

## Regulations for the investigation and determination of complaints by students

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<b>Responsibilities:</b>	Dean of Faculty Head of Service Area University Complaints Officer Partner institutions Students' Union
<b>Application to collaborative provision:</b>	<b>Mandatory</b>
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<b>Applications for exemptions to:</b>	University Learning and Teaching Committee
<b>Report exemptions to:</b>	Senate
<b>Further Guidance:</b>	QAA UK Quality Code of Higher Education: Chapter B9 Academic Appeals and Student Complaints (April 2013 - <a href="http://www.qaa.ac.uk">www.qaa.ac.uk</a> ) OIA Good Practice Framework for handling complaints and academic appeals (Dec, 2014)

### Summary/ Description:

These regulations set out the procedures through which formal complaints by students must be addressed. They emphasise informal resolution as the first objective. Complaints must be lodged in the first instance with the Dean of Faculty or Head of Service Area against whom the complaint is based.

### Version 2 06 (April 17)

- Amended deadlines and timescales in accordance with OIA guidelines.
- Amended in accordance to the University's Shape review.

### Version 2 05 (August 16)

- Replaces department with school
- Introduces 'working' days

### Version 2 04 (August 15)

- Amended in accordance with the OIA's Good Practice Framework for handling complaints and academic appeals (Dec, 2014).

**Version 2 03 (May 14)**

- References to QAA UK Quality Code of Higher Education: Chapter B9 Academic Appeals and Student Complaints
- Makes clear that a complaint deemed to be vexatious or malicious may be rejected (reg 5a) and that it is mandatory for anonymous complaints to be considered under these regulations (reg 5b)
- Expansion of the informal resolution regulation (reg 9) to make clear that a department's offer of informal resolution is made without prejudice and that informal resolution is normally the University's preferred option
- Makes clear the mandatory composition of Complaints Adjudication Panels (reg. 17a)

**Version 2 02 (Nov 11)** includes the following changes:

- Distinguishes more clearly complaints procedures from Unfair Means allegations, staff disciplinary and student disciplinary procedures (reg. 2)
- Gives specific procedure to anonymous complaints (reg. 5)
- Introduces the Director of Student Services as Dean equivalent to oversee investigation and monitoring of complaints outside of Faculty jurisdiction (regs. 10, 12e and 14e)
- Routes complaints to either the Dean or the Director of Student Services, in the first instance, to assist in monitoring investigations (reg. 10)
- Acknowledges successful localised complaints systems removed of these procedures (reg. 10)
- Allows for an alternative Investigating Officer other than the Head of Department where it is inappropriate for the Head of Department to investigate (reg. 11a)
- Introduces the right of the Vice President (Education) of Hull University Union (HUU) to make a similar report to ULTAC on numbers of complaints and themes involved as made by the Deans and Director of Student Services, thus acknowledging partnership with HUU (reg. 14d)

**Version 2 01 (Sep 10)** recognises the following change:

- The revised structure of the Committee structure

**Version 2 00** includes the following changes:

- Complaints at University level determined by a Complaints Adjudication Panel as a single tier rather than being investigated by the UCIO first
- Complaints about partner institutions and the SU considered by the University only regarding the application of procedures and not the merits of the case
- New annexes for lodging formal complaints
- Clearer definition of a 'formal' complaint.

These regulations have been written in accordance with the approach approved by ULTC to enhance clarity involving the following terminology:  
**must** = mandatory    **should** = advisable    **may** = desirable.  
 Where these terms are used they are emphasised in bold.

