



# **Student Complaints Procedure**

## **Guidance for Students & Apprentices**

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## **What is the purpose of the Student Complaints Procedure?**

While the University seeks to ensure that all students have a positive experience throughout their time studying and living at Brunel, it acknowledges that sometimes there are occasions where things go wrong. For example, you may feel dissatisfied with an element of the University's provision, or feel you have been treated in an unfair, unequal, or unacceptable way during your time at Brunel.

The Student Complaints Procedure is designed to ensure that any student complaints are considered in a fair, reasonable, and timely manner.

In developing the Student Complaints Procedure, the University has taken into account the provisions of:

- [The good practice framework: handling student complaints and academic appeals](#), published by the OIA;
- The UK Quality Code for Higher Education's [Advice and Guidance on Concerns, Complaints, and Appeals, November 2018](#);
- Competition and Markets Authority [Higher Education Providers: Consumer Law Advice](#);
- [Office for Students Conditions of Registration, updated 1 May 2022](#).

The University is also always mindful of its legal obligations to give due regard to students with one or more protected characteristics under the Equality Act 2010, including its duty to make reasonable adjustments for students with disabilities.

## **Who can use this procedure?**

This procedure is available for use by any student currently enrolled at the University, or former Brunel students who have graduated within the last three months.

Any **past student** who wishes to submit their complaint more than three months after their registration has terminated, or have graduated, must provide a valid, evidenced-based reason to explain why they were unable to raise the issue at an earlier point in time. Please contact [student-complaints@brunel.ac.uk](mailto:student-complaints@brunel.ac.uk) if you are unsure.

Students may also choose to make a **group complaint** if they have experienced the same issue, or have the same concern. In such circumstances:

- All students must provide their names and student numbers and have signed the [Group Complaint Cover Sheet](#);
- The group will normally be asked to nominate one student to act as a group representative;
- The group representative will normally be the single point of contact for the complaint and will normally be expected to liaise with the other students about the complaint and pass on all relevant communication. This means that normally only

the group representative will receive a copy of the complaint outcome, unless the outcomes are different for each student who is party to the group complaint. The University is not responsible if the group representative fails to communicate any information to the rest of the group; and

- Dependent on the particular circumstances of the group complaint, and the individuals involved, the University may recommend creating a sub-group, or advising that circumstances relating to a particular student, or students are considered separately. This will be clearly explained to the group lead, and those students involved.

The University may also suggest that students submit a group complaint rather than individual submissions where the issues complained about are similar and/or related and fall within a short period of time of each other.

## **What can you complain about under the Student Complaints Procedure?**

The Student Complaints Procedure can be used **to express your dissatisfaction with the University's action or lack of action in a certain situation, or about the standard of service provided by or on behalf of the University.**

Some examples of issues which may be eligible for consideration under the Student Complaints Procedure include, but are not limited to:

- Failure to meet obligations set out in course materials, student handbooks, or the Terms and Conditions of the University;
- Misleading or incorrect information in promotional or informational materials, including on the University's website;
- Concerns about the delivery of a programme, including teaching or administration;
- Poor quality of facilities, resources, or services provided by the University. This can include non-academic services, such as the Library, or Professional Development Centre (PDC), or particular facilities/resources not directly related to your study;
- Bullying, harassment, or discrimination by students or members of staff. (If you have been bullied, harassed or discriminated against, you are also advised to read the [University's Bullying and Harassment Policy](#) and [Guidance to Support Students who have Experienced Bullying and / or Harassment](#)).

This list is not exhaustive, and other matters may be considered under the Student Complaints Procedure if appropriate.

## **What can't you complain about under the Student Complaints Procedure?**

There are some issues which are ineligible for consideration under the Student Complaints Procedure. These include:

### **Academic judgement**

- The University is unable to consider complaints about academic judgement under the Student Complaints Procedure. Academic judgement is considered to be a decision in which only the opinion of an academic with expertise is sufficient to reach an informed outcome. Decisions about the following may be matters of academic judgement:
  - Assessment grades/marks or degree classifications;
  - Content of feedback provided on an assignment;
  - Content of lectures or seminars;
  - How best to teach or assess a certain subject;
  - Research methodology;
  - Fitness to Practise.
- Although the Student Complaints Procedure cannot be used to challenge academic judgement, the circumstances and context about the issues raised may be relevant to the overall complaint. Accordingly, the Student Complaints Officer may ask the relevant Department for their comments on the issue as part of the Stage 2 investigation. They may also be able to consider other related matters, such as whether the University has provided what it promised in its published course materials, or whether it has followed appropriate procedures properly.

