

Complaints Procedure

Introduction

The University welcomes the views of its students. It recognises however that there may be occasions when you are dissatisfied with an aspect of your experience at Brunel. It is the University's policy that such concerns are dealt with in a fair and transparent way that respects the rights of all individuals involved.

Scope

The Complaints Procedure may be used by students to complain about any aspect of provision. The complaints procedure may not be used to appeal against a decision of a Board of Examiners (See Senate Regulation No.6) and may not be used to appeal against formal disciplinary action under Senate Regulation No 6. Senate Regulation No.6 has its own appeal provision. A related complaint cannot normally be made whilst an academic appeal or disciplinary action is in progress or pending.

The complaints procedure is for the use of those students registered with the University ie. those who have accepted an unconditional offer of a place at the University or who are registered for awards made by the University at other institutions. Former students may use the procedure subject to the caveat set out in the 'Time Limits' (that the complaint must be brought within three months of the incident, matters or event of which you are complaining see Annex C). This procedure is not for the use of applicants or potential students. If you have a complaint about the admissions process you should contact the Head of Registry.

GENERAL PRINCIPLES

Fair dealing - Provided that complaints are not malicious (i.e. submitted for no other purpose than to cause harm to or discredit other individuals) your career in the University will not be prejudiced by having submitted a complaint. Your complaint will be handled with due discretion by staff in the University. The University reserves the right to investigate the authenticity of any documents submitted (e.g. medical papers) in support of a complaint.

Malicious or frivolous complaints will be rejected at the earliest stage and written reasons will be given. Students submitting malicious complaints may be subject to action under Senate Regulation No.6. Complaints that are submitted anonymously will not normally be considered.

Local Resolution - Complaints should be raised and dealt with at the point at which they arise. Complaints will not normally be considered at a higher level until it is established that the preceding stage has been exhausted or cannot be practicably pursued. A complaint cannot therefore be pursued simultaneously at different levels. For example, you cannot ask for your case to be referred to the Student Complaints Officer whilst still awaiting a decision on it from the School.

Mediation – Where appropriate, either the School, Support Department Manager or the Student Complaints Officer may discuss with the student whether they wish their complaint to be referred to the University's Student Mediation Service. The mediators are all experienced members of staff who have undergone special training in mediation.

Data Protection - Parents do not have the right to pursue a complaint on behalf of the student (even if they pay the student's fees) unless formal permission is given by the student (the 'data subject'). The Data Protection Act states that the data subject must make the request or authorise someone else to make it on their behalf.

Confidentiality - Raising a complaint gives the University permission to investigate the facts and in order to do this to be able to discuss them with appropriate people. Information you submit will remain confidential as far as this is consistent with other parties' right to know of any allegations that are made against them. If you make allegations against staff they will normally be asked to respond to them formally.

Disclosure – The University operates a disclosure policy, which means that you have a right to see documents used in reaching a decision on your case. You will only be able to access documents which do not compromise the privacy and confidentiality rights of third parties.

Information you submit will only be disclosed to other members of the University where it is necessary to process the complaint. Individuals cited in complaints generally have a right to know the allegations made about them. It might also be necessary to disclose certain information to and request information from, for example, the Disability Office, in order to investigate your complaint. If you are unhappy with such disclosures you should state this clearly on your complaint form and we will advise you as to the extent to which we are able to process the complaint.

Time Limits – You must submit your complaint within three months of the incident, event or matters over which you are complaining. The University will not consider complaints outside of the three months period except it may accept a complaint for review outside of this three months, and extend time, if the University is satisfied that there is good reason to do so. In any case, complainants should be aware that a significant elapse of time might prejudice proper investigation and the potential for resolving a complaint. For example, relevant staff may leave and recollections of events may be impaired over time. If such delay and circumstances arise the University may not be able to address fully or at all the issues you have raised. In dealing with your complaint the University will endeavour to meet the time limits as set out in Annex C.

Disciplinary Action – Complaints may lead to disciplinary action being taken against other students or members of staff. Complainants are advised that, where disciplinary action is taken in connection with a complaint, the complaint may be used as evidence and the complainant may be expected to give evidences either in writing or in person.

Hearings – In most cases there will be the opportunity to discuss a complaint with the person who is dealing with your case at each stage. There is, however, no automatic right to a formal hearing.

Evidence – You may submit relevant new evidence as it becomes available. However, this may increase the length of time taken to deal with your case if it is necessary to obtain formal responses to the evidence from other parties to the complaint. This may therefore have an impact upon the timescales set out in Annex C.

