

# Student Complaints Procedure 2022-2023

## 1 Introduction

- 1.1 The University aims to promote a culture in which students feel confident to raise their concerns. A complaint is an expression of dissatisfaction by one or more students about action or lack of action by the University, or about the standard of service provided by or on behalf of the University. The University aims to operate a fair and transparent student complaints procedure and no student will be treated less favourably as a result of making a complaint.
- 1.2 Wherever possible, the University will seek to resolve concerns raised by students informally. If a student has a complaint about any aspect of University life, it should be raised with an appropriate person at the earliest opportunity. Faculties, schools and divisions that provide services to students should inform students who to contact in the first instance if they have a complaint.
- 1.3 If the University is unable to resolve the complaint informally, or the student is dissatisfied with the outcome, the student may make a formal complaint under this Procedure. Complaints by students with a registered disability about the provision of reasonable adjustments for teaching and assessment shall be given priority, in order to prevent prejudice to the student that might be caused by any delay.
- 1.4 The complaints procedure involves two stages:
  - (i) The Local Stage
  - (ii) The University Stage
- 1.5 Students may raise complaints jointly.
- 1.6 Complaints must be brought promptly. The University will not accept complaints that are made longer than **30 days** after the matters complained about, unless there is good reason for the delay.
- 1.7 Any registered student may bring a complaint under this procedure. A former student may also bring a complaint under this procedure after the matters complained about, but only if the complaint could not reasonably have been brought while they were a registered student.
- 1.8 Complaints about decisions of an academic body on student progress, assessment and awards may not be brought under this procedure and may only be raised under the academic appeals procedure set out in the Assessment Regulations. Complaints about teaching and supervision will not be considered in an academic appeal unless they were raised by the student promptly at the time they first arose and pursued under this procedure. Claims for compensation for personal injury cannot normally be brought under this procedure, but may be accepted at the discretion of the University Secretary.
- 1.9 'Days' for the purposes of this procedure includes weekends but excludes bank holidays and University closure days, unless specifically referred to as working days – see [Dates | About the University | University of Bristol](#)

## **2 Safeguards and Confidentiality**

### **(a) Confidentiality**

- 2.1 An appropriate level of confidentiality is fundamental to the operation of an effective complaints process and must balance transparency and the requirements of natural justice against a legitimate expectation of personal privacy. In order to ensure the integrity of the process all parties involved in the operation of this Procedure including those who are the subject of the complaint, those bringing the complaint, any witnesses and those operating the Procedure must ensure that they maintain an appropriate level of confidentiality.
- 2.2 In imposing an expectation of confidentiality, the University recognises that it may be necessary and therefore appropriate for those involved in this Procedure to share certain confidential information with third parties, as set out below.
- 2.3 The University may disclose information:
  - (a) to those who need to know in order to discharge their responsibilities at work;
  - (b) where it considers that disclosure is necessary in the interests of health and safety at work or the welfare of other staff, students or the public interest;
  - (c) where disclosure is required by law;
  - (d) to witnesses and/or attendees at the meetings within the Procedure.
- 2.4 Students and staff members may disclose information:
  - (a) with professional advisers for the purpose of obtaining advice;
  - (b) with family members and support services for the purpose of obtaining guidance and support;
  - (c) with relevant sector bodies such as the OIA or the University's regulator, the OfS.

### **(b) Safeguards**

- 2.5 The University aims to promote a culture in which students feel confident to raise their concerns. Consequently, anyone raising a concern or complaint is expected to identify themselves. Anonymous complaints may only be accepted at the discretion of the University Secretary. No action against a particular member of Staff or Student will be taken about any matter that has been reported anonymously unless it is possible to verify the matter reported
- 2.6 The investigation process under this Procedure may require that the source(s) of the information and the individual raising the complaint provide a statement as part of the evidence or to assist in further investigations. It is normally expected that such information is given without being anonymised. In any event even if anonymised, depending on the circumstances, it may be possible from the nature of the information supplied in the investigation process to identify its source. Accordingly, unless there are exceptional circumstances a person raising a complaint or concern should expect to be identified in the investigation process.
- 2.7 Even if the identity of the person making the complaint and/ or other sources of information has not been revealed in the investigation it may not be possible for a disciplinary hearing to take place or a sanction to be imposed without such identification taking place.