### **Student employment**

If your complaint relates to your **employment** with the University, this should be raised with the University's Human Resources Department under the [Staff Grievance Policy & Procedure](#) or with the [University's Job Shop](#) depending on which is most appropriate.

### **Students on placement**

- If you are on a professional programme, where placements are an integrated and assessed element of your programme, you should report any complaints about the placement to the placement provider in the first instance, unless it directly relates to communications or interactions with the University. You are encouraged to report your complaint as soon as the concern arises so that a proactive approach can be taken. If you need emotional support, you are still able to access the [University's Student Support and Welfare Services](#) by

emailing [studenthub@brunel.ac.uk](mailto:studenthub@brunel.ac.uk) or via [Brunel Help](#). You may also wish to inform your Placement Tutor and/or Personal Tutor at Brunel in order to obtain appropriate support.

- If you are completing a 'placement year' which is not essential to your programme of study, that is, it does not lead to a professional qualification, you should report any complaints to the placement provider rather than the University. You may also wish to notify your Department and your personal tutor or placement lead.

Further information for students on placement, including details of the responsibilities of both the University and placement providers, can be found in the [Equality, Diversity and Inclusion Student Work Placement Policy](#).

### **Matters considered under other procedures**

Some issues may more appropriately be considered under alternative University processes rather than under the Student Complaints Procedure. For example, the **following are not normally dealt with as complaints:**

- **An Academic Appeal** relating to a decision, or decisions of a Panel or Board of Examiners, or of Research Degree Examiners, which concern the assessment of a student, for this, you should refer to [Senate Regulation 12: Academic Appeals](#);
- Review of **Admissions** decisions – for this, you should refer to the [Admissions Policy and Procedure](#) or contact [admissions@brunel.ac.uk](mailto:admissions@brunel.ac.uk);
- Appeals against **Academic Misconduct outcomes** – for this, you should engage with the appeals process set out in [Senate Regulation 6: Student Conduct \(Academic and Non-Academic\)](#) and the [Academic Misconduct Procedure](#);
- Appeals against **Non-Academic Misconduct outcomes** – for this, you should engage with the appeals process set out in [Senate Regulation 6: Student Conduct \(Academic and Non-Academic\)](#) and the [Student Disciplinary Procedure](#);
- Appeals against **Fitness to Practise outcomes** – for this, you should engage with the appeals process set out in [Senate Regulation 14](#);
- Decisions made under the **Extraordinary Support for Study procedure** – for this, you should engage with the appeal process set out in [Senate Regulation 11](#);

- Complaints relating to the **Union of Brunel Students** or associated activities – for this, you should refer to the [Student's Union website](#);
- Complaints about **Brunel Medical Centre** should, in the first instance, be raised in line with the [Medical Centre Complaints Procedure](#).

## **Deciding which process to use and managing more than one process**

There may be occasions where the issue you raise does not fall neatly into the category of a complaint. For example, you might start more than one procedure in relation to the same or similar issues, or the University itself may decide that the issues need to be handled under more than one procedure, either at the same time, or with one procedure being followed first. Consequently, consideration of your complaint may be paused until the connected issues have been considered under a different procedure. This is because information from one procedure may be required to inform another procedure. Where your complaint is paused, you will be informed of the reason for this in a timely fashion.

In these situations, the University will take a flexible approach and may vary its normal procedures by making a case-by-case assessment of the best way to handle interconnected issues or cases. The University will discuss with you how it intends to handle the various issues and procedures so that you understand what will happen and why, but the University must make the final decision about how to proceed.

