

Student complaints procedure

November 2019



Document title	
Student complaints procedure November 2019	
Document author and department	
Samantha Hill, Information Disclosure and Complaints Manager, Office of the Executive Director of Corporate Governance	
Approving body	
Academic Council	
Date of approval	
26 November 2019	
Review date	
November 2021	
Edition no.	
6	
ID Code	
47	
Date of effect	
26 November 2019	
EITHER For public access online (internet)? <i>Tick as appropriate</i>	YES
For public access on request copy to be mailed <i>Tick as appropriate</i>	
OR For staff access only (intranet)? <i>Tick as appropriate</i>	
Password protected <i>Tick as appropriate</i>	NO
External queries relating to the document to be referred in the first instance to the Corporate Governance team: email address corporate-governance@port.ac.uk .	
If you need this document in an alternative format, please email corporate.communications@port.ac.uk .	

The latest version of this document is always to be found at:
policies.docstore.port.ac.uk/policy-047.pdf

Contents

Summary	4
What is this procedure about?	4
Who is this procedure for?	4
How does the University check this procedure is followed?	4
Who can I contact if I have any questions about this procedure?	4
Executive summary	4
1. Introduction	5
What the procedure covers	5
2. Informal Procedure	6
3. Concerns raised to our Complaints Team	6
3.7 If your complaint is straightforward	7
4. Formal Procedure	7
4.3 Investigation of formal complaints by the investigating officer	7
4.4 Action following an investigation of a formal complaint	8
5. Review by the Executive Director of Corporate Governance	9
6. Review of your complaint by the Office of the Independent Adjudicator for Higher Education (OIA)	10
7. External adjudication of complaints by organisations other than the OIA	10
8. Complaints against members of professional bodies	10
9. Withdrawing a formal complaint	11
10. Monitoring and reporting complaints	11
11. Keeping complaints documents	11
Annex A: Further information	12
Related policies	12
Useful contacts	12
Useful information	12
Other websites	13

Summary

What is this procedure about?

This document explains both our informal and formal procedures and the independent ombudsman's procedure for dealing with complaints.

Who is this procedure for?

This procedure is for all students registered with us (the University of Portsmouth), whether full-time or part-time, home, EU or international students, campus-based or distance learning. Students registered with our collaborative partner organisations can use this procedure to raise a complaint about any aspect of academic standards or learning opportunities on a course covered by a partnership agreement, once that complaint has been through the partner organisation's own complaint procedure.

We have separate complaints procedures for people applying to study with us, and for members of the public. For more details of these procedures, please visit: www.port.ac.uk/about-us/contact-us/complaints.

How does the University know this procedure is followed?

We believe this procedure is followed because we receive and handle complaints in line with it.

We also receive enquiries from staff, students and parents of students who either refer to, or are directed to, the complaints procedure. All formal complaints (and many straightforward complaints) are handled through our Complaints Team, who apply this procedure to all the complaints they deal with.

Who can I contact if I have any questions about this procedure?

If you have any questions about this procedure, please contact our Complaints Team at complaintsadvise@port.ac.uk.

Executive summary

We are committed to providing education of the highest possible quality and recognise that an important part of that commitment must be providing a clear procedure for registering and dealing with complaints.

This document sets out the procedure for students to make complaints. A complaint is defined as any concern about, or dissatisfaction with, any aspect of the student experience. This does not include academic matters and concerns relating to other students, as these are both covered by separate procedures, as explained in this procedure. This procedure explains both our informal and formal procedure and the independent ombudsman's procedure for dealing with complaints.

We expect that most complaints will be dealt with under our informal procedures, and that we will only use the formal procedure if the informal procedure has not been successful in dealing with a complaint to a student's satisfaction.

So that the person investigating a complaint can consider and deal with it correctly and efficiently, they must be able to communicate and discuss the complaint with everyone involved. This is why we do not usually deal with anonymous complaints under this procedure. If we receive an anonymous complaint, staff in the Complaints Team will decide whether to investigate it. In making our decision, we will look at how serious the issues raised are, how credible the allegation is, the evidence received, and how likely it is that the allegation can be confirmed.