- 2.8 The University recognises that people may act out of character in times of trouble or distress. Complaints raised with the University may, for instance, relate to upsetting or distressing personal circumstances. However, the actions of a minority of complainants who are angry, abusive, demanding or persistent may result in unreasonable demands on the University, or improper behaviour towards staff. The University considers such actions to be unacceptable. When this happens, the University will consider the impact of such behaviour on the safety and well-being of staff and the ability of the University to provide a service to others and reserves the right, following assessment, to determine that a complainant's actions and behaviour are unacceptable.
- 2.9 If the University finds that a complainant's behaviour is unacceptable, it will advise the complainant in writing why this has been found to be the case, and the steps that are to be taken which may include a decision not to consider the complaint further. Should the complainant wish to seek a review of any decision reached, they should state this in writing to the University Secretary ( email [university-secretary@bristol.ac.uk](mailto:university-secretary@bristol.ac.uk)) within 10 days of the date of the decision. The University Secretary will confirm their decision in writing normally within 10 days. The Complainant will be advised of any steps they may take to seek a review of any decision reached.

### 3 Raising an informal complaint : Informal Resolution

- 3.1 The University encourages informal resolution of any student complaint. If a Student wishes to raise an informal complaint about:
- their teaching or education - they should contact their Unit Director or Programme Lead
  - their accommodation - they should email [student-accommodation@bristol.ac.uk](mailto:student-accommodation@bristol.ac.uk) and follow the informal process on the [accommodation "Make a Complaint" Pages](#)
  - any other matter - they should contact the Student Complaints and Mediation Manager (email [student-complaints@bristol.ac.uk](mailto:student-complaints@bristol.ac.uk)) who will be able to direct them to the appropriate person to raise their complaint with.
- 3.2 Students can seek advice and support about how to raise a complaint from Bristol SU which provides a free and confidential student advice service - Bristol SU Academic Advice Team available at [Bristol SU | Academic Advice](#)
- 3.3 It is expected that all individuals will enter into the process in good faith with the aim of resolving complaints at the earliest opportunity. However, it is recognised that some complaints may not be capable of informal resolution. If this the case the student should be informed of this at the earliest opportunity and referred to section 4 below.
- 3.4 If, following discussion of the concerns raised with the student, or where the concerns raised involve interpersonal relationships, the person considering informal resolution may recommend the matter is referred to [mediation](#). Mediation is voluntary and will only take place if all parties agree.
- 3.5 Where appropriate, the person to whom a complaint is brought informally may refer the concerns to be dealt with under the [Acceptable Behaviour Policy](#) or the appropriate disciplinary procedures.

## 4 Making a Formal Complaint;

- 4.1 Where for any reason informal resolution of the complaint is not possible, or the student is dissatisfied with the informal resolution proposed the student may raise their complaint formally by completing a [Complaint Form](#) and submitting it to the Student Complaints and Mediation Manager (email [student-complaints@bristol.ac.uk](mailto:student-complaints@bristol.ac.uk)).
- 4.2 If the complaint is about unacceptable behaviour the student may raise their complaint by completing the [Acceptable Behaviour Complaint form](#)
- 4.3 The Student Complaints and Mediation Manager will act impartially and will be able to give advice to students about any procedural matters. Students may also obtain support and advice from the Bristol SU Academic Advice Team (contact details are set out above)
- 4.4 The Complaint Form/ Acceptable Behaviour Complaint Form should set out details of the complaint and state the remedy sought. Any evidence on which the complaint is based should be submitted with the Complaint Form.
- 4.5 Complaints should be raised within 30 days of the matters complained of. An extension of this time limit may be permitted by the University Secretary. If a student raises a complaint outside this time period they must complete a Late Complaint request form and submit it to [university-secretary@bristol.ac.uk](mailto:university-secretary@bristol.ac.uk) setting out the reason for the delay.

## 5. The Local Stage

- 5.1 On receipt of the Complaint Form the Student Complaints and Mediation Manager will refer the complaint to an appropriate person for consideration at the Local Stage. In the case of complaints relating to academic matters, this will normally be the Faculty Head of Student Administration or Faculty Education Director. Complaints about other services will be referred to an appropriate member of staff in Professional Services. In some cases, the Student Complaints and Mediation Manager may be able to resolve the student's complaint without recourse to the Local Stage.
- 5.2 The person considering the complaint at the Local Stage may decide to meet with the student to discuss the complaint. If so, the student may bring an adviser, friend or representative to the meeting.
- 5.3 The outcome of consideration at the Local Stage will be conveyed to the student in writing. The University aims to complete the Local Stage within 30 days of the submission of the complaint.