Use of Legal Representatives – The University does not encourage students to seek legal representation at the internal complaints stage. Lawyers are expensive and may form a barrier to open dialogue and resolution.

In all complaint proceedings, the University will only deal directly with the student, not a legal representative, unless we obtain written permission from the complainant. The University will not direct correspondence to representatives of the student, all correspondence to be addressed and sent to the student at their home/ University address. The University will normally seek a stay of legal proceedings if the internal processes have not been exhausted. If legal action is pending, the University reserves the right to suspend internal investigation until such a time as the legal action is resolved. Complainants should also note the position of the Office of the Independent Adjudicator on such matters.

Students may bring one friend or supporter (not normally a legal advisor) to any internal meeting. Please notify the University in writing 7 days in advance of any meeting, the name and status of the friend, supporter or UBS representative. See Annex A for sources of advice or guidance. The UBS Advice and Representation Centre can supply an independent information and advice should you require it.

1. INFORMAL STAGE

- 1.1. The vast majority of concerns raised by a student should be resolved informally within Schools or within the support department where the problem arose. In most cases this approach is best because it offers the option of a quick solution and avoids the (necessary) delay incurred in submitting and processing a formal complaint.
- 1.2. Students are encouraged to raise issues initially with academic, administrative and support staff on day-to-day issues. All Schools have periodic meetings at which student representatives are invited to raise issues.
- 1.3. If there is an issue with which you are dissatisfied and this cannot be resolved through the student representation system (course committees, staff-student committees) you should, if possible, approach the person, or persons concerned. If you feel unable to do this you should raise the matter with your Personal Tutor.
- 1.4. Each School has a Senior Tutor who has responsibility for pastoral issues within the School and can be approached concerning most matters. This is an option if you don't wish to discuss a matter with your Personal Tutor. Senior Tutors are listed in the University Student Handbook.
- 1.5. It might be useful to seek further advice initially before proceeding with your complaint, from one of the sources in Annex A.
- 1.6. ***If the issue is one that is time-sensitive, concerning an exam or other activity, and needs a prompt decision, you should approach the School Manager or Manager of the support department immediately.***

2. FORMAL STAGE: SCHOOL/SUPPORT DEPARTMENT MANAGER

- 2.1. The Head of School or Head of a support department is formally responsible for all activities within their area. The Head of School has appointed a School

Manager who is responsible for administrative matters. A list of the Heads of Schools and Heads of Support Departments can be found at Annex D.

A formal written complaint using the Complaint Action Form should be submitted to the Head of School.

- 2.2. Your complaint should be clear and to the point and address the following issues:
 - The nature of the complaint and how it has affected you
 - The action you have taken to try to resolve the complaint. Please give details of any meetings that have taken place.
 - Evidence offered in support of the complaint.
 - An indication of the desired outcome if the complaint is upheld.
- 2.3. Please state the reasons for your complaint clearly and as succinctly as possible giving only the information and evidence relevant to your case.
- 2.4. ***You must keep copies of all relevant documentation you are submitting in relation to the complaint. If a package goes astray, for whatever reason, we will not be able to deal with your complaint if you have not kept copies.***
- 2.5. The Head of School/ (or nominee) or support department manager (or nominee) will acknowledge your complaint within 7 days. The Head of School (or nominee) or support department manager (or nominee) will, if the circumstances of the complaint warrant it, arrange a meeting with you within 21 days, at a mutually agreeable time, to discuss this matter. Students may bring one friend or supporter (not normally a legal advisor) to any internal meeting. Please notify the University in writing 7 days in advance of any meeting - the name and status of the friend, supporter or UBS representative. See Annex A for sources of advice or guidance. The UBS Advice and Representation Service supply independent information and advice should you require it.
- 2.6. The Head of School / (or nominee) or support department manager (or nominee) may also ask another member of staff to be present if s/he believes it appropriate in the circumstances. You will be notified in advance if this is the case and you will be told who this will be and the job title of the individual. Lists of Heads of School, School Managers and Heads of Support departments are available in your student handbook and at Annex D.
- 2.7. The Head of School (or nominee) or support department manager (or nominee) will, if possible, informally communicate the School or Departments response to the complaint, as soon as is reasonably practicable and within 21 days. You will also receive a written response confirming the decision of the Head of School (or nominee) or support department manager (or nominee) within 21 days.
- 2.8. If the Head of School, (or nominee), or support department manager (or nominee) decides your complaint was well founded in whole or in part, you may expect where possible and appropriate, the matter is to be put right or another form of redress to be granted.

- 2.9. If the complaint is not upheld at this level you will be given reasons for the decision.