We will make sure you are not discriminated against or suffer any disadvantage as a result of raising genuine concerns. However, if you make a petty or malicious complaint (as determined by an impartial member of staff), if you are abusive in the tone of your communications or towards staff dealing with your complaint, or if your communications become so frequent or continuous that it is not possible for the staff dealing with your complaint to work effectively and efficiently, we will deal with the matter seriously under the Code of Student Behaviour. We have the right to suspend considering your complaint while we take steps to stop the unacceptable behaviour, or to stop considering your complaint altogether if this behaviour continues despite our attempts to stop it.

1. Introduction

- 1.1 This procedure aims to make sure that you will have a clear process to follow if you need to make a complaint about any aspect of your experience at this university.
- 1.2 When considering whether to make a complaint, you may find it helpful to get advice as to whether or not you have grounds for a complaint, who to approach first about a complaint and how to pursue the matter. You could ask student representatives, the appropriate Sabbatical Officer, the Student Advice Coordinators of the Students' Union or the University Complaints Team.
- 1.3 The University Complaints Manager will make reasonable adjustments to the procedure set out below in cases where complaints are made by students with special needs or disabilities which mean they cannot follow this procedure.

What the procedure covers

- 1.4 This procedure is for all University of Portsmouth registered students to use, whether campus-based or distance learning.
- 1.5 For the purpose of this complaints procedure, we will consider you as a student for three months after you have finished your studies or graduated from the university. We may decide to consider complaints raised after this period under the procedure explained in 1.12 below.
- 1.6 Under this procedure, you may raise concerns about issues to do with how your course is managed, or about the services and facilities provided by the university. We have separate procedures for dealing with academic appeals, complaints against other students and issues of bullying and harassment by other students. You can find details of these on our website.
- 1.7 This procedure can be used for complaints made by either an individual student or by a group of students with the same complaint. If a complaint is made by a group, one student should act as the main contact in communications with us.
- 1.8 You can appoint a representative, for example, a student representative, family member or sabbatical officer, to deal with a complaint for you. If you do this, we will address all future correspondence to your representative and not you. This complaints procedure is not a legal process and so it is not necessary for your representative to be a member of the legal profession.
- 1.9 The person carrying out an investigation into a complaint needs to be able to communicate and discuss the complaint with everyone involved. It is for this reason that we will not investigate anonymous complaints. You should be aware that it is not possible to withhold your name as the complaint itself will, in most cases, identify the people concerned. To fully investigate your complaint, we may need to share it, and any associated documents, with the members of staff who are asked to comment on your complaint. The Complaints Team will handle your correspondence sensitively and will only reveal the information necessary to each member of staff as appropriate. As a result of this, if the outcome of a complaint recommends disciplinary action against a student or member of staff, this recommendation will be included in the report into the complaint. Following the disciplinary procedure, we will only tell you, and anyone else affected, whether we found the person complained about guilty or not guilty of the allegation. If the person is found guilty and the outcome affects you (for example, because they should apologise to you), we will tell you. If the outcome does not specifically relate to you, we will tell you that we have issued an appropriate penalty (in line with section 3.1.4 of the [Code of Student Behaviour](#)).
- 1.10 If you are studying with one of our collaborative partners, you may use this complaints procedure to complain about something that the partner has or has not done, once you have gone through their own complaints procedure. We will review the complaint and refer to the reasons given for asking for the review, the original complaint and the report into the investigation of the complaint. We will decide if our partner has followed their own procedures and whether the outcome of the complaint is

reasonable in all the circumstances. This review will be carried out by the Executive Director of Corporate Governance (see section 5).

