



**UNIVERSITY
OF HULL**

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

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

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

1. Introduction

- 1.1 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. Often, this communication can be handled as informal feedback at a local level. Where things have gone wrong and a complaint is made, these procedures must be followed.
- 1.2 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.
- 1.3 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 – Advice and Guidance on Concerns, Complaints and Appeals (Nov 2018) and the OIA Good Practice Framework for handling complaints and academic appeals (Dec 2016).
- 1.4 Any reference to ‘head of academic area’ 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.
- 1.5 Any reference to University Complaints Investigation Officer (UCIO) shall include their designated nominee.
- 1.6 Those about whom complaints are made will normally be informed about what is being claimed and who is making a complaint.
- 1.7 Matters outside the scope of these Regulations include:
 - matters which are the subject of legal proceedings until such time as those proceedings are concluded
 - any matter/decision where there is an appeals route that can be followed (e.g. Academic misconduct, Fitness to practice, student disciplinary regulations)
 - concerns raised by a 3rd party (*3rd party complaints can be dealt with at a local level*)
 - any complaint which has already exhausted this procedure

- issues not raised in a timely manner, normally **within 3 months** of the event leading to the complaint
- complaints from applicants, which are subject to separate procedures
- a concern about a decision made by an academic body regarding student progression, academic assessment and awards

- complaints about the conduct of a student or students, which should instead be considered under the Student Disciplinary Regulations.
 - the service of another organisation provided on behalf of the University. In these cases, the student should be advised to contact the appropriate organisation directly, who will be expected to have robust complaints procedures in place.
 - dissatisfaction about the outcome of an academic misconduct or disciplinary process
 - matters relating to the Student Loans Company, which has its own complaints procedures.
- 1.8 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

- 2.1 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, student charter or accommodation contract
 - 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
 - the quality and standards of a service provided by the University, including learning and teaching provision, advice, resources and facilities
 - failure to properly apply an administrative or academic process
 - concerns about the impact of a University policy, even if it has been correctly applied
 - a complaint about an academic service provided by another organisation, for example, a placement provider, which the student feels has impacted on their learning experience

3. Who may complain

- 3.1 A complaint may be made only by a student or group of students, including those on a leave of absence, temporary withdrawal, temporary exclusion or suspension and those who have recently left the University – normally within 3 months of leaving
- 3.2 Complaints by third parties (i.e. by individuals or organisations other than the actual student) are not normally accepted.
- 3.3 A complaint may be submitted by a group of students acting collectively, provided that all named individuals have signed up to it. In order to manage the process effectively, students will be asked to nominate one person to act as representative and main contact, and who will be expected to liaise with the others and keep them informed. All students who are party to a collective complaint will receive the same outcome. If any student wishes to withdraw from the collective complaint and lodge an individual complaint, they may choose to do so.

- 3.4 Students can view guidance in respect of these Regulations online. Students may also seek independent advice and support from the Students' Union Advice Centre.
- 3.5 These Regulations and Procedures 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.
- 3.6 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.

4. Academic appeals and complaints

- 4.1 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.
- 4.2 In circumstances where there are grounds for both an appeal and a complaint the Chair of Student Cases 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.
- 4.3 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.

5. Confidentiality

- 5.1 All involved in the investigation or determination of a complaint in any capacity, including the student, 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.
- 5.2 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.
- 5.3 Any person who discloses personal or confidential information in breach of this regulation may be liable to disciplinary action under the appropriate University Regulations and Procedures.
- 5.4 Detailed records of the formal complaint submission, investigation and outcome, as well as of any review, will be kept in accordance with our Data Retention Policies.

5.5 Information received during the investigation will normally only be used for addressing the complaint. However, if information is shared with us which we are obliged to share due to the University's safeguarding, fitness to practise or other legal or professional obligations, we will do so.

6. Application of the University Policy on Harassment

6.1 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 any such disadvantage or discrimination are grounds for complaint under these Regulations.

