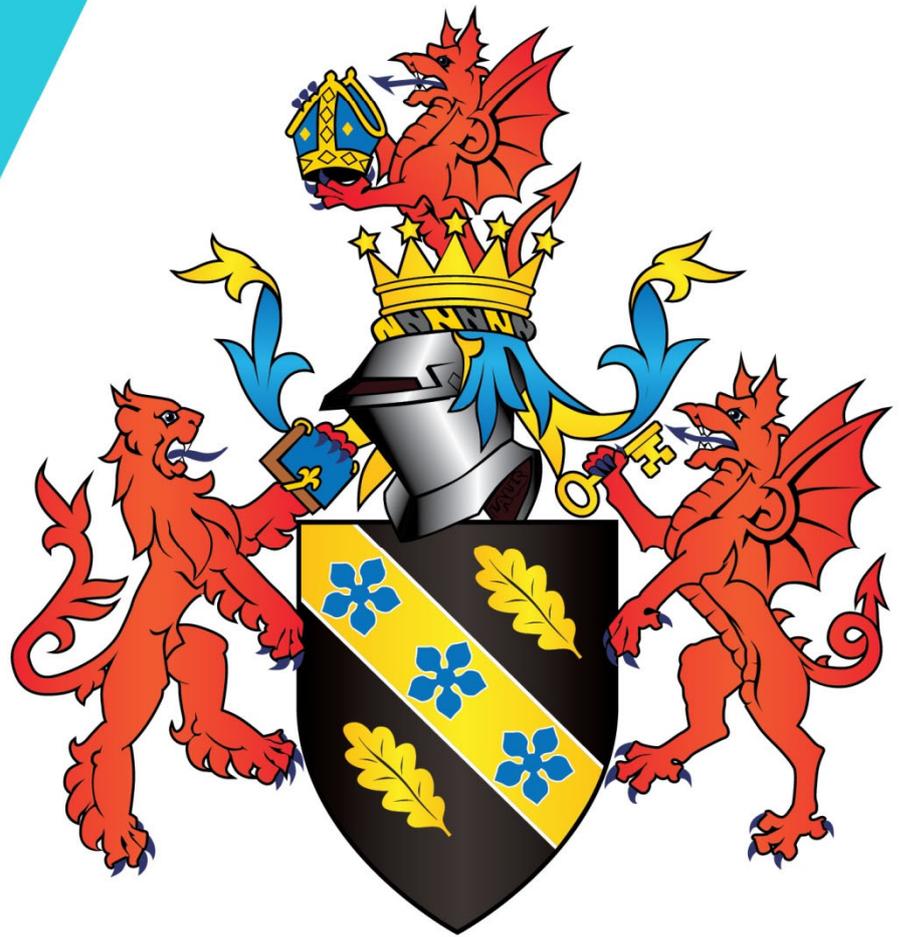




Prifysgol Cymru
Y Drindod Dewi Sant
University of Wales
Trinity Saint David



Student Complaint Policy

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1. Introduction

- 1.1. This policy covers the University's procedures in relation to complaints and concerns arising in the course of study.
- 1.2. The policy adopts the principles and good practice from a number of sector documents:
 - OIA: The Good Practice Framework: complaints and complaints (2016)
 - UK Quality Code for Higher Education: Advice and Guidance: Concerns, Complaints and Appeals (2018)

2. Guiding Principles

- 2.1. The policy aims to ensure that complaints procedures are conducted in a fair and transparent manner, ensuring that any cases are dealt with in timely manner by appropriately independent staff, with outcomes proportional to the case.
- 2.2. Remedies normally aim to return the student to the position that they would normally have been in, had the failing identified in the complaint not occurred.
- 2.3. The standard of proof to be applied is balance of probabilities.
- 2.4. This policy is designed to enable students to raise legitimate concerns without fear of disadvantage or recrimination and to enable the University, in turn, to be able to investigate such concerns in full.
- 2.5. The University is able to give formal consideration to complaints channelled through the Students' Union or, in the case of a complaint from a group of students, by representatives from the group. However, the University is unable to respond or give formal consideration to complaints by other third parties or to anonymous complaints under this procedure.
- 2.6. The University may terminate consideration of complaint if it considers it to be frivolous, vexatious or malicious. Where a complaint is found to have been brought with frivolous, vexatious or malicious intent, this may itself prove grounds for disciplinary action against the complainant under the University's Non-Academic Misconduct Policy.