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## Part I: General Principles and Definitions

### 1 Introduction

- (a) The University of Hull provides a high standard of education and related services, and encourages students to inform it of any cause for concern or opportunity to make improvements.
- (b) The University is committed to handling student complaints in a way which:
  - encourages informal resolution
  - is fair and efficient
  - treats complaints with appropriate seriousness and sympathy
  - is as speedy as is consistent with a fair and thorough investigation
  - allows the University, or any part of it, to benefit from its investigation.
- (c) The investigation of student complaints shall be conducted in accordance with the following Regulations which are designed to reflect the principles of natural justice, the Quality Assurance Agency UK Quality Code for Higher Education – *Chapter B9: Academic Appeals and Student Complaints* (April 2013) and the OIA Good Practice Framework for handling complaints and academic appeals (Dec 2014).
- (d) Any reference to 'School' in these Regulations means the academic school, and any reference to '**head of school**' shall, in the case of complaints against the Students' Union, be read as a reference to the President of the Students' Union or such other person or persons as specified in the Standing Orders of the Students' Union.
- (e) Those about whom complaints are made will normally be informed about what is being claimed and who is making a complaint.
- (f) Matters outside the scope of these Regulations include matters which are the subject of a criminal investigation or proceedings until such time as those proceedings are concluded.
- (g) It is important to remember that a complaint will not always produce the outcome desired by the Complainant.
- (h) Days refer to working days, defined as Monday to Friday exclusive of Bank Holidays or any day where the University is closed for operational reasons.

### 2 Definition of Complaints

- (a) For the purpose of these regulations a complaint is an expression of dissatisfaction by one or more students about the University's action or lack of action, or about the standard of service provided by or on behalf of the University. Examples of complaints include:
  - failure by the University to meet obligations including those outlined in course or student handbooks or a student charter
  - misleading or incorrect information in prospectuses or promotional material and other information provided by the university
  - concerns about the delivery of a programme, teaching or administration including, where applicable, that provided by a partner institution
  - poor quality of facilities, learning resources or services provided directly by the University
  - complaints involving other organisations or contractors providing a service on behalf of the University

Some issues may more appropriately be considered under alternative processes rather than under the complaints procedure. For example, the following are not normally dealt with as complaints:

- a concern about a decision made by an academic body regarding student progression, academic assessment and awards
- dissatisfaction about the outcome of an academic misconduct or disciplinary process
- a concern about a decision made under other specific regulations, such as fitness to practise
- matters relating to the Student Loans Company, which has its own complaints procedures.

### ***Appeals and Complaints***

- (b) These Regulations only apply to complaints and do not apply to academic appeals. An academic appeal is any request made by a student to review a decision about their progress on or results of their programme of study, including the award of any qualification.

In circumstances where there are grounds for both an appeal and a complaint the Chair of Student Progress Committee or Research Degrees Committee and the person responsible for investigating the complaint in accordance with these Regulations shall jointly review the manner in which the two matters are to be handled and the appropriate timescale. The student must be informed in writing within five working days of the review of which specific issues will be considered under which specific procedure, directed to any alternative appropriate procedure for any of the remaining issues and told where responsibility for overall conduct of the matter lies and who will issue the final decision. If the student agrees, matters which are covered by separate procedures may be dealt with together, either in whole or in part, provided that the student has been informed of the implications, if any, of following two procedures at the same time, particularly where one procedure may be suspended pending the completion of another. For example, if a complaint covers issues that fall within the remit of other procedures or covers issues of service delivery as well as the conduct of an individual member of staff, investigations can be conducted collaboratively.

- (c) These regulations do not apply to complaints about the academic or other conduct of a student or students, which should be considered under the Student Disciplinary Regulations. They do however apply to complaints about a failure to deal with matters, including disciplinary matters and academic appeals, in accordance with University procedures. If a complaint about a failure to follow procedure in respect of a decision of a University committee or other decision-making body which is stated to be final and not subject to further appeal is upheld, the decision will be referred back to that body for redetermination.

### ***Complaints about staff***

- (d) When complaints are raised against staff it is essential that the investigation is conducted by an individual who is independent of the situation. Appropriate support must be put in place to help the student and staff member through the process. It is important to ensure that there are robust governance arrangements in place that set out clear procedures for handling such complaints.

