



# **Student Complaints Procedure**

**2023-24**

Issued by Standards and Enhancement

Approved by Senate January 2022

This document relates to the current year. If you become aware of any previous versions that are available on line please notify [complaints@bolton.ac.uk](mailto:complaints@bolton.ac.uk) so that action can be taken to remove the document(s).





- “ Are made without disclosing adequate grounds;
- “ Have been disposed of in court or tribunal proceedings or under a settlement agreement between the complainant and the University;
- “ Are malicious, vexatious or frivolous;
- “ Are repetitive or harassing;
- “ Are non-meritorious or where the requested outcomes are deemed to be unreasonable; or

Where students or their representatives are aggressive, offensive or abusive;

Where demands are unreasonable in nature or unreasonably persistent.

This Procedure does not cover any of the following:

- “ Matters relating to examination and assessment performance and academic judgement (see Academic Appeals Procedure);
- “ Academic appeals against Assessment Board decisions (see Academic Appeals Procedure);
- “ Grievances from members of staff;
- “ Freedom of Information matters;
- “ Data Protection matters;
- “ Matters covered by the Freedom of Speech Policy;
- “ Complaints relating to the admissions process for any University programme of study (taught or research);
- “ Complaints about student conduct/competency (see Student Non Academic Disciplinary and Conduct Policy and Fitness to Practice Procedure);
- “ Complaints relating to Disclosure and Barring Service (DBS) checks;
- “ Matters which are the subject of criminal investigation or legal proceedings until such time as those proceedings are concluded;
- “ Complaints submitted outside the timescale stated within this Procedure.

Complaints which relate to matters which are already being considered under other procedures (e.g. Fitness to Practice Procedure, Student 3TJQqT/F1 11.04 4ced00 G[( )] TJETQ

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The Head of School/Division/Professional Service will be briefed regularly about concerns that have been raised to members of staff in their School/ Division/Professional Service. Heads of School/Division/Professional Services will liaise with the Standards and Enhancement Office on a regular basis to establish if there are any patterns to the concerns that are being raised which may require input at School or University level.

- 5.2 If the student is unhappy with the response at Stage 1 of the process, they may take their complaint to the Formal Stage which is **Stage 2** of this procedure. A Formal Complaint Form **must** be completed by the student at Stage 2 and the student should explain why they are unhappy with any previous response. Within 10 working days of the informal written response being received, the student should submit the Stage 2 Formal Complaint Form and supporting evidence to the Standards and Enhancement Office by email to [complaints@bolton.ac.uk](mailto:complaints@bolton.ac.uk) The complaint will be assessed to ensure that it fits within the

**6 Student responsibilities under the complaints procedure**

University, the issue should be raised with a member of the relevant University Professional



“ Explain thep19

above the staff involved. Where a complaint is directly related to a Head of School/Division/Director of Professional Services the Investigating Officer will normally be another Head/Director.

The student shall be advised of the name and role of the Investigating Officer. The Investigating Officer will normally meet or communicate with the student to discuss the matter in further details.

It is anticipated that the investigation of most Stage 2 complaints will be completed within 30 days of the appointment of the Investigating Officer. If there is any delay in the process (i.e. if the investigation is not completed within 30 days) the student will normally be informed.

The Investigating Officer will investigate the complaint and will produce a written report with appropriate evidence for the Head of School/Division/Professional Service using the **Investigating Officer's Report Template**. On receipt of the report the Head of School/Division/Professional Service may request additional information.

A letter will be sent to the student with details of the outcome and any action the School/Division/Professional Service intends to take. The written response will state whether the complaint has been upheld, partially upheld or rejected and the reason(s) for necessary redactions.

A copy of the report will be provided to the student for their records.



- “ Review Officer may ask questions of the participants;
- “ The student and the Head of School/Division/Professional Service (or nominee) may call witnesses to present evidence;
- “ The student and the Head of School/Division/Professional Service (or nominee) shall question their witness(es);
- “ Any questions for the witness(es) shall be addressed through the Review Officer;
- “ Witnesses withdraw once their evidence has been heard and there are no more questions;
- “ Commentary deemed by the Review Officer to be irrelevant, frivolous or vexatious will not be recorded;
- “ Both the student and the Head of School/Division/Professional Service (or nominee) shall have the right to make final submissions to the Review Officer. The student will speak first, followed by the Head of School/Division/Professional Service (or nominee);
- “ Both parties will be asked to withdraw whilst the Review Officer reaches a decision.