3. Scope

- 3.1. This policy applies to all students, at any level of study, registered directly (or having been registered in the previous 3 months) at the University of Wales Trinity Saint David.
- 3.2. For students registered at collaborative partnership institutions or at Constituent Colleges of the University, procedures from that institution are followed in the first instance. Students who are not satisfied with the outcome of a complaint raised with the partnership institution are then entitled to submit a formal complaint to the University under this policy.
- 3.3. This policy covers complaints while on placement or exchange where the service provided by that provider has impacted on the learning experience.
- 3.4. Complaints concerning services provided by another organisation need to be directed to that organisation. For example, if you wish to make a complaint about the Students' Union, you need to raise the complaint through their procedures.
- 3.5. Complaints about staff will be referred to the appropriate HR procedure; this procedure will have separate timelines from those outlined in this policy.

- 3.6. Complaints about other students will be referred to the appropriate policy (e.g. Non-Academic Misconduct), which will have separate timelines from those outlined in this policy.
- 3.7. This policy excludes complaints made about Freedom of Information (FoI) access requests which are handled separately.
- 3.8. This policy excludes external complaints about the University which are handled separately.
- 3.9. The University will not consider any complaint where the main issues complained about took place more than 3 years before the complaint is received.
- 3.10. The following are normally not dealt with under the complaints process:
 - 3.10.1. A concern about a decision made concerning progression, academic assessment and awards.
 - 3.10.2. Dissatisfaction about the outcome of an academic misconduct or disciplinary process.
 - 3.10.3. Concern about a decision made under other specific policies, e.g. support for study, fitness to practise.
- 3.11. Complaints about payments from Student Finance should be raised with that organisation using their complaints procedure

4. Relationship and interface with other policies and procedures

- 4.1. There are a number of policies and procedures that are connected to the Student Complaint Policy, including:
 - Academic Misconduct Policy
 - Dignity at Work procedure
 - Fitness to Practise Policy
 - Support for Study Policy
 - Mitigating Circumstances Policy
 - Non-Academic Misconduct Policy
 - Professional Relationship Policy
 - Strategic Equality Plan
- 4.2. As part of the initial assessment of any case, the University will consider which policy/ies is/are the most appropriate to be used.
- 4.3. The University will reassess this as appropriate and may change or add procedures as appropriate. It may be the case that two policies are run in parallel or it could be the case that one procedure follows the other where a case contains elements belonging to more than one policy (e.g. a complaint contains elements of non-academic misconduct or bullying).
- 4.4. Where two or more policies or procedures are applicable at the same time, normally one policy will be the primary policy in terms of process.
- 4.5. Students will be informed which policy, policies and /or procedures are used in their case and in which order.

5. Responsibilities

5.1. University Responsibilities:

- 5.1.1. Complaints are overseen by Council.
- 5.1.2. The policy and procedural framework are overseen on behalf of Senate by the Pro Vice-Chancellor with responsibility for Academic Experience.
- 5.1.3. Case Officers fulfil a range of roles in relation to an academic complaint, including undertaking an initial assessment, undertaking an investigation, making a recommendation as to whether a case needs to proceed to a Formal Panel, and making a recommendation relating to an outcome. A case may have more than one Case Officer, each with a specific role in relation to the case.
- 5.1.4. A Senior Officer, not involved at any previous stage, will undertake the review of a complaint.
- 5.1.5. Deans of Institutes and Directors / Heads of Professional Units are responsible for ensuring that the procedures outlined in this policy are used appropriately, particularly in relation to any cases at an informal stage.
- 5.1.6. Programme Managers are responsible for dealing appropriately and in line with the policy with informal concerns.

5.2. Student Responsibilities

- 5.2.1. Students are responsible for:
 - 5.2.1.1. Submitting the complaint on the appropriate form.
 - 5.2.1.2. Submitting the complaint to the appropriate University Office within the timeframe.
 - 5.2.1.3. Providing any supporting evidence relating to their complaint.
 - 5.2.1.4. Awareness of University regulations.
 - 5.2.1.5. Regularly checking their University email and the information provided through the student portal.