### **3 Complaints involving other organisations or contractors who provide a service on behalf of the University**

If the University engages a third party to provide a service to students on behalf of the University, the School or Head of Service Area engaging that third party must ensure that an appropriate complaints procedure is available to students and that robust information sharing arrangements are in place. If a student wishes to complain about the service of another organisation provided on behalf of the University, for example accommodation services or IT, the student should be advised to contact the appropriate organisation directly. A complaint about a service provided by another organisation, for example, a placement provider, which the student feels has impacted on his or her learning experience must be made directly to the University.

### **4 Confidentiality**

All involved in the investigation or determination of a complaint in any capacity, including the complainant, must respect the confidentiality of any document or other information generated in, or as a result of, that complaint, and must not disclose such information to any-one other than those who need it for the purposes of investigating or responding to the complaint. No third party should be told any more about the investigation than is strictly necessary in order to obtain the information required from them.

If a complaint has been raised against a student or member of staff and has been upheld, the student bringing the complaint will be advised of this. However, it may not be appropriate to share specific details affecting individual students or staff members, particularly where disciplinary action is being taken.

Any person who discloses information in breach of this regulation may be liable to disciplinary action under the appropriate University Regulations and Procedures.

### **5 Application of the University Policy on Harassment**

No student will be disadvantaged or discriminated against as a result of making a complaint in good faith in accordance with these regulations. Allegations of such disadvantage or discrimination are grounds for complaint under these Regulations.

### **6 Anonymous, Vexatious or Malicious Complaints**

- (a) A complaint which is deemed vexatious or malicious may be rejected by the person responsible for its investigation, subject to the Complainant being informed in writing within five working days of the decision, the reasons why the complaint is regarded as vexatious or malicious and their right to appeal against the decision by referring the matter to the Complaints Officer within 10 working days. Examples of vexatious or malicious complaints include:
- complaints which are obsessive, harassing, or repetitive
  - insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes
  - insistence on pursuing what may be meritorious complaints in an unreasonable manner
  - complaints which are designed to cause disruption or annoyance
  - demands for redress which lack any serious purpose or value.
- (b) Students are encouraged to complain about legitimate issues and will be supported in doing so. If a student identifies her or himself but requests

anonymity that request will be considered on a case by case basis and will be determined on the basis of fairness to all involved. Where a request for anonymity has been refused, the student must be informed of the reasons in writing within five working days and the complaint must not be taken further under these Regulations without written agreement from the student. If the student does not give that consent within 10 working days, the complaint will be treated as an anonymous complaint. Anonymous complaints will have their contents noted for further action by relevant authorities but **cannot** be considered under these complaints procedures and regulations and, where they are completely anonymous, with due regard to the possibility that they may have been made vexatiously or maliciously.

## **7 Who may complain**

- (a) A complaint may be made only by a student or group of students, but will not normally be considered if raised by a representative or third party.
- (b) Students can view guidance in respect of the Complaint's Policy on-line through the University Student Handbook. Students may also seek independent advice and support from the Students' Union Advice Centre.
- (c) These Regulations and associated documents will be made available in accessible formats and the University will make and document reasonable adjustments on a case by case basis to take account of the individual needs of students.
- (d) Students with declared mental health issues will be advised of specific support services available to them within the University, for example counselling services and, where appropriate, services external to the University. If a student appears unable to engage effectively with the complaints process, the consideration of their complaint may be suspended until they have accessed appropriate support.

## **8 Complaints Officer**

The University Learning and Teaching Committee shall nominate a University Complaints Officer who shall be responsible in the first instance for ensuring that these regulations are complied with, and for providing advice on their interpretation.