- 1.11 If you are studying at the International College Portsmouth (ICP), you should raise any complaint with staff in ICP. Complaints staff in ICP and the Complaints Team will agree which organisation's complaints procedure is most appropriate in the circumstances, and will tell you which organisation will be dealing with your complaint.
- 1.12 If you have concerns about a placement provider, you should raise those concerns with the placement provider (after discussing the matter with your personal tutor) so that the issue can be considered at a local level. If you are unhappy with the action taken by the placement provider, you may be able to raise a complaint with us. You should get further information from the Complaints Team (contact details in annex A).
- 1.13 If you are unhappy with a decision either to offer, or to refuse, a place at this University, you should use the **Applicants' Complaints Procedure** to raise a complaint. You can find details of this procedure in Annex A and on our website at port.ac.uk/about-us/contact-us/complaints/applicant-complaints-procedure.
- 1.14 Other people who want to make a complaint to, or about, the University should use the complaints procedure for complainants who are not a student at the university. You can find details of this procedure in Annex A and on our website at port.ac.uk/about-us/contact-us/complaints/complaints-procedure-for-those-who-arent-students-at-the-university].
- 1.15 If a complaint contains elements that should be dealt with under the **Academic Appeals Regulations**, the academic appeal will be dealt with before we consider the complaint.
- 1.16 You cannot use this procedure for complaints about the services or facilities provided by the University of Portsmouth Students Union (UPSU), as it is a separate organisation. You should make complaints about UPSU in writing to the Students Union. You can find more information about the UPSU complaints procedure on their website at [\[www.upsu.net/perch/resources/documents/upsustudentcomplaintsprocedure-handbookcomplete.pdf\]](http://www.upsu.net/perch/resources/documents/upsustudentcomplaintsprocedure-handbookcomplete.pdf).

2. Informal Procedure

- 2.1 If you are not satisfied with any aspect of your academic studies or the services and facilities we provide, you may make a complaint. The complaint must, in the first instance, be raised informally by either speaking or writing to a member of the university staff in the area in which the complaint has arisen. For example, if your complaint is about how a course is managed, you should discuss this with your tutor or course leader as appropriate. Similarly, if your complaint is to do with a service such as the Library or the Department of Student & Academic Administration (DSAA), you should discuss the matter with a member of the Library or DSAA staff. You will need to reach some kind of conclusion at the end of this part of the procedure. It may be that you resolve the situation or you may decide you are still not satisfied.
- 2.2 We have signed up to the Universities UK Student Accommodation Code, so complaints to do with halls accommodation are, in the first instance, dealt with under the Residential Halls Complaints procedure, as set out on the Residential Services webpages at kb.myport.ac.uk/Article/Index/12/4?id=1998&fromwidget=false&searchid=1126550&isSearch=true. If you cannot sort the complaint out under the Residential Halls Complaints procedure, the complaint will be dealt with under this procedure from section 3 onwards.
- 2.3 If informal discussions do not sort out your complaint, you may raise your concerns with the Complaints Team.

3. Concerns raised to our Complaints Team

- 3.1 You may raise your concerns with the Complaints Team by letter or by email. You can find more guidance on the information you need to provide in section 3.3.2 below.
- 3.2 You need to make your complaint as soon as reasonably possible, and no later than 20 working days from when the matter you are complaining about happened, or from when you have completed attempts at informal resolution. We may accept a complaint after this time limit if you provide evidence to show you had a good reason for not making the complaint earlier.
- 3.3 We will make sure that the complaint is valid in that:
- 3.3.1 it relates to issues this procedure applies to, as set out in section 2.1 above;
 - 3.3.2 it has the necessary information to identify you and contact you; the nature and origin of the complaint; the steps taken to deal with the complaint through the informal procedure; the reason why you are not satisfied by the outcome of the informal procedure; and, as appropriate, how you want the complaint resolved;
 - 3.3.3 it is accompanied by any evidence relating to the complaint;
 - 3.3.4 it has been made within the time limits set out in section 3.2 above; and
 - 3.3.5 if a formal investigation is needed, it demonstrates that you have been through the informal procedure.
- 3.4 If you make a complaint, we will normally acknowledge it within one working day.
- 3.5 If we find that your complaint is valid, that acknowledgement date will be the start date as shown below.
- 3.6 We will decide if there are issues that need to be answered. In doing so, we will decide whether to carry out an investigation and, if so, what form it should take. This may involve passing your complaint to another department in the University, so it can be handled under a more appropriate procedure.
- 3.7 If we decide your complaint does not meet the criteria in 3.3 above, we will write to you to explain why we do not think your complaint is valid and what further action you may be able to take.

If your complaint is straightforward

- 3.8 We may investigate a complaint without starting the full formal complaints procedure if we believe that we can sort the matter out in a straightforward way. We have 10 working days from the date of the acknowledgement, in which to complete this investigation. If you are not satisfied with our decision, you can contact the Office of the Independent Adjudicator for Higher Education (OIA), referred to in section 6 below (or another adjudicator as appropriate, referred to in section 7 below). We will give you a 'completion of procedures' letter for this purpose.
- 3.9 If we decide that the matter needs a full formal investigation, we will deal with it in line with the procedure shown in section 4 below. This will be a formal complaint investigation.