3. FINAL REVIEW STAGE 1: STUDENT COMPLAINTS OFFICER

- 3.1 Should your complaint not be addressed to your satisfaction you may ask for it to be reviewed by the Student Complaints Officer by writing to the Student Complaints Officer within 21 days of receiving notification of the outcome at the School/ Support Department stage (complaints received outside this period will be considered at the discretion of the Student Complaints Officer). The Student Complaints Officer who is based within the Student Life Office will consider the complaint and investigate options for a mutually acceptable resolution.
- 3.2. The Student Complaints Officer (or nominee) may seek assurances that the Head of School / (or nominee), support department manager (or nominee) or other person has attempted to deal with the matter, and may seek further information about the complaint. If he/she decides that there is a case for review, the Student Complaints Officer (or nominee) may call a meeting to discuss the matter with you and other relevant persons and will, if possible, resolve the matter. Students may bring one friend, supporter or UBS representative (not normally a legal advisor) to any internal meeting. Please notify the University in writing 7 days in advance of any meeting, the name and status of the friend or supporter or UBS representative. You will receive written notification of the outcome of your complaint. See Annex A for sources of advice or guidance. The UBS Advice and Representation Centre can supply an independent information and advice should you require it.
- 3.3. You will receive, within 21 days of the decision, a statement of any further action which is to be taken.

FINAL REVIEW STAGE 2: Director of Operations and Resources

- 3.4 If you are dissatisfied with the outcome of the complaint to the Student Complaints Officer you should inform the Director of Resources and Operations in writing, within 21 days of hearing from the Student Complaints Officer. S/he will review the complaint and advise you of any further action you may take. If the Director of Resources and Operations finds that no further action should be taken by the University, you will be sent a 'Completion of procedures letter' in accordance with the University and Office of the Independent Adjudicator's procedures to indicate that you have now exhausted the University's internal complaints procedure. The Director of Resources and Operations will complete a final review within 15 working days.
- 3.5 If you wish to complain about the Director of Resources and Operations, you should write to the Vice-Chancellor who may investigate the matter himself or designate another senior officer to do so.

4. MEDIATION

- 4.1 At any stage of the Complaints Procedure you may be offered mediation by the School, the Support Department Manager or the Student Complaints Officer. With your agreement, your complaint will be referred to one of the

team of Student Mediators, who are members of staff experienced in dealing with student problems and trained in mediation.

- 4.2 The Mediator's task is to help the student and the School, department or individuals about whom the complaint is made, together to find a resolution to the problem. The Mediator will hold separate preliminary meetings with both parties, and then meet the parties together. The mediator will remain impartial throughout the process.
- 4.3 If the complaint is resolved through mediation, the Mediator may at the request of the parties put any agreement reached in writing for their benefit. This agreement is not legally binding. What is discussed at mediation is confidential and cannot be used in any complaint procedures or legal processes.
- 4.4 If the complaint remains unresolved, the Mediator will take no further part in the complaint process, and you may continue to pursue your complaint through the University's Complaints Procedure.
- 4.5 Further information about mediation can be obtained from the Student Complaints Officer or the Advice and Representation Centre of the UBS.

5. EXTERNAL REVIEW: OFFICE OF THE INDEPENDENT ADJUDICATOR

5.1 External Review

If you remain dissatisfied with the outcome of your complaint you have the right of appeal to the Office of the Independent Adjudicator (OIA). The OIA was set up by the Government and operates an independent student complaints scheme pursuant to the Higher Education act 2004. The website address is <http://www.oiahe.org.uk/>

- 5.2 In most circumstances you will need a 'completion of procedures' letter before approaching the OIA as they will need evidence that you have exhausted the University's internal complaints procedure, before they will deal with you.

However, in exceptional circumstances, where it is reasonably believed that the Internal University procedures have been completed, or where the University is unreasonably withholding the letter, you may approach the OIA without the completion of procedures letter.

The OIA will not consider a complaint unless it is received within 3 months of the date upon which the internal complaints procedure was exhausted except where the OIA reviewer extends the time because he or she is satisfied that there is good reason to do so. Full guidance on time limits is given on the OIA website.