6. Definitions

6.1. With regard to Complaints the following definitions are used:

- 6.1.1. **“Complaint”** – an expression of dissatisfaction by one or more students about an action or lack of action, or about the standard of service provided by the University or on behalf of the University.
- 6.1.2. **“Student”** - any person enrolled or registered to follow a Programme of Study or module(s) offered by the University and persons who have been students of the University for up to 3 months after they have left the University.

6.2. Where a group complaint has been made either individually or through an approved representative, they take the role of the student throughout the policy.

6.3. All students are allowed to nominate a named representative, e.g. to accompany them to any meetings or in relation to communication about their case. Legal representation is only allowed in exceptional circumstances.

7. Reasonable adjustments

- 7.1. If you have registered a disability or learning difficulty with the University, then you may find it beneficial to receive additional support to help you with the process. If so, please contact Student Services or equivalent at the Collaborative Partnership Institutions at which you are studying, which is a useful source of advice and can assist with supplying the relevant documentation in an alternative format.
- 7.2. If you expect to find it difficult to meet the deadlines expressed in this Policy because of a registered disability or learning difficulty, you should inform the University of this, ideally before the relevant deadline elapses. Additional time may be granted for submissions that meet these grounds.
- 7.3. Where students have not already formally declared a disability to the University prior to the start of a complaint process, they are advised to make such a declaration as soon as possible during the formal processes so that appropriate reasonable adjustments may be made to accommodate this.
- 7.4. The Student Services Department or equivalent at Collaborative Partnership Institutions will make the decision in relation to the exact nature of any reasonable adjustments needed, in consultation with the student and ensuring external advice is taken as appropriate. The complaint process may be suspended until reasonable adjustments have been put in place.
- 7.5. Reasonable adjustments will be made as appropriate in relation to the complaint process and communicating the outcome for all students who have a declared disability or other health issues.
- 7.6. All students will have the right to be accompanied by a person of their choosing at any meeting associated with the complaint process and is required to inform the University in writing in advance of any meeting or panel whether they intend to be accompanied. Legal representation is only allowed in exceptional circumstances. Such a request for legal representation needs to be made in writing to the Office of the relevant Pro Vice-Chancellor. The accompanying person shall not normally contribute to the discussions.

8. Support

- 8.1. Students are able to approach their Programme Manager or appropriate University officer to discuss informally any concerns that they have in relation to their course or service delivered by the University.
- 8.2. Once a complaint has been submitted formally, advice and guidance can be sought from an Academic Quality Officer.
- 8.3. In addition, the Students' Union offers students help and support in navigating University policies and procedures, and resolving issues and problems.
- 8.4. Students are also able to seek support from the Student Services Department throughout the process.
- 8.5. Support in terms of advice and guidance for the student through the process will not be provided by the same member of staff that makes a judgement in the case.
- 8.6. Members of staff within the Institutes or Professional Services are able to seek advice and guidance from the Academic Office in relation to complaints processes.

9. Equality & Diversity / Student Confidentiality

- 9.1. The University is committed to promoting equality and diversity in all its activities. In particular, this Policy should be read in conjunction with the University's statements and policies in relation to Equality & Diversity and Student Confidentiality. Students who submit a complaint will not suffer any disadvantage as a result of doing so and the student's privacy and confidentiality will be respected at all stages of the process. In submitting a complaint, however, students must accept that limited disclosure of all or part of their submission will be required to enable investigation of their case to proceed.
- 9.2. Students have the right to expect that everyone who responds to, investigates, or adjudicates upon an appeal will do so impartially. No individual, including assessors, will be permitted to act in any manner in a case in which they have a material interest or in which any actual or potential conflict of interest may arise.