## **9 Legitimate Incidental Expenses**

A successful Complainant shall be entitled to the payment of legitimate and reasonable incidental expenses necessarily incurred in relation to the complaint, which may include the cost of travel to a hearing and overnight accommodation, but does not include the cost of producing or copying evidence relevant to the complaint, or the obtaining of any advice or instruction relating to the complaint. The Head of School or Service Area, Complaints Officer, or Chair of the Complaints Adjudication Panel shall determine which expenses shall be paid following a successful complaint, subject to any further guidance or instruction which may be issued by the Director of Finance. Such expenses will normally be borne in full by the School or Service Area which is the subject of the complaint.

## Part II: Complaints to the Provider of the Service

### 10 Informal Resolution

- (a) Informal resolution (including mediation where appropriate) of a dispute, at whatever stage of the process, is the University's preferred option.
- (b) Students are encouraged in the first instance to raise matters of complaint relating to their programme of study with their Personal Supervisor, Academic Support Tutor, Director of Student Experience or the Student Hub. Any matter not relating to the programme of study should be raised with a member of staff from the school or service area responsible for providing the service. The matter must be raised within three months of the date on which the event complained about occurred, or on which the complainant could reasonably be expected to have known about the matter.
- (c) The person or persons with whom the matter is raised shall endeavour to establish whether the matter can be satisfactorily resolved, and shall ensure that the matter is discussed with the Complainant within 15 working days of the matter being received.
- (d) Informal resolution is only achieved when both parties are in agreement. Any offer of informal resolution **must** be made without prejudice to the right of the Complainant to insist that their complaint is considered fully in accordance with these Regulations, in which case any offer previously made on behalf of the University will be a factor to be taken into account in the subsequent stages of the complaint.
- (e) A record **must** be kept of any meeting or discussion with the Complainant.

### 11 Making a Formal Complaint

- (a) Where a student wishes to make a formal complaint, whether or not the matter was first raised informally, s/he **should** submit the complaint in writing to the Dean of Faculty if the complaint relates to an academic, school or faculty matter, or to the Head of the relevant Service Area if the complaint relates to a service area using annexe 2 of these regulations.
- (b) The Dean or Head of Service Area will appoint an appropriate (impartial) Investigating Officer, who will normally be a senior member of staff from the School or Service Area which is the source of the complaint. The Faculty Office or Service Area will record the receipt of the complaint and the Investigating Officer assigned. The Investigating Officer must not have any conflict of interest and the Dean or Head of Service Area must consider this when appointing the role of Investigating Officer.
- (c) 'Senior' in paragraph 11b shall be satisfied by either the status or length of service of the person concerned.
- (d) A formal complaint **must** be made within three months of the date on which the event complained about occurred, or on which the complainant could reasonably be expected to have known about the matter.

### 12 Investigation

- (a) The Investigating Officer will interview the Complainant and any other persons who appear relevant and obtain any relevant documentation.



- (b) The Complainant may be accompanied at the interview by a person of his or her choosing, provided that such person shall not speak for the Complainant other than with the permission of the Investigating Officer.
- (c) Where the complaint is made by a student who has a known disability or declares a disability when making the complaint, whether or not the complaint relates to that disability, the complaint must be copied to the University Disability Liaison Officer who shall advise on any appropriate arrangements which shall be made in the light of the disability.

### **13 Determination**

- (a) Within 25 working days of receiving the complaint the Investigating Officer shall provide the Complainant and the Dean of Faculty or Head of Service Area with a written report:
  - summarising the nature of the complaint and the evidence obtained
  - identifying any witnesses interviewed or otherwise consulted
  - stating the Investigating Officer's conclusions, including whether or not the complaint is upheld, and any recommendations, including as to any action to be taken in response to the complaint (irrespective of whether the complaint is upheld or not), which may include the re-consideration of any decision relating to the Complainant, financial compensation, consideration of disciplinary action against a member of staff or student, or a combination of these
  - explaining the right of the Complainant to request a review within 15 working days to the Complaints Officer where the complainant remains dissatisfied.
- (b) Where the Investigating Officer is unable to provide this report within 25 working days he or she must inform the Complainant in writing before the expiry of the deadline that this deadline cannot be achieved, the reasons for this, and a clear date by which the report will be completed.
- (c) If the Complainant is satisfied with the outcome recommended in the report he or she must inform the Dean or Head of Service Area and the Investigating Officer in writing of that decision.
- (d) The Dean or Head of Service Area shall be responsible for ensuring that any recommendations included in the report are implemented as soon as reasonably practicable.

