidence required will depend on the type of complaint submitted. For example, for complaints relating to a student's health, medical certificates should be provided; for complaints about financial loss, receipts or bank statements etc should be provided, and, more generally, students should provide letters, emails and witness statements (as appropriate) to support their complaints. Students can contact an ARC adviser if they are unsure about what evidence to provide to support their complaints.

8.11.2 Anonymous evidence, eg anonymous witness statements, will normally not be accepted as valid evidence.

#### **8.12 Late submission of the Stage 2 or Stage 3 Complaint**

If a student has not submitted their Stage 2 or Stage 3 complaint within the stated time limits, students must provide the reasons why they were unable to do so, and provide evidence to support their reasons. The investigator will consider the reasons and evidence provided and decide whether the student has provided a 'good reason' for being unable to submit their Stage 2 or Stage 3 complaint on time and whether it should be accepted out of time.

Please see paragraph 3.1.2, 3.1.3 and 3.1.4 above for further information regarding 'good reasons'.

### **9. Monitoring, Evaluation and Review**

9.1 Please refer to the [Process for recording, reporting and monitoring complaints](#).

#### **Annex A: Services and Support Available**

The Advice and Representation Centre

Independent advice on raising a concern/complaint can be obtained from the Advice and Representation Centre (ARC) in the Union of Brunel Students. They can be contacted on 01895 269169, via their online enquiry form [here](#) or by email to [advice@brunel.ac.uk](mailto:advice@brunel.ac.uk).

### The Disability & Dyslexia Service

For advice regarding disability and dyslexia issues.

Tel: 01895 265213 Ext: 65213

Email: [disability@brunel.ac.uk](mailto:disability@brunel.ac.uk)

Webpage: <http://www.brunel.ac.uk/life/supporting-you/disability-and-dyslexia>

### Mediation Service

The Mediation Service is available to help resolve a problem quickly and easily with an independent and impartial mediator.

Email: [Studentmediation@brunel.ac.uk](mailto:Studentmediation@brunel.ac.uk)

Webpage: <http://www.brunel.ac.uk/life/supporting-you/student-complaints-conduct-and-appeals/complaints>

### Student Complaints

For general advice on the complaints process and advice on the University's mechanisms for external review of complaints.

Email: [student-complaints@brunel.ac.uk](mailto:student-complaints@brunel.ac.uk)

Webpage: <http://www.brunel.ac.uk/life/supporting-you/student-complaints-conduct-and-appeals/complaints>

## Academic Appeals

For issues relating to academic assessments or a decision of a Board of Examiners may be best dealt with under academic appeals procedures ([Senate Regulation No.12](#)).

Email: [academic-appeals@brunel.ac.uk](mailto:academic-appeals@brunel.ac.uk)

Webpage: <http://www.brunel.ac.uk/life/supporting-you/student-complaints-conduct-and-appeals/academic-appeals>

## Counselling Service

A free confidential counselling service for students and staff. A drop-in service is available every week day from 2pm. No appointment is necessary.

Tel: 01895 265070

Email: [brunel-counselling@brunel.ac.uk](mailto:brunel-counselling@brunel.ac.uk)

Webpage: <http://www.brunel.ac.uk/life/welfare/counselling-service>

## Conflict Coaching Service

For coaching on effective ways of responding to a difficult relationship.

Email: [HOSS@brunel.ac.uk](mailto:HOSS@brunel.ac.uk)

Webpage: <http://www.brunel.ac.uk/life/supporting-you/student-complaints-conduct-and-appeals/complaints>

## Security Office

If students who are involved in or witness worrying or troublesome incidents on campus.

Tel: 01895 255786

Email: [security-operations@brunel.ac.uk](mailto:security-operations@brunel.ac.uk)

## Student Reps

Student Reps are elected by students to represent their views.

Webpage: [www.brunelstudents.com/rep/](http://www.brunelstudents.com/rep/)

## Complaints Action Form

Click on [Complaints Action Form](#) to obtain a copy of the form.

## Annex B: Matters falling outside the remit of the Complaints Procedure

The University's Complaints Procedure should not be used for any of the following, for which separate procedures exist:

- Review of admissions decisions (refer to the [Admissions Complaints Procedure](#) and contact [admissions@brunel.ac.uk](mailto:admissions@brunel.ac.uk));
- Appeals against disciplinary or other penalties (refer to [Senate Regulation 6](#) and contact [conduct@brunel.ac.uk](mailto:conduct@brunel.ac.uk));
- Appeals against professional suitability decisions (refer to [Senate Regulation 6](#) and contact [conduct@brunel.ac.uk](mailto:conduct@brunel.ac.uk));
- Dignity at Study issues, such as harassment and bullying, (refer to the [University's Dignity at Study Policy & Procedure](#));
- Appeals against decisions made under Senate Regulation 11: Fitness to Study, (refer to the appeals process in [Senate Regulation 11](#));
- Staffing issues, where the student is also a member of staff (contact the [Human Resources Department](#).);
- Concerns or complaints about Accommodation Services or services in a student's halls of residence (refer to [the Accommodation Office and Residences Complaints Procedures](#).).
- Concerns or complaints concerning the Union of Brunel Students, including its staff, members or elected officers (contact the [Student Union](#));
- Concerns or complaints concerning businesses operating on University premises, but not owned by the University (contact the business concerned directly);
- Complaints relating to the Student Loans Company, which has its own complaints procedure.
- Complaints which fall within the remit of a professional, statutory or regulatory body should be raised with that professional, statutory or regulatory body.