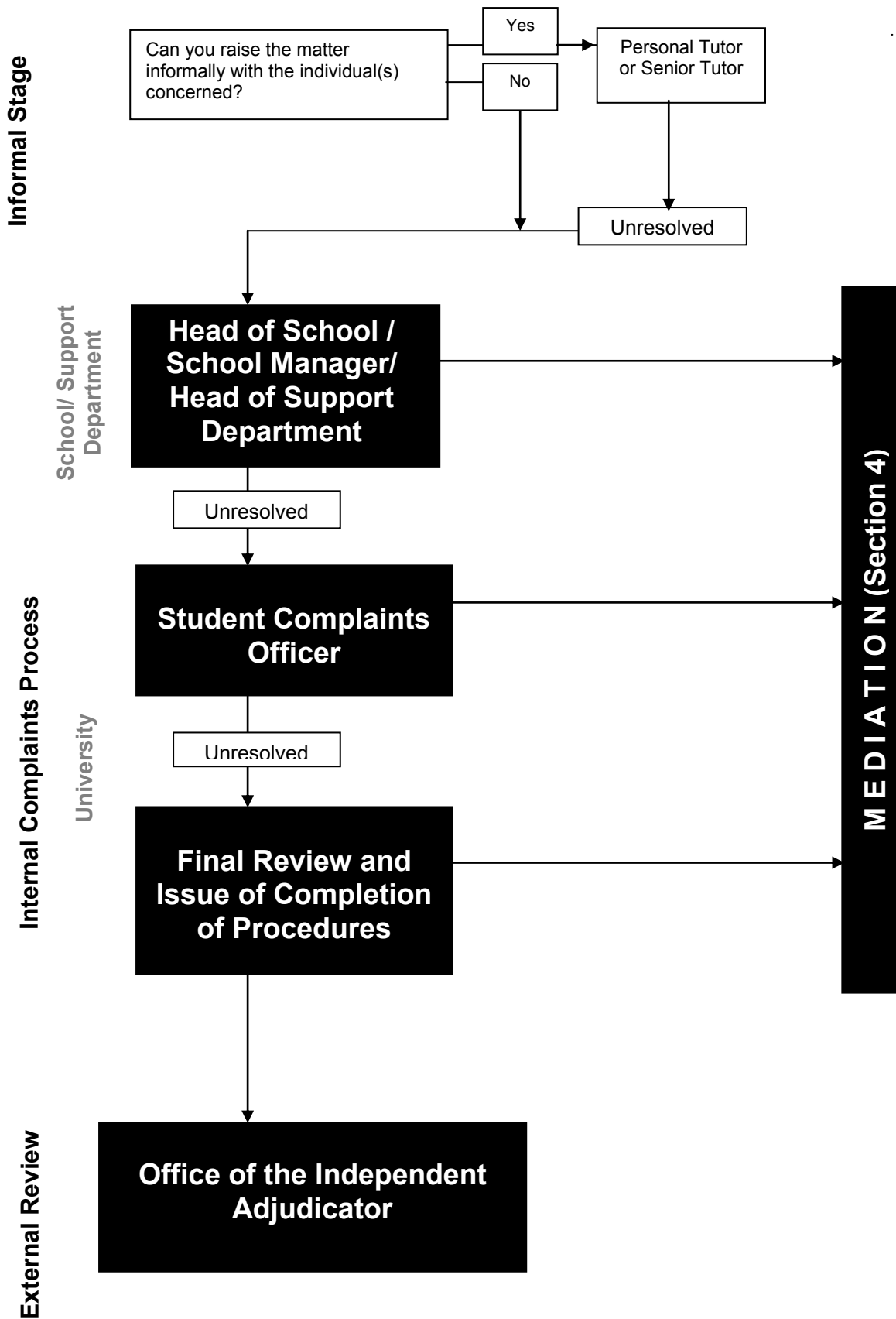
- 5.3 More detail about the OIA including full information as how to apply including downloadable application forms can be found at <http://www.oiahe.org.uk/>.

Annex A

	Contact	Help Available
General Advice	<p>Advice and Representation Centre, Union of Brunel Students</p> <ul style="list-style-type: none"> • Direct line - 01895 269169 • Email: advice@brunel.ac.uk 	<p>For general support and advice relating to complaints and appeals.</p>
Disability and Dyslexia Service	<p>Disability and Dyslexia Service</p> <p>Tel: 01895 265213 Ext: 65213 E-mail: disability@brunel.ac.uk</p>	<p>For advice regarding disability and dyslexia issues.</p>
Operation of the Complaints Process	<p>Student Complaints Officer</p> <p>Tel: 01895 267336 Ext: 67336 E-mail: student-complaints@brunel.ac.uk</p>	<p>For general advice on complaints process and advice on the University's mechanisms for external review of complaints.</p>
Academic Appeals	<p>Secretary to Academic Appeals Committee</p> <p>E-mail: quality-officers@brunel.ac.uk</p>	<p>Issues relating to academic assessments or a decision of a Board of Examiners may be best dealt with under academic appeals procedures (Senate Regulation No.6).</p>

Copies of the Complaints Action Form can be obtained from:
<http://intranet.brunel.ac.uk/registry/appeals/home.shtml>

ANNEX B



ANNEX C: Timings: A guide

You must submit your complaint within three months of the incident, event or matters over which you are complaining. The University will not consider complaints outside of the 3 months period except if the University is satisfied that there is good reason to do so.