## **Part III: Review**

### **14 Making a Complaint**

Where a Complainant remains dissatisfied with the outcome of his or her complaint investigated and determined in accordance with Part II of these Regulations, he or she shall inform the University Complaints Officer in writing using the Complaints Application and Monitoring Form - annexe 3 of these regulations - within 15 working days of receiving the Investigating Officer's report, providing a copy of the report, and stating the reasons why he or she finds the outcome unsatisfactory, and explaining the outcome desired.

### **15 Procedure for determining a complaint**

- (a) On receipt of a complaint in accordance with the above regulation, the Complaints Officer shall determine if the complaint meets the requirements of these regulations.

- (b) If the complaint does not meet the requirements s/he shall reject the complaint and inform the complainant in writing of the reasons for the rejection.
- (c) If the complaint does meet the requirements, and is not a complaint against the Students' Union, s/he shall cause a University Complaints Adjudication Panel to be established within 25 working days of the date of receiving the complaint. The Panel shall be conducted in accordance with regulations 16 to 18 below
- (d) If the complaint does meet the requirements, and is a complaint against the Students' Union the complaint shall be determined by the University Complaints Officer in accordance with regulation 19.
- (e) Where the complaint is made by a student who has a known disability or declares a disability when making the complaint, whether or not the complaint relates to that disability, the complaint shall be copied to the University Disabilities Officer who shall advise on any appropriate arrangements which shall be made in the light of the disability.

#### **16 Membership of the Complaints Adjudication Panel**

- (a) The Complaints Adjudication Panel **must** comprise the following members:
  - A senior member of academic staff
  - A senior member of administrative staff
  - An elected sabbatical officer of the Students' Union, nominated by his or her fellow officers

provided that none of the above shall be a member of the School or Service Area which is the subject of the complaint, or otherwise have a material interest in that School or Service Area. Prior to the hearing the Panel **must** agree on which member shall act as Chair.
- (b) 'Senior' in paragraph 16a shall be satisfied by either the status or length of service of the person concerned.
- (c) The Complaints Officer or his or her nominee shall act as Secretary to the Panel, provided that the Officer or nominee is not a member of the School or Service Area which is the subject of the complaint or otherwise has a material interest in that School or Service Area. The Secretary shall be responsible for making a record of the proceedings, and providing advice on matters of regulations and procedures as requested by the Panel, but shall not otherwise take part in the proceedings or the making of the decision.

#### **17 Conducting the Hearing**

- (a) The Complainant and the representative from the School or Service Area which is the subject of the complaint, are entitled to be heard by the Panel, either together or separately as shall be agreed by the parties and the Panel.
- (b) The Complainant may be accompanied by a person of his or her choosing, provided that such person may not speak for the Complainant other than with the permission of the Panel.
- (c) The Panel may call any other person of its choosing or require any evidence to be presented as it deems appropriate.

## **18 Determination by the Panel**

- (a) Once the Panel is satisfied that it has received sufficient information on which to make a decision, and that both parties have had a fair opportunity to make their case, it shall require all parties to withdraw while it makes a decision.
- (b) The Panel may uphold or reject the complaint, and order such corrective or other action as it deems justified, including the adjustment or re-consideration of decisions relating to the complainant's academic progress, financial compensation, the consideration of disciplinary action against a member(s) of staff or student(s), or a combination of these.
- (c) Paragraph (b) shall not empower the Panel to make a decision which involves the exercise of academic judgement, such as the award of a particular mark or classification. Such matters **must** be referred to the relevant board of examiners.
- (d) Both parties **must** be informed in writing within 10 working days of the meeting of the decision of the Panel, the reasons for the decision, and any corrective or other action ordered by the Panel.

