



**Manchester
Metropolitan
University**

Student Complaints Procedure



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About this procedure

Introduction and Context

1.1 Manchester Metropolitan University is committed to providing its students with a high quality learning experience. The University recognises, however, that there may be instances where students have legitimate complaints regarding their course, the services or facilities provided by the University. The University takes all such complaints seriously, and deals with them in confidence and without fear of recrimination or disadvantage.

1.2 This procedure is designed to ensure that all legitimate student complaints are heard and responded to in a manner that is fair, transparent, timely and based on the consideration of relevant evidence. It will safeguard, as far as reasonably practicable, the interests and well-being of any student making a complaint and of Manchester Met staff who may be named or otherwise involved in a complaint.

1.3 This procedure has been developed in accordance with Chapter B9 of the QAA UK Quality Code for Higher Education, 'Appeals and Complaints', and the Office of the Independent Adjudicator's '**Good Practice Framework for Handling Complaints and Academic Appeals.**'

1.4 This procedure is distinct from the **Procedure for Academic Appeals and Review of Assessment-Related Matters**. In some rare instances, a complaint may overlap with an academic appeal. Where this applies, the University will adopt a proportional response in order to ensure that the requirements of both schemes are enacted in the best interests of all parties. The University reserves the

right to defer investigation of a complaint until the academic appeal has been resolved.

1.5 Our **Commitment Statement** outlines expectations and responsibilities for the University in respect of the learning experience. Before submitting a complaint, students should review the Commitment to ensure they have discharged, where applicable, their corresponding responsibilities.

Principles and Scope

2.1 Through this policy, the University commits to:

- treat complaints with the seriousness they deserve;
- deal with complaints in a timely manner;
- ensure that complainants will not be disadvantaged as a result of making a complaint;
- handle complaints in confidence and only give people the information that is required to investigate and resolve the complaint properly;
- answer all aspects of a complaint and ensure that the response is clear.

A student (or group of students) making a complaint should:

- be respectful and courteous in the submission of a complaint;
- seek a resolution that is reasonable and proportionate;
- provide a full explanation of their complaint in a timely fashion, along with supporting evidence;
- co-operate with this procedure as far as is reasonably practicable.

2.2 Complaints can be made by existing undergraduate, taught postgraduate students and postgraduate researchers, including students undertaking Placement or Work-Based Learning, students on approved periods of suspension, or recent graduates.

Complaints can also be made by delegates on a non-credit bearing course of provision, where the delegate has access to the same facilities as a student. Delegates who are participating in 'one off' courses or delegates who do not have the same access to facilities as a student are also able to make a complaint under this procedure, however their complaint would not be issued with a Completion of Procedures letter allow access to the Office of the Independent Adjudicator for Higher Education (OIA).

2.3 Where appropriate, groups of students are permitted to make a collective complaint. In such instances, the group should identify a single spokesperson. Each member of the group must provide their student ID number and consent to participate in the group complaint. They must also be able to demonstrate that they have been personally affected by the matter.

2.4 Students studying Manchester Met programmes at collaborative partner institutions should seek to resolve any complaint with the partner organisation. If issues remain unresolved through local procedures, a student should refer the matter to the University to commence Review proceedings. It should, however, be recognised that the University will not always have the authority to determine matters at partner institutions.

2.5 Separate complaints procedures are available for **applicants** and for **University accommodation**.

2.6 All information submitted in relation to complaints shall be dealt with confidentially, and only disclosed as necessary to progress the complaint. All parties (including students) are expected to honour confidentiality of complaints. All personal information shall be handled in accordance with the University's **Data Protection Policy**.

2.7 This procedure does not cover complaints which have already or are currently being considered by the **Office of the Independent Adjudicator for Higher Education (OIA)**, a court or tribunal.

Definition of a Complaint

3.1 This procedure corresponds to the OIA 'Good Practice Framework for = Handling Complaints and Academic Appeals', which defines a complaint as: "An expression of dissatisfaction by one or more students about a university's action or lack of action, or about the standard of service provided by or on behalf of the University."

Timescales

Timescale for Submission

4.1 Complaints should be raised as soon as practicable in order to enable prompt investigation and swift resolution. Students who wish to make a complaint must invoke the Informal Stage within one calendar month of the incident that has given rise to the complaint.

4.2 Students who wish to make a formal complaint must do so within three calendar months of the incident that has given rise to the complaint.

4.3 Students who have left the University (including recent graduates) may make a formal complaint within three calendar months of their registration ending.