4. Formal Procedure

- 4.1 We will send valid complaints relating to aspects of academic studies to your head of department or school for investigation and tell the appropriate Associate Dean of the faculty that you have made a complaint. If your complaint is against, or involves, a head of department or school, we will discuss with the dean whether they want to carry out the investigation or whether the investigation should be passed to another member of staff.
- 4.2 We will send valid complaints that relate to our services and facilities to the relevant head of service and tell the member of the University Executive Board responsible for the service that you have made

a complaint. If your complaint is against, or involves, a head of service, we will discuss with the appropriate member of the University Executive Board who has responsibility for that service whether they want to carry out the investigation or whether the investigation should be passed to another member of staff.

Investigation of formal complaints by the investigating officer

- 4.3 The Head of department or service will investigate the complaint or make arrangements for it to be investigated or dealt with by an impartial member of staff or by a group of staff.
- 4.4 In cases where the complaint is against or involves the Head of department or service, either the Dean or the member of the University Executive Board, according to the nature of the complaint, or the member of staff the investigation has been passed to will carry out all the responsibilities the Head of department or service would have had. The person carrying out the investigation is called the 'investigating officer' in this procedure.
- 4.5 The investigation must be carried out as quickly as possible and should, normally, be completed within 30 working days of the start date. If, in rare cases, the investigation cannot be completed within that time, we must tell you in writing and give the reasons why more time is needed as well as the intended date the investigation will be completed. The Complaints Team will send a copy of that notice to the investigating officer and either the appropriate Associate Dean or member of the University Executive Board, according to the nature of the complaint.
- 4.6 As part of the investigation into the complaint, the investigating officer will hold separate meetings with you and any members of staff they believe may have information about the complaint. These meetings will generally be face-to-face but can be held over Skype if you are not on campus. All meetings will be formally organised and you may bring a representative. We will take minutes at the meetings and they must be agreed by everyone involved before being used in the investigation.
- 4.7 Once the investigation has been completed, the investigating officer will draft a written report of their findings. The draft report will be sent to everyone involved in the complaint for them to check whether there are any inaccuracies in it. No new evidence can be provided at this stage. Everyone involved has five working days in which to return any comments to the investigating officer. At the end of the five working days, a final report (including copies of any documents referred to in the report) will be issued, taking into account any relevant comments by either you or the person you are complaining about. A copy of the final report will be sent to the Complaints Team, and to either the appropriate associate dean or the member of the University Executive Board, according to the nature of the complaint.
- 4.8 The letter to you with the final report of findings and conclusions must tell you about your right to ask for a review of your complaint by the Executive Director of Corporate Governance (as set out in section 5 below), and provide contact details for them, if you are still not satisfied with the outcome of the formal complaint.

Action following an investigation of a formal complaint

- 4.9 Any proposals for resolving the complaint will not take place until after the period in which you can ask for a review by the Executive Director of Corporate Governance has ended, unless you agree to the proposals before that time.
- 4.10 If the investigating officer believes the findings have implications for assessing your work, they will write to the Chair of the relevant Unit Assessment Board responsible for the unit (or units) affected. Or, they will write to the Board of Examiners responsible for progression and award decisions for the student (or students) affected. The letter will ask the relevant board to review its decision.
- 4.11 The Unit Assessment Board or Board of Examiners (or the Chair who has been given authority, consulting as they believe appropriate) may take any action they judge is appropriate, taking account of the recommendations of the investigating officer. The Chair of the Unit Assessment Board or the Board of

Examiners will report on the action taken to our Complaints Team, and to either the appropriate Associate Dean or the member of the University Executive Board, according to the nature of the complaint.

- 4.12 The investigating officer can decide to begin proposals for action if they are within the investigating officer's authority. The investigating officer will report to our Complaints Team on the action taken, and to either the appropriate associate dean or the appropriate member of the University Executive Board, according to the nature of the complaint.