7. Anonymous, vexatious or malicious complaints

7.1 A complaint which is deemed vexatious or malicious may be rejected, subject to the student 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 UCIO within 10 working days.

7.2 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.

7.3 Students are encouraged to complain about legitimate issues and will be supported in doing so. If a student identifies themselves, but requests anonymity, that request will be considered 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 Regulations and, where they are completely anonymous, with due regard to the possibility that they may have been made vexatiously or maliciously.

8. Complaint investigation principles

8.1 The procedure for investigating complaints has been designed with reference to the Office for the Independent Adjudicator's Good Practice Framework and the Quality Assurance Agency's UK Quality Code, Advice and Guidance: Concerns, Complaints and Appeals. In investigating a complaint, we will adhere to the following principles:

- In the first instance, complaints will be considered as close to the source and as informally as possible. Where the complaint is considered to be of a serious or complex nature, the complaint may, where appropriate and at the discretion of the UCIO, be raised to the formal stage.
- complaints will be dealt with in a fair, transparent and timely manner and in line with our Equality and Diversity policy
- the investigation, and evidence required, will be proportionate to the issues raised

- students will not be victimised or disadvantaged for bringing a complaint
 - complaints will be monitored and anonymously reported on to understand and address, where possible, the root causes
 - where an investigation identifies problems in our service provision, we will take steps to prevent any recurrence
 - throughout the process, the focus will be on resolving issues, not apportioning blame.
- 8.2 To give us the opportunity to respond, complaints should be brought to the attention of the University as soon as possible following the occurrence of the events in question. We will normally only investigate complaints that are made within 3 months of the event. The University may consider complaints made outside this timescale where exceptional circumstances have prevented the complaint being raised, for example if the student experienced significant health issues. Such requests, accompanied by supporting evidence, will be considered by the UCIO.
- 8.3 Staff who investigate complaints must not have been involved in the matters leading to the complaint and must be free from actual or perceived conflicts of interest.
- 8.4 The standard of proof to be applied shall be that used in civil court cases, i.e. on a balance of probabilities.
- 8.5 The University reserves the right to refuse to investigate or to suspend any investigation underway where it becomes aware that police, legal, court or tribunal proceedings have been initiated in relation to the issues raised in the complaint. Similarly, if there are allegations of a criminal offence, the University may refer the matter to the police and suspend its own proceedings until the outcome of any police investigation or criminal proceedings are known, other than where the University deems it appropriate to act in the interests of the safety and wellbeing of students, staff and third parties, including visitors.
- 8.6 The University may also suspend an investigation on health grounds, where either the student or key staff are unable to fully engage in the process. Suspending an investigation will 'stop the clock' on all timescales outlined in this procedure.
- 8.7 The investigation will deal with the substance of the core concerns identified. However, in complex cases the investigator may not be able to provide a detailed response to all the matters raised. Only those issues raised at the outset will be investigated – new issues will not normally be permitted to be added to an existing complaint.
- 8.8 It is expected that all parties involved will act reasonably, fairly and courteously towards each other and respect the processes. If it is considered that a concern/complaint, or behaviour associated with it, to be grossly unreasonable, action may be taken. In appropriate cases, disciplinary action may be taken.
- 8.9 During the investigation, students are expected to engage in the process in a positive manner, and to reply to queries in a reasonable timeframe and respectful manner.
- 8.10 It is expected that students will continue to pay all tuition, accommodation and other fees due to the University during the investigation.

9. Submission of a complaint

- 9.1 Students will be encouraged to raise issues as soon as possible and with the most relevant local member of staff, e.g. Personal Supervisor, Student Hub or directly to the service provider.
- 9.2 Complaints will normally only be considered if raised within 3 months of the events in question.
- 9.3 At the first stage, a complaint can be raised verbally or in writing, but must be raised in writing at later stages.