10. Early Resolution Procedure

- 10.1. Most complaints can be resolved simply and swiftly in an informal manner, at a local level, by discussing the issue or concern with the relevant person.
- 10.2. For issues relating to a module or a programme of study, the relevant person will normally be the Programme Manager or the Academic Director.
- 10.3. For concerns relating to services provided by the University, the relevant person will normally be the manager of the department or service concerned.
- 10.4. The University encourages students to raise matters of concern as soon as they arise. The University seeks, in turn, to find effective remedies to those concerns as quickly as possible and with minimum disruption.
- 10.5. A student or group of students who express a specific concern about the provision of a Programme of Study, or a related academic or support service should, where appropriate, seek to resolve the matter through their Student Representatives, including, where appropriate, their Students' Union officers and Year Tutors or Personal Tutors. Staff-Student Committees can also be used for this purpose. The University will make every effort to address the concern at this stage.
- 10.6. At the informal level, remedies that may be offered include:
 - 10.6.1. An apology;
 - 10.6.2. Agreed remedy to learning environment or course;
 - 10.6.3. Resolution of the concern, e.g. access to service; time table or room change made;
 - 10.6.4. Mediation and conciliation (only by Academic Director or Head of Professional Unit);
 - 10.6.5. A financial remedy not exceeding £500; (only by Academic Director or Head of Professional Unit);
 - 10.6.6. Restitution of damage (only by Academic Director or Head of Professional Unit);
 - 10.6.7. Restorative justice (only by Academic Director or Head of Professional Unit).
- 10.7. If an issue or concern cannot be resolved through the informal complaints procedure, the student can raise a formal complaint.

11. Formal Complaints

- 11.1. Where a Formal complaint has not been raised through the Early Resolution process and it would have been appropriate, the complaint may be referred back to that level.
- 11.2. All complaints will be handled by an appropriately independent member of the University.
- 11.3. References in this policy to steps or actions by specific University post holders shall be read as including reference to their nominees. In addition, in order to avoid delays or potential conflicts of responsibilities, other staff members may undertake tasks allocated to specific post holders.
- 11.4. Procedures for complaints, outlined in this policy, describe the University's internal processes. Whilst seeking to ensure consistency of approach and application, the University reserves the right to vary the precise details of the procedure applied to the circumstances of a particular case and will inform the student when this is necessary.
- 11.5. The University will wherever possible seek to adhere to the time limits outlined within these procedures, but in cases where there are special circumstances which require variance from specified time limits, the student will be advised of the reasons for this.
- 11.6. During the application of this policy the University reserves the right to adjourn any complaints investigation or panel and reconvene at a later date.
- 11.7. It is expected that students, their representatives and staff will act reasonably and fairly towards each other and will treat the complaint process with respect. Where students/staff contravene Dignity at Work principles, the University may take disciplinary action.
- 11.8. Complaints processes normally do not include meetings that require the presence of the student. Where a student is invited to a meeting, the University reserves the right to proceed with such a meeting in the absence of the student, subject to the student having been properly notified of the date and time of the meeting. Where the student decides to leave any meeting associated with the complaint process the University reserves the right to continue with such a meeting. Where appropriate, students will be offered the opportunity to attend meetings electronically if attendance in person is not possible.
- 11.9. Where the complaint process includes a meeting with the student, the student will be invited to such a meeting, normally at least two days before the meeting.
- 11.10. Where the student has communicated in response to a meeting notification that they are not able to attend a meeting for a good reason, the University will normally rearrange the date of such a meeting.
- 11.11. The student will have the right to be accompanied by a person of their choosing at any meeting associated with the complaint process and is required to inform the University in writing in advance of any meeting or panel whether they intend to be accompanied. Legal representation is only allowed in exceptional circumstances. Such a request for legal representation needs to be made in writing to the Office of the relevant Pro Vice-Chancellor. The accompanying person shall not normally contribute to the discussions.
- 11.12. No meetings will be recorded and the University does not allow for any meetings to be recorded covertly. Notes or minutes will be provided for each meeting held.
- 11.13. Students will be supplied with a copy of this policy and procedures and will be made aware of the identity of the Case Officer(s).

- 11.14. The University will ensure that all written records related to the case are clear, accurate, and appropriate and will be stored in accordance with relevant data protection legislation.