If the issues need to be handled under more than one procedure, the University will, where possible, take steps to avoid any unnecessary duplication, such as requiring you to submit the same evidence multiple times. The University will tell you which specific issues will be considered under which specific procedure and will direct you to the appropriate procedure for any remaining issues. If you are expected to take an action to begin an additional process, the University will explain what you must do and say if any deadlines apply.

If you have concerns about how the University handled your complaint, for example a complaint about delay, you should not normally have to make a separate complaint about those issues. The University will normally consider the impact of any delays, or other concerns about the way it dealt with the case, as part of the process. Where it identifies issues with its handling of the case, the University will normally offer a remedy for any impact without requiring you to make a separate complaint about the process. If your concerns are not about the process itself, for example you allege that you have been bullied during the process, the University will consider carefully whether those concerns need to be investigated as a separate complaint.

If a student has concerns about how another University process was handled, for example, about delays or an unfair process under the Academic Appeals procedure, the University will normally consider the impact of any delays, or other concerns about the way it dealt with the case, as part of that process, rather than as a separate complaint under the Student Complaints Procedure.

If you have received a Completion of Procedures Letter at the conclusion of another University process and you remain dissatisfied with the outcome, you may be able to submit a complaint for external review to the [Office of the Independent Adjudicator for Higher Education \(OIAHE\)](#).

### **What if my complaint is about the behaviour of a member of staff?**

Where a complaint concerns the behaviour of a member or members of staff the Student Complaints Officer will seek advice from the University's Human Resources Department about how to handle that aspect of the complaint. This may result in the complaint being paused for a period of time and the matter being referred to Human Resources for consideration under the relevant Human Resources policies and procedures.

Once action and/or consideration of the matter has concluded under these procedures, Human Resources will notify the Student Complaints Officer.

The Student Complaints Officer will then provide the student with an outcome to the complaint. Due to confidentiality, however, it is possible that it may not be appropriate for the Student Complaints Officer to disclose specific details regarding consideration of the matter by Human Resources and/or full details of any action taken in respect of a member, or members of staff, particularly where disciplinary action is taken. This would be considered on a case-by-case basis to establish whether it would be appropriate to share any, or all information in these circumstances and this will be explained to you at the earliest opportunity in order to manage your expectations of the Student Complaints Procedure and to be open and transparent.

**What are the time limits for making a complaint? How long should it take?**

Stage	Time limits for making a complaint	Timeframe
<b>Stage 1 Early Resolution</b>	<p>Submit to the Student Hub team <b>within 3 months of the incident</b> about which you are complaining.</p> <p>If you are seeking to submit a complaint outside of this timeframe, you must provide a valid, evidenced-based reason for why this is the case in your complaint.</p>	<p>Stage 1 Complaint should normally take no longer than <b>14 calendar days to conclude</b>.</p>
<b>Stage 2 Formal Investigation</b>	<p>Submit it to the <b>University within 21 calendar days of the conclusion of your Stage 1 Complaint</b> and (where possible) within 3 months of the incident about which you are complaining.</p> <p>If you submit a complaint outside of this timeline, you should provide a valid, evidenced-based reason for why this is the case in your complaint.</p>	<p>Stage 2 Complaint should normally take <b>no longer than 50 calendar days to conclude</b>.</p>
<b>Stage 3 Review</b>	<p>Submit it to the University <b>within 14 calendar days of the conclusion of your Stage 2 Complaint</b>.</p> <p>If you submit a complaint outside of this timeline, you should provide a valid, evidenced-based for why this is the case reason in your complaint.</p>	<p>Stage 3 Complaint should normally take <b>no longer than 21 calendar days to conclude</b>.</p>

There may occasionally be circumstances, for good reason, where time frames need to be extended. Where this is the case, you will be informed of the reasons for this in a timely fashion.



## **Can I use Mediation to resolve my complaint?**

The University has a free mediation service run by the Student Support Team to help resolve issues quickly with an independent and impartial mediator. If you would like to find out more about mediation, or if you think mediation may help resolve your complaint, you can contact the Student Support and Welfare Team on [studenthub@brunel.ac.uk](mailto:studenthub@brunel.ac.uk).