10. Complaint investigation process

10.1 The complaint investigation process consists of three distinct stages:

- **Stage 1: Local informal resolution** - designed to address straightforward concerns swiftly and locally, for example at academic unit or faculty level, before a student escalates them into a formal complaint. This might include, for example, face to face discussion with the student, or asking an appropriate member of staff, or mediator or conciliator, to deal with the matter.
- **Stage 2: Formal investigation** - used where a student is dissatisfied with the outcome of informal resolution, or where informal resolution is not possible or suitable due to the character, complexity or seriousness of the case. The formal stage should normally be dealt with by people who have not been involved previously and may include mediation or conciliation where appropriate.
- **Stage 3: University review** - where the student can appeal to a higher level within the University for a review of the process of the formal complaint to ensure that appropriate procedures were followed, and that the decision was reasonable. This stage does not normally require a reconsideration of the issues raised

11. Stage 1 - Local informal resolution

- 11.1 Informal resolution of a dispute (including mediation where appropriate), at any stage of the process, is the University's preferred option, and the default first step of the complaint investigation process. By quickly and informally resolving issues, the impact on the student experience is minimised, the process is more efficient, and the University has the chance to quickly identify and rectify any problems with its process or their interpretation.
- 11.2 Students are encouraged in the first instance to raise matters of complaint relating to their programme of study with their Personal Supervisor, Associate Dean 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 academic unit or service area responsible for providing the service. The matter must be raised within 3 months of the date on which the event complained about occurred, or on which the student could reasonably be expected to have known about the matter.
- 11.3 Some areas of the University, particularly service areas, will wish to have their own local complaints procedure. If this is the case, such local procedure must be considered by the UCIO to ensure that it meets internal and external expectations and must be approved by the UCIO.
- 11.4 The student **must** outline the issue or event that has given rise to the complaint, the effect on them and any suggested solution and/or remedy that they are seeking.

- 11.5 The person or persons with whom the matter is raised shall endeavour to establish whether the matter can be satisfactorily resolved.
- 11.6 If it is clear to the person with whom the matter is raised that the complaint is particularly serious or complex or requires swift action, they may wish to escalate the matter immediately to the formal stage and will consult with the UCIO on this as soon as possible.
- 11.7 Staff will look into the issue and contact the student with a suggested resolution, normally within 15 working days. If, due to the complexities of the complaint, the timescale is likely to exceed this, the student will be informed in writing.
- 11.8 As the matter is considered, it may involve discussions, meetings, giving of more information, explanations, suggested solutions and/or giving an apology where appropriate. Many issues can be resolved with an immediate apology, explanation or solution. Consideration may be given at this stage to possible mediation or conciliation if felt appropriate.
- 11.9 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 student to insist that their complaint is considered formally in accordance with the 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.
- 11.10 A record **must** be kept locally of any meeting or discussion with the student and the actions taken to consider and resolve the issue.
- 11.11 If an informal resolution is reached, this **must** be recorded locally, and the student agreement must be made in writing as a 'full and final' resolution (see section 16). The head of the academic or service area must be informed of the resolution, so that any lessons can be learned, and any required changes made to processes or regulations.
- 11.12 If the student remains dissatisfied with a suggested outcome, or a resolution is not possible, the student may raise the complaint to Stage 2 and submit a formal complaint to the UCIO within 15 days. This right to raise a formal complaint must be made clear to the student once it is clear that there is no possibility of an informal resolution.

12. Stage 2 – Formal Complaint

A Making a Formal Complaint

- 12.1 The Stage 2 Formal investigation should only be used:
- where the informal resolution stage has been exhausted without resolution and the student has raised the matter to the formal stage within 15 days, or
 - early resolution at Stage 1 is not possible or appropriate and the matter has been progressed to Stage 2, or
 - the complaint has been raised to the formal stage by the investigating staff as per 12.6.
- 12.2 Formal complaints must be submitted to the UCIO using the Stage 2 Complaint form available online at <https://www.hull.ac.uk/choose-hull/student-life/student-support/complaints/student-complaints> or via the Useful Forms section on MyHull Portal

If, for medical or disability reasons, the student requires an alternative method of submitting the complaint, this must be made available.