## **19 Complaints against the Students' Union**

- (a) Where a complaint received in accordance with these regulations is a complaint against the Students' Union, it shall be limited to challenging the application of the procedure through which the complaint was investigated by the Students' Union.
- (b) On receipt of a valid complaint the Complaints Officer shall cause an investigation to be made, which should involve:
  - Requesting from the complainant such further information as the Officer considers appropriate
  - Providing a copy of the complaint and supporting evidence to the Students' Union, requesting such response and further evidence as the Students' Union wishes to make
  - Providing a copy of the Students' Union's response and further evidence to the complainant inviting any final comment which the complainant may wish to make.
- (c) For each stage of the process set out in paragraph (b) above the party concerned shall respond within 15 working days of receiving the request.
- (d) Where the Complaints Officer is satisfied that s/he has sufficient information on which to proceed, s/he shall issue a draft report within 15 working days to the complainant and Students' Union, inviting both to indicate within a further 15 working days if they consider that the report contains any material inaccuracy.
- (e) Following receipt of any comments, or the expiry of 15 working days, whichever is the later, the Complaints Officer shall issue a final report to both parties incorporating any changes as to accuracy. In the event of any disagreement as to accuracy, the Complaints Officer may attach the comments received to the final report in place of making changes to the text of the report.
- (f) The Complaints Officer shall include the following information in the report:

- a summary of the nature of the complaint and the evidence obtained
  - his or her conclusions, including whether he or she upholds the complaint, and
  - any recommendations, including as to any action which should be taken in response to the complaint (irrespective of whether the complaint is upheld or not) provided that such recommendations shall be restricted to the Students' Union's regulations and procedures, and the procedure through which the specific case was considered.
- (g) Where the Complaints Officer upholds the complaint the Students' Union shall re-consider the original complaint, taking into account any evidence, other than new material, obtained through the University's investigation, addressing any defect in the application of the Students' Union's procedures identified by the Complaints Officer.

## **20 Finality**

The decision of the Panel under regulation 18, and of the Complaints Officer under regulation 19, shall be final and not subject to further challenge within the University of Hull.

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

- (a) A complainant who remains dissatisfied with the outcome of a decision under this Part of the Regulations may be entitled to complain to the Office of the Independent Adjudicator for Higher Education (OIA).
- (b) The notification of the decision of the Panel in writing, issued under regulation 18(d) above, and of the Complaints Officer under regulation 19(e) shall constitute the Completion of Procedures Letter and must comply with any guidance issued by the OIA.

## **Part IV: Complaints by Students registered for Collaborative Programmes leading to University of Hull Awards**

### **22 Complaints by students on collaborative programmes**

- (a) A complaint by a student on a collaborative programme (leading to a University of Hull award) about any service provided by the partner institution responsible for the delivery of the programme shall be made to the partner institution using its complaints procedures.
- (b) A complaint by such a student about any service provided by the University shall be made to the Faculty Dean or Head of Service Area which provides the service complained of in accordance with Part II of these regulations.

### **23 Complaints Procedures at the Institution delivering the Programme**

- (a) It shall be the responsibility of all Institutions (hereafter 'partner institution') offering programmes of study which lead to awards of the University of Hull (hereafter 'collaborative programmes') to establish regulations and procedures which reflect the Expectation set out in the Quality Assurance Agency UK Quality Code of Higher Education: Chapter B9 Academic Appeals and Student Complaints (April 2013 - [www.qaa.ac.uk](http://www.qaa.ac.uk)), and the following general principles embodied in the University of Hull Complaints Regulations:
- Introduction (Reg. 1)
  - Definition of Complaints (Reg. 2)