If you engage with mediation but are not able to resolve the issue, you will still be entitled to submit a complaint. You are also welcome to put your complaint on hold at any point in the procedure to engage with mediation, and continue with your complaint afterwards if you are unable to resolve the issue through the mediation process.

## **What evidence do I need to provide and how will it be considered?**

When making a complaint **the burden of proof sits with the student**, therefore it is for you to provide evidence to demonstrate how the circumstances of which you have complained have affected your studies and/or experience.

You are expected to provide all relevant evidence in support of your formal complaint, otherwise the Student Complaints Officer may be limited in the extent to which they can investigate your complaint. It is not the responsibility of the Student Complaints Officer to seek and gather evidence to support your concerns, rather it is for you to demonstrate that there is a valid concern for the University to investigate by providing evidence in support of your complaint. If you do not provide any objective supporting evidence in relation to your complaint, and your complaint is based just on your own opinion, viewpoint, or belief, the Student Complaints Officer may not be able to make a finding on the issue raised, or your complaint may be deemed ineligible for consideration under the Student Complaints Procedure.

Evidence can include, but is not limited to:

- Email correspondence;
- Text or Social Media messages;
- Receipts or invoices;
- Letters from a medical professional;
- Witness statements;
- Procedure or guidance documents.

If you intend to submit email correspondence in support of your complaint, please ensure that you provide this as a pdf document. All documents provided should be in a Microsoft readable format.

Evidence should be submitted with your Complaint Form, although you may submit additional evidence at any time during the investigation of your complaint. Please be aware, however, that any additional evidence will need to be considered by the Student Complaints Officer and may result in the Student Complaints Officer's investigation taking longer and the timeframes of the Student Complaint Procedure being extended.

Where relevant and appropriate, the Student Complaints Officer may access and/or obtain specific material/information related to your academic record and/or Disability Profile, including information about any reasonable adjustments you are entitled to. If you do not agree with this, please speak to the Student Complaints Officer. You should bear in mind this may affect their ability to effectively consider your complaint in full.

The extent to which audio or video recordings are accepted as evidence in the consideration of your complaint will be determined by the Student Complaints Officer. Factors in favour of considering a recording may include: whether the recording has been made with consent and/or in the knowledge of the person being recorded, the nature and context of the recording; and whether the recording contains sufficient detail to allow the context of the recorded comments to be known. It may be necessary for the Student Complaints Officer to speak to those appearing in the recording to determine whether to allow it or not.

If your preferred remedy includes a claim for actual financial loss suffered as a result of the actions of the University, you will need to provide documentary evidence of this loss, such as payment receipts.

You should note that the University reserves the right to investigate the authenticity of any documents submitted in support of a complaint. Submission of forged documents may lead to a complaint being paused and action being taken under [Senate Regulation 6](#).

The Student Complaints Officer will make a finding about your complaint by considering the accuracy and weight of all the evidence you have provided in support and which they have obtained during the course of their investigation, on the Balance of Probabilities. This means considering whether it is more likely than not that something which you have raised in your complaint did in fact happen.

### **Confidentiality and anonymous complaints**

The University is **not normally able to fully investigate complaints under the Student Complaints Procedure which are submitted anonymously**, or where the complainant is not willing for their details to be known by others, because this may impede the Student Complaint Officer's ability to investigate the complaint effectively,

transparently, openly, and fairly. In such circumstances, you are unlikely to receive an individual, specific outcome as a full and fair investigation will not have been possible.

However, if you do raise a complaint anonymously, it may be possible to provide general feedback to relevant parties about the issues you have raised, without disclosing your identity. This will, however, depend on the specific circumstances of your complaint and may not be possible in all cases.

Furthermore, if you do submit a complaint anonymously, the University will not usually be able to issue a Completion of Procedures Letter to you as it will not know who made the complaint. This means you might not be able to take your complaint to the Office of the Independent Adjudicator (OIAHE).

**Complaints will be handled with an appropriate level of confidentiality, with information released only to those who need it** for the purposes of investigating or responding to the complaint. No third party will be told any more about the complaint than is strictly necessary in order to obtain the information required from them.