12. Anonymous Complaints

- 12.1. Anonymous complaints will not normally be dealt with under the Student Complaints Policy as this has the potential to create unfairness within the process, particularly where allegations are made against another student and/or member of staff. Anonymous complaints may also impede the investigation and restrict the outcomes available.
- 12.2. In exceptional circumstances and for justifiable reasons related to confidentiality, the University may consider keeping the identity of the complainant anonymous.
- 12.3. Where a student believes that they have sufficient justification to remain anonymous, they should submit their reasons in writing to the Academic Office for consideration. The Academic Office will inform them of the outcome of the request to remain anonymous within 7 days.
- 12.4. The University will treat any information and supporting evidence submitted as part of a complaint with sensitivity and in accordance with University Data Protection policies.
- 12.5. Students will not be treated negatively as a result of submitting a complaint. If a student suspects that they are receiving negative treatment as a result of submitting a complaint, they should contact the Academic Office.

13. Group Complaints

- 13.1. Where a number of students are affected by the same issues of complaint at the same time, a group complaint may be submitted.
- 13.2. A group complaint may proceed under the following conditions:
 - 13.2.1. All members of the group must agree in writing that they nominate one student to act as the spokesperson for the group using the Group Consent Form. A copy must be submitted along with the complaint.
 - 13.2.2. The group spokesperson consents to represent the views and act on behalf of the group.
 - 13.2.3. Each member of the group must confirm (and be able to demonstrate) that they have been affected by the same issues outlined within the complaint. The University reserves the right to exclude a member from a group complaint where this cannot be demonstrated. Where this occurs, the student may be advised to pursue an individual complaint.
 - 13.2.4. Each member of the group confirms that they understand and agree that they would be required to collectively agree whether or not they accept the complaint outcome including any proposed practical remedy
 - 13.2.5. Each member of the group confirms agreement to all evidence submitted by the group spokesperson

- 13.3. Where a group complaint is submitted, the University will liaise with the spokesperson about matters relating to the group complaint.
- 13.4. Where attendance at a Formal Panel is required, the University reserves the right to restrict attendance to a limited number of group members, including the group spokesperson, as required.

14. Submitting a Formal Complaint (Stage 1)

- 14.1. The Complaint shall be sent to the Office of the relevant Pro Vice-Chancellor on the University's Complaint Form.
- 14.2. In the case of a group complaint, a Group Consent Form must be submitted with the University's Complaint Form.
- 14.3. Formal complaints must be received no more than 1 month after the informal procedure has ended (where appropriate) and normally no more than 6 months after the main issues complained about occurring.
- 14.4. Simple notice of complaint given in writing by a student within the above deadline shall not be deemed to constitute a complaint and shall not be accepted.
- 14.5. Formal complaints received after these deadlines will be deemed to be out of time and will not be considered unless there is independent evidence to show compelling reasons as to why the formal complaint was not raised in a timely manner.
- 14.6. The University will not consider any complaint where the main issues complained about took place more than 3 years before the complaint is received.
- 14.7. Where a complaint is deemed out of time, the University will issue a Completion of Procedures Letter on request, noting the reason why the complaint was not considered and advising the complainant that they may be able to take their complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.

15. Initial evaluation, investigation and Recommendations

- 15.1. On receipt of a complaint, a Case Officer shall be appointed.
- 15.2. Care will be taken to ensure that the Case Officer appointed is impartial and not implicated. The Case Officer is normally a member of University staff, but could, in exceptional circumstances, be external to the University.
- 15.3. If there are any concerns in relation to the Case Officer, parties are asked to express those concerns in writing to the Office of the relevant Pro Vice-Chancellor who will consider any such concerns.
- 15.4. The Case Officer shall undertake an initial evaluation to check that the complaint:
 - 15.4.1. is submitted under the correct procedures;
 - 15.4.2. does not refer to the behaviour or personal conduct of a member or staff, in which case it will be referred to the appropriate process or procedure, whether informal or formal;
 - 15.4.3. is submitted within any deadline;
 - 15.4.4. is in the required format;
 - 15.4.5. in addition, the Case Officer will assess whether the case requires particularly swift action.