- Confidentiality (Reg. 4)
  - Application of the University Policy on Harassment (Reg. 5)
  - Vexatious and Malicious complaints (Reg. 6)
  - Who may complain (Reg. 7)
  - Legitimate incidental expenses (Reg. 9).
- (b) The regulations and procedures established by the partner institution shall specifically provide for the production of a report by the person or persons responsible for determining the complaint, which shall include:
- a summary of the nature of the complaint and the evidence obtained
  - the details of any witnesses interviewed or otherwise consulted
  - his or her conclusions, including whether he or she upholds the complaint, and
  - any recommendations, including as to any action which should be taken in response to the complaint (irrespective of whether the complaint is upheld or not), which may include the re-consideration of any decision relating to the complainant, financial compensation, consideration of disciplinary action against a member of staff or student, or a combination of these
  - an explanation of the right of the complainant to make a further challenge within 15 working days to the University of Hull Complaints Officer where the complainant remains dissatisfied.
- (c) The regulations and procedures **must** be approved by the Governing Body of the partner institution, or such other body as the Governing Body shall determine.

## **24 Provision of a Copy of the Regulations to the University**

- (a) The partner institution must designate an officer or committee responsible for the institution's complaints procedures, and inform the University Complaints Officer of the identity of the said officer or Committee.
- (b) The officer or committee referred to in paragraph (a) **must** provide the University Complaints Officer with a copy of the complaints regulations and procedures in force at the current time, and advise of any changes to those regulations and procedures.
- (c) The University Complaints Officer must draw any complaints regulations and procedures that do not comply with Regulation 23 to the attention of the University Learning and Teaching Committee.

## **25 Right of Complaint to the University of Hull**

- (a) Where a complainant on a collaborative programme is dissatisfied with the outcome of his/her complaint made to, and determined by, the partner institution s/he may complain to the University in accordance with the following paragraphs.
- (b) A complaint shall be limited to challenging the application of the procedure through which the original complaint was considered by the partner institution.
- (c) A complaint may only be made where the complainant has exhausted the procedures at the partner institution or where s/he can demonstrate that the partner institution has failed to follow its procedures in such a way that this failure is likely to have materially affected the outcome of the complaint.

- (d) A complaint **must** be made in writing using the University's Complaints Application and Monitoring Form (Collaborative Provision) - annexe 4 of these regulations) - and be submitted to the University Complaints Officer within 15 working days of receiving the final decision of the partner institution. The complaint shall include a copy of the partner institution's final determination and any other evidence which the complainant believes is relevant to the matter.
- (e) On receipt of a valid complaint the Complaints Officer shall cause an investigation to be made, which should involve:
- requesting from the complainant such further information as the Officer considers appropriate
  - providing a copy of the complaint and supporting evidence to the partner institution, requesting such response and further evidence as the partner institution wishes to make
  - providing a copy of the partner institution's response and further evidence to the complainant inviting any final comment which the complainant may wish to make.
- (f) For each stage of the process set out in paragraph (e) above the party concerned shall respond within 10 working days of receiving the request.
- (g) Other than in exceptional circumstances as determined by the Complaints Officer, an investigation will not involve a meeting with either the complainant or the partner institution.
- (h) Where the Complaints Officer is satisfied that s/he has sufficient information on which to proceed, s/he shall issue a draft report within 10 working days to the complainant and partner institution, inviting both to indicate within a further five working days if they consider that the report contains any material inaccuracy.
- (i) Following receipt of any comments, or the expiry of 10 working days, whichever is the later, the Complaints Officer shall issue a final report to both parties incorporating any changes as to accuracy. In the event of any disagreement as to accuracy, the Complaints Officer may attach the comments received to the final report in place of making changes to the text of the report.
- (j) The Complaints Officer shall include the following information in the report:
- a summary of the nature of the complaint and the evidence obtained
  - his or her conclusions, including whether he or she upholds the complaint, and
  - any recommendations, including as to any action which should be taken in response to the complaint (irrespective of whether the complaint is upheld or not) provided that such recommendations shall be restricted to the partner institution's regulations and procedures, and the procedure through which the specific case was considered.
- (k) Where the Complaints Officer upholds the complaint the partner institution shall re-consider the original complaint, taking into account any evidence, other than new material, obtained through the University's investigation, addressing any defect in the application of the partner institution's procedures identified by the Complaints Officer.