Nonetheless, **by submitting a complaint, the University considers you have given permission for relevant members of staff to be informed of your complaint in order for it to be effectively investigated.** As far as possible, the full details of your complaint and evidence submitted will remain confidential, but in most cases, it will be necessary for some elements of your complaint to be shared.

**If you have any objections to details of your complaint being shared with any particular member of staff, this should be clearly indicated on your Complaint Form,** and the Student Complaints Officer will discuss with you the extent to which they can consider your case fairly, transparently and effectively in these circumstances.

### **Fair dealing and victimisation**

Any formal investigation conducted under the Student Complaints Procedure will be handled in a confidential, independent, impartial, fair and transparent manner by someone who has not previously been involved in the concern raised.

If you feel you have been treated badly because:

- you have raised a complaint of discrimination under the Equality Act 2010; or
- you have helped someone else raise a complaint of discrimination under the Equality Act 2010; or
- you have made allegations that someone else has breached the Equality Act 2010; or

- you have done anything else in connection with the Equality Act 2010.

**you should contact the Student Complaints Officer immediately as this could be unlawful victimisation.**

## **Expectations of behaviour under the Student Complaints Procedure**

The University expects that students who raise a complaint under the Student Complaints Procedure will act in a respectful manner towards the staff involved in considering their complaint. The University has a responsibility to protect its staff as well as its students against unacceptable or abusive behaviour and may suspend or terminate your complaint if you behave in a manner that the University considers unacceptable.

The **University also reserves the right to terminate its consideration of your complaint at any point if it considers it to be frivolous, vexatious, or unreasonable.** Examples of such complaints include:

- Those which are obsessive, harassing, or repetitive;
- Insistence on pursuing unreasonable complaints and/or non-realistic outcomes;
- Insistence on pursuing what may be a reasonable complaint in an unacceptable or unreasonable manner;
- Those which are designed to cause annoyance or disruption;
- Those including demands for redress which lack any serious purpose or value.

If your behaviour towards any member of staff during the complaints process is considered to be in breach of the University's rules of student misconduct, you may be referred for disciplinary action under [Senate Regulation 6](#).

## **Advice and support**

The University appreciates that submitting a complaint may be a difficult and stressful experience for students and that you may require welfare support, or advice when drafting and submitting your complaint. This support can be obtained **for free** from the following on-campus support services:

- The **Union Advice Service (UAS)** – The UAS in the Student's Union provides free, impartial advice to students on a number of University issues, processes and procedures, including the Student Complaints Procedure. Information about the UAS can be found at their [website](#) and you can contact them by filling out an [Enquiry Form](#).

- **Student Support and Welfare** – The Student Support and Welfare team offer support and guidance on a range of personal, welfare, wellbeing and financial issues. Therefore, if you require any additional welfare support during the process of submitting your complaint, including support due to a disability, then you may wish to contact the [Student Support and Welfare Team](mailto:studenthub@brunel.ac.uk) for further support on [studenthub@brunel.ac.uk](mailto:studenthub@brunel.ac.uk).

The Student Support and Welfare team can also arrange for you meet with representatives from the following support services:

- The **University's [Counselling Services](#)** can provide you with confidential advice and support to help you work on immediate problems, developing healthy coping techniques, gaining understanding of underlying issues and, if necessary, developing a longer-term treatment plan.
- A **Brunel [Mental Health Adviser](#)** can help you work things through in an honest, compassionate and collaborative way, providing on-going emotional support and practical advice.
- The **[Chaplaincy's listening service](#)** provides a non-judgemental space for conversation, where you can talk about anything that is impacting or worrying you. Sessions are held with someone from the chaplaincy team and last for up to thirty minutes.

**Other forms of support include:**

- [Bibliography](#): Useful self-help guides and books you can download for free.
- [The Calm Zone](#): Free and confidential webchat and helpline.
- [The Samaritans](#): Listening support by email, phone or in person.
- [Shout](#): Free 24/7 text service, if you're struggling and need urgent mental health support.
- [Nightline](#): A student listening service open at night and run by students.
- [The Mix](#): Essential support for under 25's
- [Out-of-hours mental wellbeing support](#) : Free, confidential, counselling and wellbeing support service provided to you out of hours.