- 15.5. As a result of the initial evaluation, the Case Officer will make a determination as to whether:
 - 15.5.1. mediation or conciliation may be suitable; or
 - 15.5.2. the complaint should be referred back to the early resolution procedure; or
 - 15.5.3. if the complaint needs to be taken forward under the formal processes; or
 - 15.5.4. if the complaint is deemed to lack evidence, be frivolous, vexatious or malicious and should not be taken forward; or
 - 15.5.5. the complaint is deemed out of time.
- 15.6. Where a complaint is deemed out of time, the University will issue a Completion of Procedures Letter on request, noting the reason why the complaint was not considered and advising the student that they may be able to take their complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.
- 15.7. Where a complaint is found to be frivolous, vexatious or malicious in intent, the University will not consider the complaint further. The University will issue a Completion of Procedures Letter on request, noting the reason why the complaint was not considered and advising the student that they may be able to take their complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.
- 15.8. To decide whether a complaint should be dismissed in accordance with 15.7, the Case Officer will take into account all the circumstances of the case and will consider both the contents of the complaint and the student's behaviour in relation to the complaint before reaching a decision. Complaints that are frivolous, vexatious or malicious in intent could include:
 - 15.8.1. complaints which are harassing, repetitive or pursued in an unreasonable manner;
 - 15.8.2. complaints which pursue non-meritorious complaints and/or unrealistic or unreasonable outcomes;
 - 15.8.3. complaints designed to cause disruption or annoyance;
- 15.9. Where the case proceeds to investigation, the Case Officer will normally forward the complaint to relevant senior university officer(s) for further information. The relevant senior university officer shall raise the matter with any appropriate member(s) of staff and shall submit an initial report to the Academic Office within 21 days. Where appropriate, the senior university officer may also make recommendations on possible remedies to the complaint.
- 15.10. On receipt of the initial report(s), the Case Officer may request a meeting (normally virtually) with the complainant, members of staff and/or request additional evidence/clarifications from any of the parties involved.
 - 15.10.1. The meeting(s) will seek to:
 - 15.10.1.1. clarify statements made in the formal complaint;
 - 15.10.1.2. confirm the details of the complainant's stated desired outcome;
 - 15.10.1.3. share the main points in the initial report.
 - 15.10.2. If required, the complainant shall be invited to communicate via alternative means.
 - 15.10.3. Legal representation is only allowed in exceptional circumstances.

- 15.11. On completion of the investigation, the Case Officer will produce a final complaint investigation report.
- 15.12. This report will make a recommendation to the Student Case Review Group as to whether the case needs to proceed to a panel.
- 15.13. If the recommendation is not to proceed to a panel, the recommended outcomes should be in line with the outcomes outlined in section 17.
- 15.14. The Student Case Review Group will determine if the case needs to proceed to a panel.
- 15.15. If a panel is not deemed necessary, the Student Case Review Group will consider the recommendations from the Case Officer and issue the student with an outcome letter.
- 15.16. If a panel is deemed necessary, a Formal Panel shall be arranged.

16. Complaint Panel (Formal Panel)

- 16.1. The Formal Panel shall normally meet within 35 days of receipt of the complaint. In the event that it takes longer to verify the facts to which the complaint refers or documentation to be circulated requires extensive redaction to meet data protection standards, this period may be extended.
- 16.2. The date of the meeting of the panel, membership, and format of the Formal Panel will be communicated to the student in advance of the proceedings, normally not less than ten days in advance of the meeting.
- 16.3. Any documentation for the meeting of the panel will be circulated to the members of the Panel, the student and the Case Officer, normally not less than five clear working days in advance of the meeting.
- 16.4. Following the meeting, the student will be formally notified of the outcome in writing within 14 days of the meeting of the Panel.
- 16.5. The Chair shall have discretion to declare inadmissible any matter introduced by the student, or by any witness or person accompanying the student, if they deem it not directly related to the contents of the complaint previously lodged in writing within the stipulated deadline.
- 16.6. Where a Formal Panel requires the advice of an expert to deal with a question of fact or special difficulty, such an expert may provide a written report in advance of the panel and, where appropriate, may be invited to the panel to provide expert evidence and advice to the Panel.