The University will deal with your complaint as promptly as possible. You can expect the following time limits to apply. These are maximum timings. If there are genuine reasons why we are unable to meet these deadlines, we will explain that to you in writing.

1. Informal Stage

If the issue is one that is time-sensitive, concerning an exam or other activity, and needs a prompt decision, you should approach the School Manager or Manager of the support department immediately.

2. Formal Stage: School / Support Department Manager

The Head of School (or nominee) or support department manager (or nominee) will acknowledge your complaint within seven days of receipt.

The Head of School (or nominee) or support department manager (or nominee) will, if the circumstances of the complaint warrant it, arrange a meeting with you within 21 days, at a mutually agreeable time, to discuss this matter. Students may bring one friend or supporter (not normally a legal advisor) to any internal meeting. Please notify the University in writing 7 working days in advance of any meeting, the name and status of the friend or supporter or UBS representative. See Annex A for sources of advice or guidance. The UBS Advice and Representation Centre can supply an independent information and advice should you require it.

The Head of School/ School Manager or Support department manager will, if possible, informally communicate (normally verbally) the School or Department's response to the complaint, as soon as is reasonably practicable and within 21 days. You will also receive a written response confirming the decision of the Head of School (or nominee)/ School Manager or support department manager (or nominee) within 21 days.

3.1 Final Review Stage 1: Student Complaints Officer

Should your complaint not be addressed to your satisfaction (or some such) you may ask for it to be reviewed by the Student Complaints Officer by writing to the Student Complaints Officer within 21 days of receiving notification of the outcome at the School/ Support Department stage (complaints received outside this period will be considered at the discretion of the Student Complaints Officer) if a meeting is called.

Please notify the University in writing, 7 days in advance of any meeting the name and status of the friend or supporter.

You will receive, within 21 days of the decision, a statement of any further action which is to be taken.

3.2 Final Review Stage 2: Director of Resources and Operations

If you are dissatisfied with the outcome of the complaint to the Student Complaints Officer you should inform the Director of Resources and Operations in writing, within 21 days. The Director of Resources and Operations will complete his/her review within 15 working days.

4. External Review: Office of the Independent Adjudicator

The OIA will not consider a complaint unless it is received within 3 months of the date upon which the internal complaints procedure was exhausted except where the OIA reviewer extends the time because he or she is satisfied that there is good reason to do so. Full guidance on time limits is given on the OIA website at <http://www.oiahe.org.uk/>.

There are strict time limits on application to the OIA.

ANNEX D: Heads of Schools, School Managers & Heads of Student Support Services

Heads of Schools

Arts	Dr Bill Leahy
Brunel Business School	Prof Zahir Irani
Brunel Law School	Prof Javaid Rehman
Engineering & Design	Prof Savvas Tassou
Health Sciences and Social Care	Prof Lorraine de Souza
Information Systems, Computing and Mathematics	Prof David Gilbert
School of Social Sciences	Prof Dany Nobus
Sport & Education	Prof Susan Capel
Institute for the Environment	Prof John Sumpter

School Managers

School of Arts	Mrs Diane Woodhead
Brunel Business School	Mr Dave Snowden
School of Engineering & Design	Mr Paul Worthington
School of Health Sciences and Social Care	Ms Gelvinder Nothey
School Info Systems, Computing and Maths	Mr John Park
Brunel Law School	Mrs Tracey Alexis
School of Social Sciences	tbc
School of Sport & Education	Mrs Jac Aldous

Heads of Administrative Departments

Director of Resources and Operations	Mr Paul Thomas
Director of Finance	Mr John Robinson
Director of Residential & Catering Services	Mr Nick Brown
Director of Library Services	To Be Confirmed
Director of Computing Services	Mr Norman Bonney

Academic Registrar (Interim)	Mr Bob Westaway
Director of Academic Programme Development Unit	Dr Linda Murray
Head of Student Services	Ms Denise Bufton
Head of Placement & Careers Service	Ms Jane Standley
Head of Counselling	Ms Ruth Caleb
Disability & Dyslexia Service – Policy Manager	Mr Martin Smith
Disability & Dyslexia Service - Operations Manager	Ms Gillian Beech
Student Complaints Officer	Ms Eleanor Wheal
Acting Intl.Student Services Manager, Brunel International	Ms Filiz Mcnamara

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