- 12.3 The form must be completed in enough detail to enable the issue to be properly investigated, providing any relevant evidence for each specific complaint and indicating any remedy sought.
- 12.4 Upon receipt of the Stage 2 Complaint form, the UCIO will check that all required information has been supplied. If any information is missing or unclear, the UCIO will contact the student to clarify and/or obtain further information.
- 12.5 If the complaint appears to be out of time (submitted more than 15 days after the end of the informal stage), the UCIO will contact the student to ascertain the reason and obtain supporting evidence for this. If the UCIO does not believe there to be exceptional circumstances why the complaint could not have been submitted in time, the complaint shall be rejected, and a Completion of Procedures letter issued.
- 12.6 The UCIO will check that, wherever appropriate, the Stage 1 - informal resolution process has been exhausted and if it has not, may refer the student back to the stage 1 process and, if necessary, supply guidance to the academic unit or service area.
- 12.7 The UCIO will consider if the complaint is malicious or vexatious, or has been submitted anonymously, and if so, it will be considered under Regulation 8.
- 12.8 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, advice shall be sought on any appropriate arrangements which shall be made in the light of the disability.
- 12.9 The UCIO will then determine the appropriate person to forward the complaint to for investigation. This will normally be the Dean of Faculty if the complaint relates to an academic or faculty matter, or to the Head of the relevant service area if the complaint relates to a service area.
- 12.10 The UCIO will log the complaint and track progress through the investigation procedure, including the subject of the complaint, the time taken at each stage and the outcome. The UCIO's role is to help to ensure that the investigation takes place according to the principles, regulations and procedures.
- 12.11 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 Academic Unit or Service Area which is the subject of the complaint. 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. The Dean or Head of Service Area must consider if the Investigating Office should have any specific training in order to investigate the case – advice should be sought from the UCIO.
- 12.12 The Faculty Hub or Service Area will record the receipt of the complaint and the Investigating Officer assigned.

B Investigation of a Formal Complaint

- 12.13 The Investigating Officer will send written acknowledgement of the complaint to the student, normally within 2 working days of their appointment.
- 12.14 The Investigating Officer will inform the student the date by which they expect the investigation to be completed. This will normally be within 25 working days of the appointment of the Investigating

Officer. This timescale may vary where complexities arise in the investigation or other factors. Where the timescale becomes extended, the student must be kept informed of progress.

- 12.15 The Investigating Officer will interview the student and any other persons who appear relevant and obtain documentation or other information.
- 12.16 The student may be accompanied at any meeting by a person of their choosing, provided that such person shall not speak for the student other than with the permission of the Investigating Officer.
- 12.17 The Investigating Officer may consider use of mediation or conciliation where they deem it appropriate.
- 12.18 At all times, the Investigating Officer will bear in mind the desirability of reaching an informal resolution, notwithstanding the Formal stage of the complaint process. If, during the investigation, it is apparent that an informal resolution may be possible, this should be considered and offered to the student.
- 12.19 The Investigating Officer may contact any member of staff for general advice regarding the complaint, even if not a party to the complaint, for example to obtain legal, health or wellbeing information that is not specific to the student.
- 12.20 When the Investigating Officer is satisfied that they have collected all relevant information and are in a position to make a decision, they will determine the outcome.

C Determination of Formal Complaint

- 12.21 Normally within 25 working days of receiving the complaint and following approval by the Dean of Faculty or Head of Service Area, the Investigating Officer shall provide the student, UCIO and the Dean of Faculty or Head of Service Area with a written report:
- following a template supplied by the UCIO
 - summarising the nature of the complaint and the evidence obtained
 - identifying any witnesses or other members of staff 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)
 - explaining the right of the student to request a Stage 3 University review within 15 working days to the UCIO where the student remains dissatisfied and the review criteria are met.
- 12.22 Where the Investigating Officer is unable to provide this report within 25 working days, they must inform the student and the UCIO in writing before the expiry of the deadline that this deadline cannot be achieved, the reasons for this, and a date by which the report will be completed.
- 12.23 If the student is satisfied with the outcome recommended in the report, they must inform the Dean or Head of Service Area, the Investigating Officer and the UCIO in writing of that decision.
- 12.24 If the student remains dissatisfied, they may request a review (Stage 3) within 15 days of being sent the report. This Review is limited to certain defined grounds and is not automatically granted on request, and not simply due to dissatisfaction with the outcome.
- 12.25 If the student does not respond to the report within 15 working days, the student will be deemed to have accepted the decisions outlined in the report and the UCIO will send written confirmation to the

