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- “ 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 Non-Academic Conduct and Disciplinary Procedure, Academic Appeals Procedure and Academic Misconduct) will not normally be dealt with under this Procedure. In addition, this Procedure cannot be used where students are dissatisfied with outcomes reached through other procedures.

Where a complaint is raised by a number of students, it can be dealt with as one collective complaint, in the following circumstances:

- i. the case is conducted cugh-3( )-1164a

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they are advised to contact the Student Union on their behalf. The University will adopt the principle of releasing information only to those who need it for the purposes of investigation or responding to the complaint.

Students are advised that where a complaint has been raised against a member of staff or

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 scope of this Procedure ie has been or would be better considered under another procedure and/or is within the timeframe outlined in this document.

If assessed to be within scope of this Procedure, the Stage 2 Formal Complaint Form will be forwarded to the relevant Head of School/Division/Professional Service for investigation and response. If the Stage 2 complaint is assessed not to be within scope the student will be notified in writing which will include a Completion of Procedures Letter.

The Head of School/Division/Professional Service will appoint an Investigating Officer who is unrelated to the case. The Investigating Officer will investigate the complaint and provide a report to the Head of School or Service who will respond to the student by sending a Stage 2 Outcome Letter. Stage 2 should be completed within 30 working days of the appointment of an Investigating Officer. The Stage 2 Outcome Letter will include an explanation for the student should they feel they have grounds for a Stage 3 Review of the Stage 2 Outcome. A copy of the complaint file, including the response to the student, will be forwarded to the Standards and Enhancement Office for quality monitoring purposes.

- 5.3 If, following receipt of the Stage 2 Outcome Letter, the student feels that they have grounds for the Stage 2 Outcome to be reviewed, they may request that their complaint be considered at **Stage 3** - The Review Stage of this Procedure. The request for a review is

## **6 Student responsibilities under the complaints procedure**

In order that the University can deal with a concern or complaint properly and in a timely manner, we ask that students engage with the process and undertake the following responsibilities:

- i. raise concerns at the earliest opportunity with the person who normally has day to day responsibility for dealing with the issue being raised . engage with the Early Resolution process before escalating to a Stage 2 - Formal Complaint;
- ii. when a case is escalated to a Stage 2 Formal Complaint, provide any evidence to support the complaint and further evidence that is requested within notified timelines in order that your complaint can be investigated in a timely manner;
- iii. when submitting a complaint provide full details in a

University, the issue should be raised with a member of the relevant University Professional Service such as a Student Services Team Leader or a Subject Librarian.

The type of information required will vary depending on the nature of the concern raised. The student is expected to give full and prompt assistance to the member of staff to whom the issue has been referred.

It is anticipated that most complaints will be resolved at Stage 1.

Stage 1 assessment shall normally be concluded within 10 working days of the issue being referred to the member of staff.

The member of staff to whom the complaint has been referred shall normally advise the student in writing.



“ Explain the outcome that the student is seeking in order to resolve their complaint.

In addition, relevant evidence to support the complaint is required, e.g. copies of letters, emails



### **Time Limit – Stage 3**

The completed Stage 3 . Complaint Review Form should be sent via email to the Standards and Enhancement Office, [complaints@bolton.ac.uk](mailto:complaints@bolton.ac.uk), no later than 10 working days from the date on which the Stage 2 response to the complaint was provided.

### **Documentation required - Stage 3**

As a minimum the following documentation will be provided to the Review Officer:

Stage 3 Complaint Form and any associated documentation;

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### **Procedure – Stage 3**

On receipt of a Stage 3 Complaint Review Form, the Standards and Enhancement Office shall review the document to determine whether the request for review is valid based on the grounds for review stated above and is within the time limits stated above. The decision regarding the validity of the request for review will be notified to the student in writing within 10 working days of receipt of the request.

If the request is deemed invalid the letter will advise that the internal University procedures in relation to the complaint have been concluded and will include details of the scheme of the Office of the Independent Adjudicator.

If the request is deemed valid, a member of the University Senior Management Team will be appointed as the Review Officer and will review the complaint and the decision reached at Stage 2 of the Procedure.

In exceptional circumstances, the Review Officer may consider that a Review Meeting is required prior to a decision being made.

The Review Officer may refer to the School/Division/Professional Service for their consideration of any additional information being made available which may result in a change to the Stage 2 decision or the Review Officer considers that the evidence indicates that there have been procedural irregularities or the decision is unreasonable.