<b>The following sources of guidance and information may also be helpful</b>
<ul style="list-style-type: none"><li>• <a href="#">Bullying and Harassment Policy</a></li><li>• <a href="#">Guidance to Support Students who have Experienced Bullying and/or Harassment</a></li><li>• <a href="#">Sexual Violence and Sexual Harassment Guide</a></li><li>• <a href="#">Sexual Violence &amp; Sexual Harassment Policy</a></li></ul>



## **Representation under the Student Complaints Procedure.**

If a student is invited to a meeting with a member of staff under the Student Complaints Procedure, they will be entitled to be accompanied and/or represented.

If someone is **representing** the student, then they may speak on the student's behalf at the meeting. The student normally may only be represented by:

- a current student or a member of staff of the University;
- an advice worker from the [Union Advice Service \(UAS\)](#) in the Union of Brunel Students; or
- a relevant individual in the case of reasonable adjustments being made for a disabled student, such as a sign language interpreter.

If someone is **accompanying** the student, then they may not speak on the student's behalf during the meeting. In addition to the individuals who may represent a student, a student normally may also be accompanied by:

- any health professional or disability support worker;
- a friend or relative.

The Student Complaints Procedure is not a legal process and **students should not normally be represented, or accompanied, by a legal practitioner at meetings** held under the Student Complaints Procedure.

## **Legal representation and legal proceedings**

The involvement of a legal representative in the Student Complaints Procedure has the potential to change the nature of the procedure or delay the process, however, where a student asks to use a legal representative, the University will carefully consider whether it would be reasonable in the particular circumstances of the case to allow a student to do so. **The University does not normally have an obligation to contribute towards the costs of a student's legal or other representation.**

The Student Complaints Procedure provides students with a free, fair and non-legal process to address their complaints. It should not, therefore, be necessary for students to pursue potentially costly and time-consuming legal action to resolve their concerns. If you do, however, choose to take legal action against the University, it reserves the

right to request that legal proceedings be suspended if its internal procedures (including under the Student Complaints Procedure) have not been completed.

You should also be aware of the position of [the Office of The Independent Adjudicator \(OIA\)](#) in relation to legal representation.

## **Disclosure and information sharing**

As part of the Student Complaints Procedure, you are entitled to see relevant information and evidence considered by the Student Complaints Officer when making their decision. You can request this by writing to [student-complaints@brunel.ac.uk](mailto:student-complaints@brunel.ac.uk) within 14 days of receiving your outcome. Please note that when supplying information, the University must ensure that it complies with Data Protection legislation. This means that the University may decide to withhold certain information for the following reasons:

- The information is personal data belonging to someone else and it would contravene Data Protection legislation to share it;
- The information was provided in confidence, and we have a legal obligation to maintain the duty of confidentiality.

## **Reasonable adjustments**

Where necessary, the University will ensure that information is available to students at all stages of the Student complaints Procedure in appropriate and accessible formats and, if required, will make reasonable adjustments to the process.

## **Third party complaints**

A complaint from a third party will not usually be accepted for consideration under the Student Complaints Procedure because the Student Complaints Officer needs to be able to speak to the student directly in order to investigate the complaint thoroughly. In limited circumstances, a complaint from a third party may be accepted on behalf of a student where a student is unable to submit the complaint themselves whether through illness or other unforeseen circumstances. In such cases, the third party must explain why the student is unable to submit or progress a complaint themselves and provide supporting evidence of such circumstances. The third party must also provide written signed authority from the student confirming their consent to act on their behalf.

## **Nominees**

Where the Student Complaints Procedure refers to any named University officer or member of staff, such a reference is to be read as including reference to their appointed nominee.