student that the complaint has been closed, that they are out of time to escalate to review stage and can request a Completion of Procedures letter if they wish to.

12.26 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.

13. Stage 3 - University Review

A Requesting a Review

13.1 If a student is dissatisfied with the outcome of the Stage 2 investigation, they may, within 15 working days, request a University review.

13.2 Complaints may be reviewed only on one or more of the following grounds:

- There is new evidence that was unable to be provided, with good reason, during the Stage 2 Formal investigation
- There is evidence that Stage 2 of the procedure was not properly followed
- The decision and/or remedy recommended as an outcome of the Stage 2 Formal investigation was manifestly unreasonable.

13.3 It must be borne in mind that a complaint investigation may reach a reasonable and fair outcome and remedy, but that this may still not be the outcome which is sought by the student.

13.4 The Stage 3 Review is not empowered to re-hear the Stage 2 complaint or re-examine the evidence originally provided. Its purpose is to check that the complaint investigation was conducted in accordance with the regulations and procedures, that all the evidence was properly considered, and that a reasonable decision and remedy was recommended.

13.5 The request for a Review must be made in writing, using the form available online at <https://www.hull.ac.uk/choose-hull/student-life/student-support/complaints/student-complaints>, sent to the UCIO. If, for medical or disability reasons, the student requires an alternative method of submitting the complaint, this must be made available.

13.6 The student is required to set out the grounds for the proposed review and provide the evidence to support it. They must also provide an indication of their desired outcome.

13.7 Upon receipt of the Stage 3 Review form, the UCIO will check that all required information has been supplied. If any information is missing or unclear, the UCIO will contact the student to clarify and/or obtain further information.

13.8 If the request for a Review appears to be out of time (submitted more than 15 working days after the Stage 2 outcome), the UCIO will contact the student to ascertain the reason for this. If the UCIO does not believe there to be a valid reason why the request could not have been submitted in time, the request shall be rejected, and the student informed in writing of the reasons for the rejection.

13.9 If the request is deemed valid, the UCIO will forward the request to the Academic Registrar for initial consideration.

13.10 The UCIO will log the request for Review and track progress through the review procedure, including the subject of the complaint, the time taken at each stage and the outcome.

B Procedure for University Review

- 13.11 Upon receipt of a valid request for review, the Academic Registrar or their nominee will assign the case to an appropriate senior member of staff. This is normally a Dean, Associate Dean, or Pro-ViceChancellor (for academic matters) or a relevant senior professional services lead (for professional service matters). The reviewer will have had no previous involvement in the case.
- 13.12 The Reviewer will send written acknowledgement of the request to the student, normally within 2 working days of receipt.
- 13.13 The review stage should under normal circumstances be completed within 20 working days from receipt of the Review request. This timescale may vary where complexities arise in the complaint or other factors. Where the timescale becomes extended, the Reviewer will inform the student and the UCIO as to progress.
- 13.14 Other than in exceptional circumstances as determined by the Reviewer, a review will not involve a meeting with the student. The review will normally be a paper/desktop exercise.
- 13.15 The Reviewer will examine the request and associated evidence provided by the student and refer to all documents and information provided at the Stage 2 Formal complaint.
- 13.16 If the complaint under review is particularly complex and it is not clear from the evidence provided whether to uphold or not the findings of the Stage 2 investigation, the Reviewer may exceptionally choose to hold a Review Panel to assist in the review and subsequent decision. This Panel will be formed according to section 14.
- 13.17 The following outcomes only are available to the reviewer:
- to uphold the findings of the Stage 2 investigation
 - to overturn the findings of the stage 2 investigation and substitute a new decision
 - to uphold the findings of the stage 2 investigation but offer a different remedy
 - to refer the complaint back to Stage 2 and order a re-investigation of the complaint, with the possibility of a different Investigating Officer.
- 13.18 When the Reviewer has reached a decision and recommendation, they will write to the student, UCIO and the Dean of Faculty or Head of Service Area with a written report following a template supplied by the UCIO:
- summarising the nature of the review
 - identifying the evidence considered
 - stating the Reviewer's conclusions, including whether or not the review is upheld, and any recommendations, including as to any action to be taken in response
 - making clear the finality of the outcome.
- 13.19 Following the issuing of the report (except where the outcome is to refer back to Stage 2), the UCIO will send a Completion of Procedures Letter to the student (see section 17).