4.4 Only in exceptional circumstances, and with supporting evidence, will complaints be considered outside of these timescales.

Timescale for completion

4.5 Complaints will be dealt with within 90 days of receipt of a formal stage complaint by the Student Case Management Team. The University reserves the right to make a reasonable extension to this timescale during student vacation periods.

Suspension or Termination of a Complaint

5.1 If a student's complaint overlaps with other university regulations or policies, advice should be sought from the Academic Registrar about how to progress the complaint, if at all. The progress of a complaint through any stage of this procedure may be suspended for a reasonable period.

5.2 The University reserves the right to suspend a complaints investigation in the event of a student taking the case to law during or prior to engagement with this Procedure. The investigation will resume upon completion of any legal proceedings and outcomes of the process are known. In such cases, the 90-day completion period will be reset.

5.3 The University may, in exceptional circumstances, terminate a complaint at any stage where a student's behaviour in relation to the complaint or investigation is deemed unacceptable or disruptive, or where a complaint is deemed to be vexatious or malicious. In such cases, the University may also invoke the disciplinary procedures in the **Student Code of Conduct**.

Examples of unacceptable or disruptive behaviour could be (but are not limited to):

- Audio/visual recording of meetings without written permission from the Student Case Management team;
- Threatening, intimidating or abusive behaviour towards any member of staff connected with the investigation process;

- Any attempt to interfere with the investigation process;
- Sending excessive communications, via any medium, to the Student Case Management team;
- Providing false or manufactured evidence or information as part of the investigation process.

Procedures for handling complaints

Stage 1 – Local Resolution

6.1 The focus of stage 1 is to facilitate early resolution prior to the point at which a formal complaint is submitted. Stage 1 can involve conciliation, mediation or other informal face-to-face measures in the spirit of seeking an outcome that is in the best interests of all parties. Every effort should be made to resolve the complaint at the local stage in partnership with the student.

6.2 Complaints at this stage may be made face-to-face, by phone, in writing or by email. Normally a discussion will then take place between the parties.

6.3 Students should raise a complaint with the member of staff most directly concerned with the matter, or the person who can best resolve it. For example, if the complaint relates to an aspect of study or teaching, in the first instance a student should discuss the matter with their Personal Tutor, Unit Leader or Programme Leader. If the matter relates to a service department (for example, Library, IT, Careers Service) then it should be discussed with the appropriate manager. Postgraduate researchers should normally discuss the matter with a member of their supervisory team. In some cases, service departments operate a distinct complaints procedure. Where these are in place – for example, Student Hubs – the service-based procedure shall take precedence.

6.4 Wherever appropriate, any party can request for a staff mediator to meet with a student. Such requests should be made to the **Student Case Management Team** in the first instance.

6.5 Stage 1 complaints are not formally recorded by the University. However, a mutually-agreed note may be placed in the student's file as evidence of the complaint and subsequent resolution.

6.6 Resolution may be achieved by provision of an on-the-spot explanation of why the issue occurred and/or an apology. Where relevant, a student should be provided with detail of action that will be taken to prevent an incident recurring. In some cases, it may be appropriate to provide a student with a written outcome. Where a written outcome is provided, this should normally be done within 5 working days of any meeting.

6.7 If informal resolution is not possible, or if the student is dissatisfied with the informal resolution proposed, the student should be directed to the formal procedure as soon as possible.

Stage 2 – Formal Resolution

7.1 Stage 2 is applied where:

- A student declines to engage with any form of informal resolution;
- A student is dissatisfied with the outcome of the informal stage;
- Where early resolution is not possible due to the character, seriousness or complexity of the complaint.

7.2 Stage 2 complaints will be investigated as quickly as possible, whilst recognising the need for a thorough investigation.

7.3 To progress a complaint to Stage 2, students are required to complete a **Complaint Form**. Students who require assistance in completing this form may seek assistance from the **Students' Union Advice Centre**.

7.4 The **Complaint Form** should detail the grounds for the complaint, together with a statement of what has been done by the student to attempt resolution. Students should raise all matters of complaint and put forward all supporting evidence at this stage, as there is no provision to raise a new complaint or evidence at Stage 3. Students can seek advice on appropriate supporting evidence from the **Students' Union Advice Centre**.

7.5 Submission of a completed form shall constitute formalisation of a complaint, and all future correspondence regarding the complaint shall be kept on record.