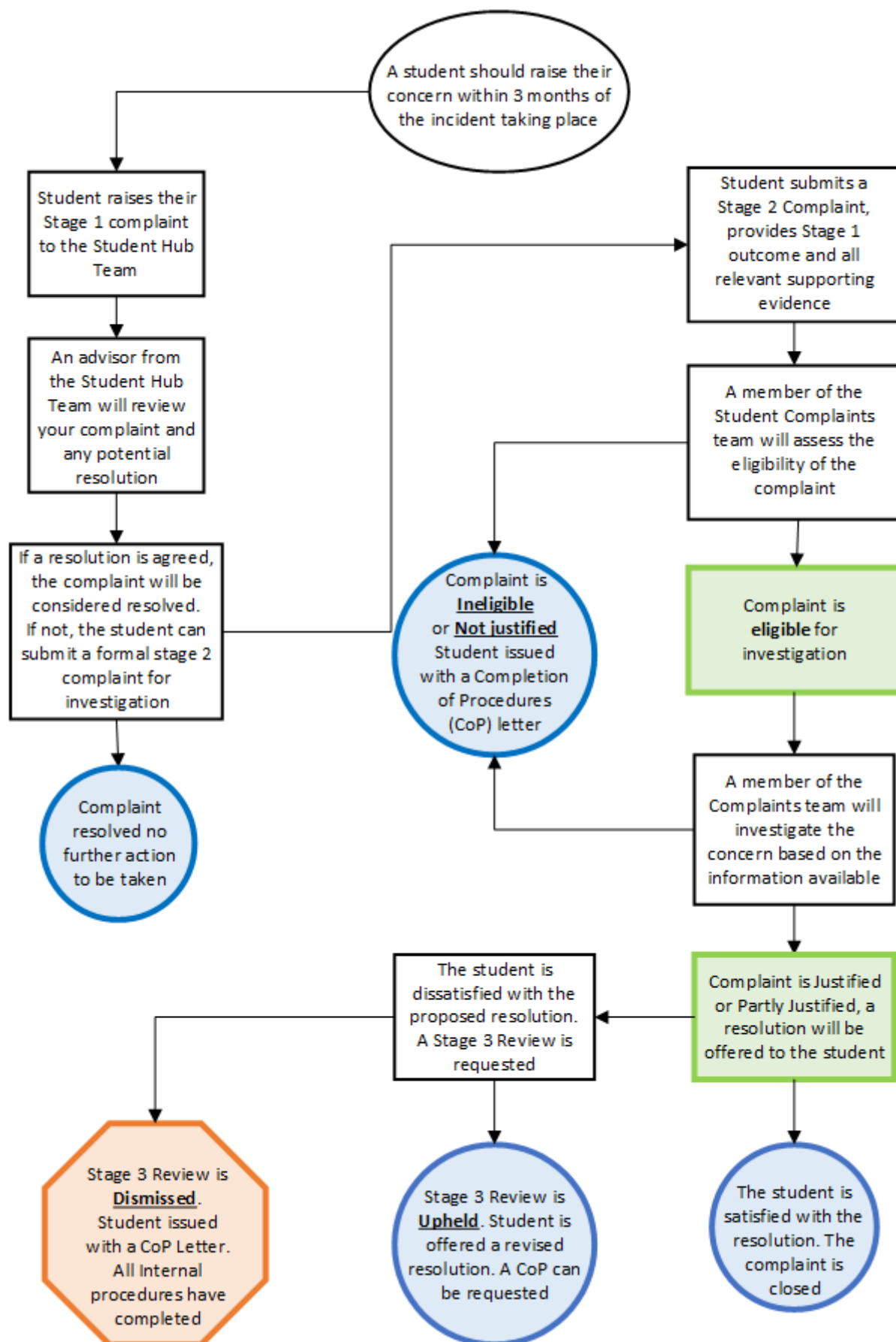
## **Communication**

Communications relating to the matter of concern considered under this procedure will normally be sent to a student's Brunel University London email address. Any variations to this policy will be communicated to the student.

## **Reporting and monitoring complaints**

A record of complaints received from students will be held in accordance with our records retention policy and the means of resolution will be kept by the University and reported annually as part of the University's monitoring and quality assurance processes. No information that will identify any individual will be available within the report





Support and advice can be accessed at any stage of the Student Complaints Procedure via [Student Support and Wellbeing](#) or the [Union Advice Service](#)