Table of Contents

Part A

© The University of Law 2022

Complaints: Staff Guidance

 © The University of Law 2022

Complaints

- ¶ Is the subject of court or tribunal proceedings (unless the proceedings have been stayed or adjourned);
- ¶ Concerns student employment;
- ¶ Has been dealt with before by the OIA.

The OIA may not accept cases in certain circumstances, for example:

- ¶ If it does not materially affect the complainant as a student;
- ¶ If it relates to events which took place more than three years ago;
- ¶ If it is frivolous or vexatious;
- ¶ If the University has satisfactorily dealt with the complaint;
- ¶ If the complainant has unreasonably delayed or has otherwise acted unreasonably.

Once the OIA have considered the case, the student and the University will be provided with details of the outcome and their recommendations.

The University will be expected to comply with the recommendations of the OIA in full. Non-compliance is considered a very serious matter and would be reported to the OIA Board. Recommendations are not binding on the student.

Examples of recommendations that the OIA could make:

who has been detrimentally affected by something that has gone wrong should, wherever possible and practicable, be returned to the position that they would have been in had the failure not occurred. The OIA will always consider what recommendations could provide all or part of a suitable remedy and will also consider any practical or reasonable remedy proposed by either the complainant or the Institution. Financial compensation is usually only

 © The University of Law 2022

Part B – Practical guidance for dealing with complaints

5 Purpose

The purpose of this part of these notes is to provide practical advice on dealing with complaints whether made against you, or a colleague, or where you have been asked to carry out an investigation into or review of a formal complaint.

It is also intended to reassure you about the way in which the University aims to protect you from malicious complaints.

The basis of the complaints procedure is that concerns should be dealt with, wherever possible, at a local level, where they can often be dealt with quickly and relatively easily.

6 Roles and Responsibilities

University staff involved in the Complaints Policy have the following roles and responsibilities:

University Complaints Officer

- ¶ Regularly review and update Policy and Procedures
- ¶ Create all templates
- ¶ Manage the process
- ¶ Provide advice to students and staff
- ¶ Carry out training for Investigating Officers and Appeal Officers
- ¶ Identify appropriate Investigating Officers and Appeal Officers for each case
- ¶ Monitor the progress of each case
- ¶ Provide complainant with final reports, Completion of Procedures Letters and details of their options
- ¶ Keep records of all complaints
- ¶ Contribute to annual report to the Academic Board and the Office of the Independent Adjudicator
- ¶ Liaise between the University and the Office of the Independent Adjudicator

Head of Complaints (including the Head of Service)

- ¶ Oversee the complaints process
- ¶ Provide advice to staff
- ¶ Carry out training for Investigating Officers and Appeal Officers
- ¶ Critique Complaint Investigation outcome reports and advise on required amendments
- ¶

 © The University of Law 2022

- Meet with the complainant, where possible and necessary, to discuss the case. Meetings should be offered online in the first instance, via MS Teams, unless there are specific accessibility matters or mitigating factors which mean a Face to Face meeting is required.
- Produce a concise and transparent Outcome Report, including appropriate recommendations (within the Policy guidelines)
- Discuss with the Head of Complaints any issues or recommendations identified within the Outcome Report
- Provide draft and final Outcome Reports within the deadlines set by the University Complaints Officer, in line with the Policy
- Advise the

 © The University of Law 2022

At all stages of the complaints process, the details of the complaint must be kept confidential. The case will, of course, need to be discussed with those involved with it, but should not be discussed outside the people required for its resolution.

 © The University of Law 2022

8 Investigating an Informal Complaint

Students are advised to commence the process as soon as possible after the occurrence of the problem. If the complaint is about a tutor, this should be referred to the Course Leader or Academic Manager.

Staff who are approached by students who wish to make a complaint should discuss the er parties involved to reach resolution. Staff

 © The University of Law 2022

 © The University of Law 2022

Notes that are taken at any such meetings should be provided to the Complaints service. The meeting should also be recorded, if possible, using a preferred format such as MS Teams. Please do not use Panopto or Streamed Classrooms to hold and record any meetings.

When meeting the student, the Investigating Officer should go over the facts and give factual

clarification is required, but should not go into too much detail about what the possible outcomes might be. However, the IO can probe what the student would be satisfied with, to guide their outcome, where appropriate.

 © The University of Law 2022

Outcome Report to the University Complaints Officer, who will critique the document in partnership with the Head of Complaints and liaise with the Investigating Officer on any concerns. The Investigating Officer may discuss any aspects of the report with the Head of Complaints prior to this stage. However, the final decision will be the Investigating Officer s and must contain a definite recommendation (see also section 10 on possibleome Report

 © The University of Law 2022

some aspects may need to be looked at in detail if questions arise about the investigation, or new information is provided by the complainant.