5. Review by the Executive Director of Corporate Governance

- 5.1 If you are not satisfied with the report of findings or the proposals for action contained in it, you may ask for a review by the Executive Director of Corporate Governance. Grounds for review may include:
- the fact that the investigation was not completed within the normal time period (or the longer period set out in 4.3.3 above); or
 - you have new evidence which you were unable, for valid reasons, to provide earlier in the process.
- 5.2 The grounds for review set out in 5.1 above will be the same in cases where you are not satisfied with the outcome of a complaint made to a collaborative partner (see 1.10) or a placement provider (see 1.12).
- 5.3 You must make this request in writing to the Executive Director of Corporate Governance within 10 working days of the date the final report of findings was issued or the latest date by which the report should have been issued according to the timescale given in 4.3.3 above. Your request must also explain why you are not satisfied with the outcome.
- 5.4 The Executive Director of Corporate Governance will decide whether a review is appropriate by looking at your request, the formal complaint and the report of findings. They will then write to you, our Complaints Team, the investigating officer, and to either the appropriate Associate Dean or the member of the University Executive Board, according to the nature of the complaint. Within 10 working days of your request, the director will say whether they have decided to carry out a review. The Executive Director of Corporate Governance will then carry out the review or make arrangements for it to be carried out.
- 5.5 The Executive Director of Corporate Governance will agree the review arrangements (what the review will cover and the timetable) with you (and the reviewer if the investigation has been passed to someone else) within five working days of deciding to carry out a review. If this deadline is not met without good reason, the review will not take place. You should be told about any change to the review in a timely way. The review will normally be completed within 30 working days of the date of agreeing what the review will cover.
- 5.6 Once the review has been completed, the Executive Director of Corporate Governance will give you, our Complaints Team, the investigating officer and, either the appropriate Associate Dean or the member of the University Executive Board, according to the nature of the complaint, a report of their findings. If appropriate, it will include recommendations to the head of school or department for action to deal with your complaint.
- 5.7 If the report contains recommendations for action, the head of department or school will decide whether to follow them or to take any other appropriate action to deal with your complaint. They will write to you with their decision within 10 working days of receiving the Executive Director of Corporate Governance's written report. They will also send a copy of their decision to the Executive Director of Corporate Governance, our Complaints Team and, either the appropriate Associate Dean or the member of the University Executive Board, according to the nature of the complaint.

- 5.8 The decision letter – otherwise known as a completion of procedures letter – must tell you about your right to refer your complaint to the Office of the Independent Adjudicator for Higher Education (or another adjudicator as appropriate [see section 7 below]) if you are still not satisfied with the outcome of the Executive Director of Corporate Governance’s review.

6. Review of your complaint by the Office of the Independent Adjudicator for Higher Education (OIA)

- 6.1 You may apply to the Office of the Independent Adjudicator for Higher Education (OIA) once we have issued a completion of procedures letter. This may be either when our procedures have been completed (see sections 3 .7 and 5 .7), or at an earlier time if the Complaints Team considers you to be out of time to continue with our procedures.
- 6.2 You must fill in a Scheme Application Form and send it to the OIA within 12 months of the date of the completion of procedures letter.
- 6.3 The OIA may try to settle the matter before carrying out a full investigation if it believes the matter could be dealt with in this way. Or, if the OIA completes a full investigation, it will provide a ‘complaint outcome’ which may include recommendations to resolve the complaint.

7. External adjudication of complaints by organisations other than the OIA

- 7.1 The OIA will be the adjudicating body for most student complaints, but there may be occasions where it might be more appropriate for a different adjudicator, with specific sector knowledge, to adjudicate a complaint, as explained below.
- 7.2 One of these adjudicators is the Financial Ombudsman Service. Our Student Finance Department occasionally provides limited debt-counselling advice to students and can provide zero-interest emergency loans for up to six weeks if students are in need. Our Finance Department may agree debt-repayment plans with students who cannot afford to pay what they owe in one payment. If these loans have 12 or more payments or last for more than 12 months, this and the Student Finance activities fall within the Financial Conduct Authority’s definition of regulated activities. Complaints about these issues will be investigated through our student complaints procedure until the point at either section 3 .7 or 5 .7 when we will give you details of the Financial Ombudsman Service.
- 7.3 A complaint about the way we have processed your personal information will also be handled under the student complaints procedure until the point at section 3 .7 or 5 .7 when we will give you details of the Information Commissioner’s Office, as the appropriate adjudicator for these matters.