If the complaint is not returned to the Stage 2 stage, the Review Officer may uphold or partially uphold the complaint or may uphold the Stage 2 decision.

### **Stage 3 - Review Meeting**

Exceptionally, the Review Officer may determine that a Review Meeting is required and if this is the case the student will be invited to attend a meeting with the Review Officer and the relevant Head of School/Division/Professional Service (or nominee).

The Review Meeting will be serviced by a member of the Standards and Enhancement Office (or nominee). Summary notes of the meeting will be taken.

The participants of a Review Meeting will receive the documentation as outlined above as a minimum.

The process that will be followed if a Stage 3 Review Meeting is required are as follows:

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- " 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 concluded 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.

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>



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 and in line 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.

**12 Disciplinary Action**

Students should note that disciplinary action may be taken against them if they offer or give any University staff money, gifts or any other advantage which is intended to induce or reward impropriety in the consideration or resolution of a complaint.

Bribery is a criminal offence and morally wrong and exposes the University and its employees to the risk of prosecution, fines and imprisonment as well as endangering the University. A Bribery Policy is available at: <https://www.bolton.ac.uk/Governance/Docs/AntiBriberyPolicy.pdf>

Any information submitted as part of a complaint which subsequently is identified as fraudulent/vexatious or malicious will be disregarded and the student may be referred for consideration under the Student Disciplinary Procedure or Fitness to Practise Procedure.

**13 Related Documentation**

The following documents can be found on the University Student Information . Policy Zone (<https://www.bolton.ac.uk/student-policy-zone/>) where other policies and procedures which may be of relevance can also be found including:

- “ Academic Misconduct Regulations and Procedures
- “ Appeals Regulations and Procedures
- “ Car Parking Policy
- “ Code of Policy and Procedures for Investigation and Resolving Allegations of Misconduct in Research
- “ Code of Practice Relating to Freedom of Speech and Meetings on University Premises
- “





<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)	

## Appendix A The University of Bolton and our Partner Organisations

- A.1 Complaints about services provided by collaborative partners (for example, those in which University awards are taught under academic franchising arrangements) or other complaints procedure.
- A.2 Our partners have their own complaints procedures which you will be informed about as part of your induction processes with the partner institution and issues relating to **service provision** will have Stage 1 . The Early Resolution, Stage 2 . The Formal Complaint Stage and Stage 3 . The Review Stage, being conducted by the partner institution.
- A.3 In the case of UK based partners which who are members of the OIA, when a complaint about services has reached Stage 3 . The Review Stage, the partner institution will issue a Completion of Procedures Letter enabling the student to refer their complaint to the OIA should that be necessary.
- A.4 The outcome of such complaints will be reported to the University, annually, for information and quality monitoring.
- A.5 All complaints that relate to **Academic Quality and Standards** will be considered by the partner institution for Stage 1 and Stage 2. If a complaint is not resolved, Stage 3 - The Review Stage, of the complaints procedure will be conducted by the University.
- A.6 In the event that a request for Stage 3 - Review is not eligible for consideration by the University (ie it relates to service provision rather than academic quality and standards), the partner will be asked to consider it under their own procedures at Stage 3.
- A.7 In the event that the University considers a partner complaint under Stage 3 of this procedure, in the first instance the partner institution will confirm that the complaint has been satisfactorily investigated according to their own procedures, before appointing a Review Officer to consider the case under Stage 3 of this procedure.
- A.8 Once Stage 3 is completed the Review Officer will refer to the University of Bolton, Off Campus Division to manage negotiations and reparative actions with the partner organisation, if appropriate.
- A.9 The University will issue the Completion of Procedures Letter with the Review Decision Letter and if the complaint has not been resolved to the satisfaction of the student, they may wish to pursue it with the Office of the Independent Adjudicator for Higher Education (the OIA) (see Section 9).
- A.10 The University of Bolton will only accept requests for review if the complaint relates to Academic Quality and Standards issues e.g. programme delivery, teaching, feedback and learning resources. The University can only review matters which have already been investigated by the partner institution.
- A.11 Exceptions to the above may be made for complaints involving two or more degree awarding bodies, such as under a joint degree, dual degree, or double degree arrangement. In such cases, the complaints procedure to be followed will be detailed in the course documentation provided to the student.