A meeting can be held with the complainant and any other relevant parties to discuss the complaint and ask questions if the Appeal Officer feels it is necessary to gain further information, though this is not normally part of the appeal stage of the process. Dependent on the type of complaint, it is usually appropriate to hold separate meetings with each person involved, rather than a single meeting with all parties present. The complainant is entitled to be accompanied by a friend or colleague to this meeting, who can act as a supporter, but this person cannot be a legal representative and is not entitled to take any formal part in the proceedings.

 © The University of Law 2022

Once the Outcome Report has been finalised (within the prescribed deadline), the University Complaints Officer will forward this report to the complainant. If a recommendation has been made for financial recompense (ex gratia or refund) this is then forwarded to the relevant department,

 © The University of Law 2022

a) Complainant missed a quantity of classes (where there are no opportunities for additional tuition)

 © The University of Law 2022

Records must also be kept of all informal complaints proceedings, and forwarded to complaints@law.ac.uk at their conclusion.

Staff should be aware that if a complaint dealt with through the informal process should escalate to a Formal Complaint, they may be required to provide further information and documentation to the Investigating Officer. This would normally be requested by the University Complaints Officer.

 © The University of Law 2022

Appendix 1 - Process Timescales

Wherever possible the University will adhere to the timescales as detailed below. If, for any reason, it is not possible to conclude the relevant investigations in time, the complainant will be notified in writing, providing details of why the investigation will take a longer time period (eg relevant staff on holiday) and a revised date by which the investigation will be concluded.

Complaints Process	Timescale
Informal Process	
Student contacts appropriate staff member to discuss complaint	
Feedback	

 © The University of Law 2022

nt might choose to see/correspond with

Relevant Member of Staff
LLB, LPC, GDL, BPTC Programme Leads Professional Development Programme Leader
Professional Development - Programme Leader Online Programmes Head of Programme
Campus Head of Tutors Personal Tutor, Subject Tutor or Campus Head of Tutors

© The University of Law 2022

Appendix 3 - Categories of Complaints

To enable accurate reporting to the Academic Board and to the Office of the Independent Adjudicator, there is a requirement to categorise the complaints.

The categories used are as follows (as determined by the OIA) and could be used against any of the types of complaint:

Complaint Category	Details
Academic Misconduct	Academic offences including plagiarism, collusion and examination offences
Academic Status	Complaints which relate to academic appeals, assessments, progression and grades
Disciplinary Matters	Disciplinary proceedings for non-academic offences

 © The University of Law 2022

- Graduation
- Materials
- Policy
- Poor service
- Teaching
- Course design (including structure)
- Other*

 © The University of Law 2022

Appendix 4 – Sample Cases (from OIA)

2014

bereavements she had experienced (including the death of her father).	

 © The University of Law 2022

which the student is entitled to attend. In this case the university issued a final decision without convening a Panel, and offered an apology and financial payment for distress and inconvenience plus a further payment as a gesture of good will. The OIA took the view that this put the student at a material disadvantage as there was no opportunity for her to put her case to a panel.	
the way her appeal and subsequent complaint were handled Partly Justified because the college had not followed the The college had agreed to reconsider the intervention. It rejected the appeal again, but acknowledged its failure to apply the appeals process correctly and offered compensation of £500 and an apology to the student. The student brought her complaint back to the OIA.	The OIA noted that the student had experienced considerable delays, and if her original appeal had been handled correctly the matter would have been resolved much sooner. It also noted that the student had needed to make several attempts to obtain a Completion of Procedures letter following the consideration of her original appeal. It was evident that not all staff were familiar rocedures. The OIA recommended increased payment of £1,000 for distress and inconvenience.
A student at the university complained that he had not been given adequate notice of changes to the postgraduate Social Sciences programme. The withdrawal of an MSc qualification entailed the cancellation of several modules, which meant that beyond a certain date the student would be unable to gain the credits he needed to complete the original qualification he hoped to achieve. Other MSc options remained available to him.	The University was able to demonstrate that it had first communicated information about the withdrawal of the MSc and advice to students three years in advance and set out the timetable for existing students to complete the modules that were to be discontinued. It had continued to communicate via email, the module websites and the student portal for the registration made it clear that students are required to check their emails. The OIA found the complaint Not Justified.

2016

Description	Remedy
A student complained to the OIA after her appeal against withdrawal for non	

 © The University of Law 2022

She complained to the University and the University dismissed her complaint.	to the student on the specific impact upon her should her visa be refused at any point during her studies. The University had a different policy for enrolled students and for applicants, and this was not made clear to the student. The overall refund policy did not mention students whose visa applications were rejected post enrolment. . The OIA recommended that the University refer t.1 55.7 re:p1.04 4o 5.32 841.o enrolme

 © The University of Law 2022