14. Review panel

- 14.1 In exceptional circumstances, the Reviewer may request that a Review Panel be formed to assist in the review and subsequent decision. This shall be reserved for exceptionally difficult cases where it is not clear whether or not to uphold the review request.
- 14.2 The administration of the Review Panel will be managed by the UCIO.
- 14.3 The Review Panel **must** comprise the following members:
- A senior (by status or length of service) member of academic staff
 - A senior (by status or length of service) member of administrative staff
 - An elected sabbatical officer of the Students' Union, nominated by their fellow officers provided that none of the above shall be a member of the Academic Unit or Service Area which is the subject of the complaint, or otherwise have a material interest in that Academic Unit or Service Area. Prior to the hearing the Panel **must** agree on which member shall act as Chair.
- 14.4 The UCIO or nominee shall act as Secretary to the Panel. 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.
- 14.5 The Reviewer will consider in advance of the Panel which staff should be present. This may be the Stage 2 Investigating Officer, Dean, or any other relevant staff depending on the nature of the complaint and request for review.

A Conducting the panel

- 14.6 The student and any staff in attendance are entitled to be heard by the Panel, either together or separately as shall be agreed by the parties and the Panel.
- 14.7 The student may be accompanied by a person of their choosing, provided that such person may not speak for the student other than with the permission of the Panel.
- 14.8 The Panel may call any other person of their choosing or require any evidence to be presented as it deems appropriate.

B Determination by the panel

- 14.9 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.
- 14.10 The Panel has the same outcomes available to it as in 13.17.
- 14.11 Following the Panel, the Reviewer will report the outcome as per 13.18.

15. Complaint against the Students' Union

- 15.1 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.

15.2 A complaint against the Student's Union shall be considered a request for Stage 3 - University Review under these regulations and procedures.

15.3 The student shall be directed to request a Stage 3 university review through the normal process and the request shall be handled as per the procedures under section 13 and, where necessary, 14 above, with the same timescales.

16. Finality

16.1 The Stage 3 outcome shall be final and not subject to further challenge within the University of Hull.

16.2 All remedies recommended are 'full and final' and not subject to further complaint or negotiation.

16.3 'Full and final' remedies that are agreed by both student and university shall be recorded on a 'Full and Final Agreement' form, outlining the decision reached, the outcomes and remedy, and any conditions attached to the outcome. This form must be signed by both parties to the decision.

16.4 If the student has accepted the outcome and remedy offered at any stage, the complaint cannot later be re-opened or a new complaint lodged on substantially the same issue.

17. Office of the Independent Adjudicator for Higher Education (OIA)

17.1 A student who remains dissatisfied with the outcome at Stage 3 may be entitled to complain to the Office of the Independent Adjudicator for Higher Education (OIA).

17.2 Following the notification of the Stage 3 outcome, the Completion of Procedures Letter must be issued in accordance with any guidance issued by the OIA.