## 6. Seeking Review of a Complaint: The University Stage – Complaint Review Panel

- 6.1 If it has not been possible to resolve the complaint at the Local Stage or if the student remains dissatisfied with the outcome, they may request that the complaint is progressed to the University Stage.
- 6.2 The student should make the request in writing to the Student Complaints and Mediation Manager, at [student-complaints@bristol.ac.uk](mailto:student-complaints@bristol.ac.uk), within fourteen days of receipt of the Local Stage outcome.
- 6.3 Upon receipt of the request, the Student Complaints and Mediation Manager shall refer the complaint to a Complaint Review Panel. The University aims to convene the Review Panel within 30 days of the student's request to the Student Complaints and Mediation Manager.
- 6.4 The Complaint Review Panel shall normally consist of three senior members of University staff who have had no prior involvement with the complaint.  
The proceedings of the Review Panel will not involve a hearing.

- 6.5 The Review Panel will consider the complaint and may:
- a) ask the parties to reconsider any decision not to enter into mediation;
  - b) refer the matter back to the Local Stage or to another appropriate person with an instruction or recommendation for resolution. If the instruction or recommendation is not carried out, the student may refer the matter back to the Review Panel for reconsideration;
  - c) dismiss the complaint, giving reasons, and issue a Completion of Procedures letter;
  - d) recommend that a Committee of the Board of Trustees be appointed to hear the complaint.
- 6.6 The University Secretary will appoint a clerk to the Review Panel. The role of the clerk shall be to prepare the documentation, make arrangements for the Panel meeting and advise the Panel. The student will normally receive the decision of the Review Panel in writing within 21 days of the Panel meeting.

## **7 The University Stage – Committee of the Board of Trustees**

- 7.1 If the Review Panel recommends that a Committee be appointed to hear the complaint, a Committee will be convened, which shall normally consist of three members and which may include among its members Trustees of the Board of Trustees, University staff who are not Trustees, and persons from outside the University. At the request of the student, the Board of Trustees may appoint a Students' Union officer as an additional member. In the event of the Committee being divided in its view, the Chair will have a casting vote.
- 7.2 The University Secretary will appoint a clerk to the Committee. The role of the clerk is to assist the Committee by collating the evidence, preparing the documentation, making arrangements for the hearing, taking a note of the proceedings and advising the Committee. The clerk may on behalf of the Committee ask for written witness statements or documents such as medical certificates to be produced in advance of a hearing. The student will be entitled to see all statements and documents seen by the Committee.
- 7.3 The student is entitled to be present at hearings of the Committee, and to be accompanied by an adviser, friend or representative. The Students' Union employs student advisers in the Academic Advice Team who may be asked to act in this capacity. If a complaint is being made against a particular person, they are also entitled to attend hearings and to be accompanied by an adviser, friend or representative. In the event that either party is without good reason unable to attend, the hearing will either be held in that party's absence or rescheduled. If the party concerned has good reason for non-attendance the hearing will be rescheduled.
- 7.4 The order of any hearing will be at the discretion of the Committee, which may ask for enquiries to be undertaken and witnesses to attend. The Committee may ask questions of anyone present. The student will be given a full opportunity to state their case, and will be able to address the Committee at the conclusion of any evidence that has been presented.
- 7.5 The Committee will report to the Board of Trustees, setting out its findings and any recommendations, and a copy of the report will be sent to the student and to any person against whom the complaint was made.

## 8 Nominees

Unless the context indicates otherwise, an officer of the University may act through their nominee.

## 9 Support

- 9.1 The Bristol SU offers support to students who are encountering difficulties, and can raise issues which affect a number of students at one of the regular meetings of the University's Student Affairs Committee. The SU also provides a free and confidential student advice service available at [Bristol SU | Academic Advice](#)
- 9.2 Students can also access support from the Student Wellbeing Service see [Request wellbeing support | Current students | University of Bristol](#)

## 10 Office of the Independent Adjudicator for Higher Education (OIA)

If the student is still dissatisfied, they may take the case to the Office of the Independent Adjudicator for Higher Education, which provides an independent scheme for the review of student complaints. The OIA will consider cases only when the University's own internal complaints procedure has been exhausted. It will not intervene on matters which turn purely on academic judgment. Further information about this scheme is available at [www.oiahe.org.uk](http://www.oiahe.org.uk)

## 11 Office for Students (OfS)

The OfS notification process is in place for students, staff or members of the public to raise with the OfS as the regulator for higher education in England, concerns or issues about a university or college that are relevant to the OfS's regulatory remit. Notifications may lead to investigation by the OfS in terms of providers meeting the requirements of their conditions of registration. The OfS does not have a direct role in dealing with individual complaints or with disputes between students and their university or college. Information on the notification process is available on the OfS website at: [Notifications - Office for Students](#). Students seeking individual redress or compensation should contact the OIA.

*Last amended August 2022*

**Please note:** *The University is currently in consultation with Bristol SU and Trade Union colleagues about complaints that relate to issues of Free Speech and/or Academic Freedom. It is hoped that the process for such complaints will be published around the start of the new academic term in September 2022.*