## **26 Finality**

The decision of the Complaints Officer shall be final and not subject to further challenge within the University of Hull.

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

- (a) A complainant who is dissatisfied with the outcome of the decision of the Complaints Officer may be entitled to complain to the Office of the Independent Adjudicator for Higher Education (OIA).
- (b) The Complaints Officer's report issued in accordance with Regulation 25 above shall constitute the Completion of Procedures Letter and shall conform to any guidance issued by the OIA.

## **Part IV: Monitoring of Complaints**

### **28 Monitoring of Complaints – Reports to University Complaints Officer**

- (a) The Dean of each Faculty and the Head of each Service Area **must** make an annual report to University Complaints Officer of complaints lodged, setting out:
- The number of formal complaints lodged
  - The number of those formal complaints upheld and rejected
  - The number of formal complaints divided by ethnic origin, gender and disability
  - A concise and anonymous summary of the issues raised, any action recommended and taken.
- (b) The Dean of each Faculty, the Head of each Service Area and the President of Hull University Union shall keep under review, and make recommendations to such University Complaints Officer as to the:
- adequacy of advice guidance and support mechanisms for students
  - adequacy of staff development and support for those operating the complaints procedures
  - the level of understanding of staff and students of the procedures
  - the effectiveness of the overall procedures in meeting their aims.

### **29 Monitoring of Complaints – Reports to University Learning and Teaching Committee**

- (a) The University Complaints Officer shall make an annual report to the University Learning and Teaching Committee of all complaints determined under these Regulations, including
- The number of complaints made, and upheld or rejected
  - The nature of the matters raised and any remedial action recommended and taken
  - The ethnic origin, gender and any disability of the complainants.
- (b) The University Complaints Officer shall keep under review, and make recommendations to such University Officer or Committee, or other bodies as he or she deems appropriate, as to the:
- adequacy of advice guidance and support mechanisms for students
  - adequacy of staff development and support for those operating the complaints procedures
  - the level of understanding of staff and students of the procedures
  - the effectiveness of the overall procedures in meeting their aims.

- (c) The Vice-President (Education) of Hull University Union may also make a similar report to University Learning and Teaching Committee, according to HUU records, setting out:
- The number of formal complaints lodged
  - The number of those formal complaints upheld and rejected
  - The number of formal complaints divided by ethnic origin, gender and disability
  - A concise and anonymous summary of the issues raised, any action recommended and taken.

### **30 Monitoring of Complaints at partner institutions**

- (a) The partner institution must include in its annual Partner Quality Enhancement Report to the University the following information relating to complaints received by it from students undertaking programmes leading to University of Hull awards:
- The number of complaints made, and upheld or rejected
  - The nature of the matters raised and any remedial action recommended and taken
  - The ethnic origin, gender and any disability of the complainants.
- (b) Partner institutions must keep under review their complaints regulations and procedures taking into account:
- adequacy of advice guidance and support mechanisms for students
  - adequacy of staff development and support for those operating the complaints procedures
  - the level of understanding of staff and students of the procedures
  - the effectiveness of the overall procedures in meeting their aims.
- (c) The University Complaints Officer must make an annual report to the University Learning and Teaching Committee regarding all complaints received from students undertaking collaborative programmes including the following information:
- The number of complaints made, and upheld or rejected
  - The nature of the matters raised and any remedial action recommended and taken
  - The ethnic origin, gender and any disability of the complainants.