17.3 Only the UCIO or nominee shall be permitted to issue OIA Completion of Procedures Letters with respect to student complaints.

18. Complaints by students registered for collaborative programmes leading to University of Hull awards

A Complaints by student on collaborative programmes

18.1 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.

18.2 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.

B Complaints procedures at the institution delivering the programme

18.3 It shall be the responsibility of all partner institutions 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's UK Quality Code, Advice and Guidance: Concerns, Complaints and Appeals, and the general principles embodied in the University of Hull Complaints Regulations.

18.4 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
- their conclusions, including whether they uphold 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 student, 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 student to make a further challenge within 15 working days to the UCIO where the student remains dissatisfied.

18.5 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.

C Provision of a copy of the regulations to the university

18.6 The partner institution must designate an officer or committee responsible for the institution's complaints procedures and inform the UCIO of the identity of the said officer or Committee.

18.7 The officer or committee **must** provide the UCIO 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.

18.8 The UCIO will advise the officer or committee of any issues with the regulations and procedures of the partner institution.

D Right of complaint to the University of Hull

18.9 Where a student on a collaborative programme is dissatisfied with the outcome of their complaint made to, and determined by, the partner institution s/he may complain to the University.

18.10 A complaint shall be limited to challenging the application of the procedure through which the original complaint was considered by the partner institution and where the student has exhausted the procedures at the partner institution.

18.11 A complaint **must** be made in writing to the UCIO 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 student believes is relevant to the matter.

18.12 The complaint shall be handled as a Stage 3 Review and shall follow all relevant Regulations except with regards to the possible outcomes (see below).

18.13 Where the Reviewer upholds the complaint the partner institution shall re-consider the original complaint, addressing any defect in the application of the partner institution's procedures identified by the Reviewer.

19. **Monitoring of Complaints**

A Reports

19.1 The Dean of each Faculty and the Head of each Service Area will work jointly with the UCIO to make an annual report to USEEC 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.
- 19.2 The UCIO shall make a report to each meeting of the University Student Experience, Employability and Engagement Committee of all complaints determined under these Regulations, including:
- The number of complaints made, and upheld or rejected
 - The nature of the matters raised, the outcome and any remedial action recommended and taken
 - The academic area, ethnic origin, gender and any disability of the students
 - Any trends or common issues identified through ongoing monitoring, and the outcome, as outlined in section D below.
- 19.3 The President of Hull University Union may also make a similar report to USEEEEC, 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.

B Monitoring

- 19.4 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 UCIO 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.
- 19.5 The UCIO shall keep under review, and make recommendations to such University Officer or Committee, or other bodies as they deem 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 Monitoring of Complaints - Partner Institutions

- 19.6 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 students.
- 19.7 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.
- 19.8 The UCIO must make an annual report to USEEEC 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 students.

D Ongoing monitoring and root causes

- 19.9 As part of ongoing monitoring and tracking of complaints and their outcomes, the UCIO will seek to identify trends and common issues relating to complaints.
- 19.10 These issues will be raised as soon as possible with the appropriate person, area or committee with a view to identifying root causes of student complaints, and making changes to regulations, procedures, processes, communications, etc. to address these causes, improve the student experience and so reduce the incidence of future complaints.
- 19.11 Issues identified, and how they have been addressed will be included in the UCIO report to USEEEC.

Version Control

| Version | Author | Date approved | Relevant sections |
|---------|----------------|---------------|---|
| 0-01 | Derek Ord | | |
| 0-02 | Derek Ord | | Regs and procedures amalgamated. Comments from addressed. |
| 0-03 | Derek Ord | | Minor editing and sense checking |
| 0-04 | Derek Ord | | Checked for OIA compliance. |
| 0-05 | Derek Ord | | Minor edits. |
| 0-06 | Derek Ord | | Edits following comments from Complaints Investigation Officer. |
| 0-07 | Christine Hill | | Edits following recommendations from EC and Faculty feedback |
| 3-00 | Derek Ord | 24/8/21 | Approved by Senate |