### **The Stage 3 Notification of Decision Process**

The standard of proof for the Review Officer when reaching a decision will be based on the balance of probabilities.

The Review Officer will consider all relevant information and determine whether the investigation has been conducted fully and in line with these Procedures and whether the decision and outcome were reasonable in the circumstances.

The decision made at Stage 3 will be communicated to the student in writing normally within 10 working days of the receipt of the Stage 3 Complaint Form being submitted to the Review Officer or within 10 working days of the Review Meeting should that be necessary and if the Review Meeting has delayed the decision making process. On occasions when a Complaint Review Meeting will delay the response, the student will be made aware of the delay.

The Stage 3 - Complaint Review Decision Letter will include a Completion of Procedures (COP) letter from the University and detail how a student may raise their complaint with the Office of the Independent Adjudicator (OIA) should they remain dissatisfied with the outcome of their complaint.

If any aspect of the complaint is upheld or partially upheld, the Review Officer will consider possible means of redress which will be included in the Complaint Review Decision Letter. Exceptionally the Review Officer may need to undertake further consultation before a final decision can be reached which may result in a delay. In these circumstances the student will be informed of the delay.

## **9 Office of the Independent Adjudicator**

At the completion of the Complaints Procedure, the complainant will receive a Completion of Procedures (COP) letter from the University. This confirms that the University has completed consideration of the case through its procedures. In the event that the student remains dissatisfied with the outcome s/he may request an independent review by the Office of the Independent Adjudicator (OIA). In such circumstances, the student should forward a completed Scheme Application Form to the OIA (together with the Completions of Procedures letter from the University). The OIA will then review the complaint independently in due course.

The following information should be included within the Completion of Procedures Letter:

The University of Bolton subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of the decision to the Office of the Independent Adjudicator for Higher Education (OIA).

look at and what it can do to put things right here: <https://www.oiahe.org.uk/students>

You can find more information about Completion of Procedures Letters and when you should expect to receive one here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.

Should you decide to refer to the OIA, your OIA Complaint Form must be received by the OIA within 12 months of the date of this letter, that is, it must be received by the OIA on or before [Insert Date].

You can fill in the OIA Complaint Form at <http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>.

You should send a copy of this letter to the OIA with your OIA Complaint Form.

## 10 Remedies

The University is committed to providing the highest standards of service and maintaining



f. Mediation Style Intervention

The option to resolve a complaint by way of mediation style intervention will be open at all stages of the procedure should this be appropriate and desired.

g. Variations to the Procedure

The University reserves the right to vary any stage in this procedure as it deems appropriate in accordance with its obligations and best practice.

Where mention is made in this procedure of action by specific post holder or role holder this action may be delegated to an appropriate nominee where warranted by the circumstances, for example, where there is or may be any potential conflict of roles or interests, or the specific post holder or role holder is absent, so long as the nominee has appropriate seniority and/or experience to be able to act on behalf of the specific post or role holder.

“ Student Non Academic Conduct and Disciplinary Policy and Procedure  
Supported Study Policy

**14 Monitoring and Performance Procedure**



<b>STUDENT COMPLAINTS PROCEDURES</b>	
Policy ref: SEO/COMP1	
Version number	04
Version date	170122
Name of Developer/Reviewer	Hilary Birtwistle
Policy Owner (Group/Centre/Unit)	SEO
Person responsible for implementation (postholder)	All Staff, Investigating Officers, Heads of Schools, Division and Professional Services, Deans of Faculty
Approving committee/board	Senate
Date approved	January 2022
Effective from	January 2022
Dissemination method e.g. website	Website
Review frequency	As required to ensure relevance and compliance with OIA guidance
Reviewing committee	Senate
Consultation history (individuals/group consulted and dates)	Drafts of the procedure have been considered by: Education Committee Senate; Students Union
Document history (e.g. rationale for and dates of previous amendments)	July 2017 - This was re-write of the previous procedure partly in response to an OIA consultation document and subsequent guidance November 2021 . technical changes to accommodate remote operations, removal of HEFCE reference, changes to the nomenclature of roles