8. Complaints against members of professional bodies

- 8.1 If a member of university staff is a member of a professional body that operates a complaints procedure, and your complaint is about them, you may be able to complain to the professional body. If the complaints procedure of the professional body can begin before ours, we may decide to suspend our own investigation, pending the outcome of the professional body’s findings.

9. Withdrawing a formal complaint

- 9.1 You may withdraw a formal complaint at any time by giving our Complaints Team notice in writing. The Complaints Team will send you a written acknowledgement. They will also send a copy of your notice and the acknowledgement to the person leading the investigation and to the appropriate Associate Dean or member of the University Executive Board.
- 9.2 Once a formal complaint has been withdrawn the matter is closed.

10. Monitoring and reporting complaints

10.1 Every year we report on all complaints received by the Complaints team and issue this report to all heads of academic and service departments, to all members of the University Executive Board and to the President of the Students' Union. The report includes:

- the number of complaints received and the number withdrawn;
- the number of requests for review by the Executive Director of Corporate Governance;
- the number of those requests accepted;
- a summary of the nature of the complaints;
- a summary of the findings and recommendations made; and
- a summary of action taken in response to them.

The report will also include information relating to complaints made to the Office of the Independent Adjudicator for Higher Education or any other adjudicator. The report also includes statistics relating to the profile of students making complaints, including equality-monitoring statistics. We take the relevant equality information from the central student records database and keep it anonymous once collected. We make the statistical annexes to the report available to all staff and students on our complaints webpages at port.ac.uk/about-us/publications/complaints-report

- 10.2 Academic quality and standards issues identified as arising from complaints will be included in the yearly cycle of departmental monitoring and review reports and these go to the Quality Assurance Committee.
- 10.3 The report is also sent to the first meeting of the Academic Council in the following academic year for their information and to consider any university-wide issues.

11. Keeping complaints documents

We keep documents relating to the students complaints procedure in line with our Record Retention Schedule for student complaints (8.5 Risk Management Records – Retention Schedule) available at information-governance.docstore.port.ac.uk/urs-08.pdf?_ga=2.221628752.914767200.1574079084-760340608.1534145978. We keep documents relating to informal complaints for three years following the end of the academic year in which the complaint is resolved and then destroy them. We keep documents relating to formal investigations and complaints made to adjudicators for six years following the end of the academic year in which the complaint is resolved, and then destroy them.

Annex A: Further information

Related policies

Applicants' Complaint Procedure

port.ac.uk/about-us/contact-us/complaints/applicant-complaints-procedure

Complaints Procedure for Complainants who are not a Student

port.ac.uk/about-us/contact-us/complaints/complaints-procedure-for-those-who-arent-students-at-the-university

Academic Appeals

www2.port.ac.uk/accesstoinformation/policies/academicregistry/filetodownload,163713,en.pdf

Residential Halls Complaints Procedure – you can find this in the Halls of Residence handbook

<https://kb.myport.ac.uk/Article/Index/12/4?id=2557&fromwidget=false&searchid=0&isSearch=true>

Code of Student Behaviour

policies.docstore.port.ac.uk/policy-053.pdf

Dignity and Respect Policy

policies.docstore.port.ac.uk/policy-007.pdf

Useful contacts

You can contact our **Complaints Team** using the details below.

Nicola Young – Complaints Officer

Phone: 023 9284 3103

Email: nicola.young@port.ac.uk

Nathalie Derrick - Assistant Complaints Officer

Phone: 023 92 84 3110

Email: nathalie.derrick@port.ac.uk

General email address: complaintsadvice@port.ac.uk

You can contact the **Executive Director of Corporate Governance** by email: adrian.parry@port.ac.uk.

The Students Union

Sabbatical officers

Phone: 023 9284 3859

Advice Service

Phone: 023 9284 3478

You may contact the Advice Service using the phone number given above or by going to Advice Centre webpages at

upsu.net/advice and filling in the support request form on that page.

Useful information

Complaints webpages

port.ac.uk/about-us/contact-us/complaints

Halls 'Report a Problem' webpage

port.ac.uk/students/halls-of-residence/report-a-problem/

Other websites

Office of the Independent Adjudicator for Higher Education

oiahe.org.uk

Financial Ombudsman Service

financial-ombudsman.org.uk/

Information Commissioner's Office

University of Portsmouth Student Complaints Procedure