17. Outcomes

- 17.1. The Panel shall be empowered to take one of the following decisions:
 - 17.1.1. to reject the complaint;
 - 17.1.2. to partially uphold the complaint, and to instruct that appropriate action be taken to remedy the situation;
 - 17.1.3. to uphold the complaint and to instruct that appropriate action be taken to remedy the situation.
- 17.2. Remedies offered may include:
 - 17.2.1. An apology;
 - 17.2.2. Agreed remedy to learning environment or course;

- 17.2.3. Resolution of the concern, e.g. access to service; timetable or room change made;
- 17.2.4. Mediation and conciliation;
- 17.2.5. A financial remedy;
- 17.2.6. Restitution of damage;
- 17.2.7. Restorative justice.
- 17.3. The Complaints Panel may make recommendations for consideration through the University's committee structure as appropriate on any matter arising from the consideration of complaints.
- 17.4. The outcome of the Complaint shall be communicated to the student by means of a Complaint Outcome Letter, normally within 14 days of the meeting of the Complaints Panel.

18. Review of Complaints Outcome (Stage 2)

- 18.1. If the student is dissatisfied with the outcome of the formal stage, they may be able to request a review.
- 18.2. A request for a review may only be made on one or more of the following grounds:
 - 18.2.1. irregularities in the conduct of the complaints procedure, which are of such a nature as to cause reasonable doubt whether the same decision would have been reached had they not occurred;
 - 18.2.2. the existence of new material evidence which the student was unable, for compelling reasons, to provide earlier in the process;
 - 18.2.3. that evidence is available to show that the outcome reached at an earlier stage was unreasonable. In this context, unreasonable shall be taken to mean that the outcome was not a possible conclusion which a similar hearing or process of consideration might have reached.
- 18.3. A request for review of the complaint outcome must be received on the required form not later than 14 days after the notification of the complaint outcome.
- 18.4. Simple notice of a desire to request a review by the student within the above deadline shall not be deemed to constitute a formal request for review and shall not be accepted.
- 18.5. A request for review received after the above deadline will be deemed to be out of time and will not be considered unless there is independent evidence to show compelling reasons as to why the request for review was not submitted in a timely manner.
- 18.6. Where a request for review is deemed out of time, the University will issue a Completion of Procedures Letter on request, noting the reason why the request for review was not considered and advising the student that they may be able to take his/her complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.
- 18.7. If no request for review is received within 14 days, the University will assume that the student does not wish to request a review. Where the student subsequently requests a Completion of Procedures Letter, the University will issue a Completion of Procedures Letter, noting that the student did not engage with the request for review procedures in a timely manner and advising the student that they may be able to take his/her complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.

- 18.8. A suitable senior officer shall review the request to ascertain if the request has been made on permissible grounds and if a clear case has been made. They may refuse any request which is not based on the grounds stated above or in which it is apparent that no clear case to review the complaint outcome has been made. The student shall be informed by means of a Completion of Procedures Letter that the request for review has been rejected and that the original complaint outcome stands. The student will be advised that they may be able to take their complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.
- 18.9. If it is determined that the request has been made on permissible grounds and that a clear case for reviewing the complaint outcome has been made, the senior officer shall consider the request.
- 18.10. In reaching a decision, the senior officer shall base their decision on the evidence of the student's submission together with any further evidence which they consider relevant. This review stage will not usually consider the issues afresh or involve a further investigation. No meeting will be held as part of the review process. A Formal Panel can only be held if the matter has been referred back to the formal stage for reconsideration
- 18.11. The senior officer shall be empowered to take one of the following decisions:
 - 18.11.1. to uphold the original complaint outcome;
 - 18.11.2. to reverse the complaint decision and uphold the original decision;
 - 18.11.3. to refer the complaint back to a Formal Panel;
 - 18.11.4. to instruct that appropriate action be taken to remedy the situation.
- 18.12. The decision of the senior officer shall be final, and the matter shall, therefore, be regarded as closed. There shall be no further discussion of the decision of the senior officer with the student or any other person. There shall be no right to request a further review of the complaint outcome.
- 18.13. The decision of the senior officer shall be communicated to the student, normally within 28 days of receipt of the request for review by a revised complaint outcome letter. If the review of outcome is rejected, the student will be advised, by means of a Completion of Procedures letter, that they may be able to take their complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.
- 18.14. If on receipt of the revised Complaint Outcome Letter, if the student is dissatisfied with the outcome, the student may request a Completion of Procedures Letter be issued which will advise the student that they may be able to take his/her complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.

19. Completion of Procedures and Independent Review

- 19.1. Complaints to the Office of the Independent Adjudicator (OIA) for Higher Education must be made within 12 months of the effective date of the Completion of Procedures Letter. The effective date of a Completion of Procedures Letter will normally be the date on which it is issued. Where a request for review is deemed out of time or where a Completion of Procedures Letter is requested more than 30 days after the notification of the final decision, the effective date of any Completion of Procedures Letter will normally be the date upon which the final decision was made. Full details of the procedure will be available from the OIA website: www.oiahe.org.uk.

20. Confidentiality parameters

- 20.1. The University will be mindful of its obligations under relevant data protection regulations and the Equality Act 2010 in relation to any information shared about the complaint.
- 20.2. All parties will be reminded of the confidentiality associated with the procedures outlined above. Information associated with the case will be disclosed to as few people as possible.

21. Standard time-lines

- 21.1. Throughout the policy standard time-lines are mentioned for key stages of the process. The University will wherever possible seek to adhere to the time limits outlined within these procedures, but in cases where there are special circumstances which require variance from specified time limits, the student and any other relevant parties will be advised of the reasons for this. Processes may need to be suspended.

Key stage	Standard time-line
Invitation to meetings with Case Officers	Notice provided not less than 2 days before the meeting
Completion of investigative process	Within 21 days
Information about the format of the formal panel, membership, date and venue	Notice provided not less than 10 days in advance of the meeting
Circulation of any documentation associated with the meeting of the panel	Notice provided not less than 5 days in advance of the meeting
Notification in writing of the complaint outcome following a Formal panel meeting	Within 14 days
Completion of the formal process	40 days
Review of outcome request	Within 14 days of the date of the notification of the outcome
Completion of the review of outcome process	Within 28 days of the complaint being received

22. Monitoring

- 22.1. A student case overview report will be submitted annually to Senate and the relevant Council Committee by the Pro Vice-Chancellor with responsibility for Academic Experience. This report will also monitor the effectiveness of the policy.

23. Resource implications

Implication	Detail
Finance	<i>Training for all University members of staff involved in complaint procedures (e.g. Case Officers, Chairs and members of Complaints Panels, staff providing support to students, Senior Officers, minute takers)</i>
Staff	<i>No additional resource anticipated.</i>
Assets	<i>There are no identified asset costs.</i>
Partners	<i>Consideration will be given to the application of this policy across the dual-sector group.</i>
Timescales	<i>Once approved the policy will be implemented immediately. The policy will be regularly monitored to ensure ongoing compliance with relevant legislation.</i>
Leadership	<i>PVC with responsibility for Academic Experience</i>

24. Impact Assessment

Implication	Impact considered (Yes/No)	Impact Identified
Legal	Yes	<i>The policy conforms with:</i> <ul style="list-style-type: none"> - Contract and consumer law - The Human Rights Act 1998 - The Equality Act 2010 - Natural Justice (fairness) - Data Protection Act 2018 (and GDPR)
Contribution to the Strategic Plan	Yes	<i>The policy aligns with the values expressed in the Strategic Plan.</i>
Risk analysis	Yes	<i>Policy compliance mitigates against complaints to the OIA and complaints to the ICO.</i>
Equality	Yes	<i>The policy will ensure adherence to provisions of the Equality Act.</i>
Welsh language	Yes	<i>The policy aligns with principles expressed by the Welsh Language Act.</i>
Environmental and sustainability	Yes	<i>None identified.</i>
Communication / Media / Marketing	Yes	<i>The policy will be made available to staff and students via MyDay.</i>

25. Policy author:

25.1. Dr Mirjam Plantinga, Pro Vice-Chancellor

26. Document version control

Version No.	Reason for change	Author	Date of Change
0.1	Draft policy	KE	01.10.2019
0.2	Final approved policy	KE	16.10.2019
1.1	Annual Update	KE	25.08.2020

1.2	Annual Update	CP	15.09.2021
1.3	Annual Update	MO	07.09.2022

Current status of Policy: approved

Is the Policy applicable to: HE

Date ratified by Academic Standards Committee: 16/10/2019

Date effective from: 01/09/2019

Policy review date: 01/09/2022

For publication: on UWTSD website