7.6 Complaint Forms should only be submitted to the **Student Case Management Team**. Letters of complaint shall be forwarded to the Student Case Management Team – where they will be assigned to a stage. Should a complaint be received by the Vice-Chancellor or other staff member in a senior capacity, it will be acknowledged and referred to the senior member of staff with responsibility for the Student Case Management Team for action. The University has discretion to determine which stage of the procedure will be applied in any particular case.

7.7 During all stages of the procedure, students may be accompanied to meetings by a member of the University - usually a fellow student, or an advisor from the **Students' Union Advice Centre**.

7.8 To avoid a conflict of interest, a student may not be accompanied by an academic or administrative staff member from their department.

7.9 Where a student is accompanied, the emphasis remains on the individual student to make their own case.

7.10 The Student Case Management Team will acknowledge receipt of a **Complaint Form**, normally within 5 working days.

7.11 Where no attempt has been made at early resolution, the complainant must explain why. Should the reason be deemed unsatisfactory, the senior member of staff with responsibility for the **Student Case Management Team** may refer the matter for first consideration at Stage 1.

7.12 The Academic Registrar (or their nominee) will appoint a member of the **Student Case Management Team** to act as Investigating Officer.

There may be circumstances in which other members of staff may be appointed to act as an Investigating Officer. These may include:

- A senior member of staff from the relevant department or service area, where there is a requirement for the Investigating Officer to have specialist knowledge;
- A member of staff from a different department or service area with appropriate seniority and/or expertise.
- An external investigator, not permanently employed by the University.

The Investigating Officer must be able to undertake the investigation without actual or perceived conflicts of interest.

Where the complaint relates to conduct by staff or students that may constitute a disciplinary offence, the Academic Registrar (or nominee) can decide that

the matter should be investigated under the University's disciplinary procedures (The Student Code of Conduct for students and procedures managed by the Human Resources department for staff). The complainant may be called to give evidence at any disciplinary hearing. Once disciplinary procedures have been invoked, these will take precedence over the complaint procedure.

7.13 An Investigating Officer will, in the first instance:

- Contact the student to confirm that they will be conducting the investigation;
- Advise any relevant members of staff of the nature of the complaint;
- Obtain any relevant documentation from Stage 1;
- Invite the student to a meeting to review and clarify the terms of the complaint;
- If the student chooses not to attend a meeting, confirm to the student in writing the issues to be investigated.

7.14 The purpose of conducting an investigation is to establish the facts relevant to the complaint and to provide a full, objective and proportionate response to the student representing the University's clear position.

7.15 The exact form of a Stage 2 investigation is at the discretion of the Investigating Officer. A personal meeting with the student will always be offered as part of the process of evidence gathering, at which the student has a right to accompaniment. Where applicable, the member of staff against whom the complaint is raised is also entitled to a personal meeting, and may be accompanied by their Head of Department or equivalent, another member of the University or a representative from their Union. These meetings shall be undertaken separately, and may be conducted by telephone or video-conferencing software where appropriate. The Investigating

Officer will be accompanied by a member of staff for administrative purposes, to keep a record of all meetings, which will be added to the complaint file.

7.16 All parties shall be given at least 3 working days' notice of a meeting with the Investigating Officer. A meeting may be postponed if a student can provide good reason for non-attendance. Failure or inability of a student to attend a re-arranged meeting will not preclude the investigating officer from reaching a conclusion.

7.17 If a complaint is upheld, the University will, on production of receipts, meet reasonable 'out of pocket' expenses connected with the formal stage of the procedure. This may include travel within the UK, and accommodation costs in connection with the student's attendance at a meeting with the investigating officer.

7.18 Audio and/or visual recording of meetings is not normally permitted. If, due to exceptional circumstances it is agreed in advance that a student is permitted to record a meeting, the recording is confidential and must not be copied or disseminated in any way.

7.19 Where it is deemed necessary by a Stage 2 Reviews, specialist advice may be sought on any aspect of the complaint from within the University, including advice from Legal Services.

7.20 The possibility of engaging in mediation to seek early resolution may be proposed by any party at any point during a Stage 2 investigation. Mediation provides both parties with an opportunity to understand what is driving the complaint, and may be more likely to result in a swift and mutually satisfactory conclusion.

7.21 If all parties agree to the process of mediation, a meeting will be arranged between the parties concerned. Impartial

and independent mediators will be drawn from a pool trained and appointed by the University. The Student Case Management team will make contact to arrange mediation within 5 working days of any request being received.

7.22 Following completion of an investigation, the Investigating Officer shall produce a written report outlining the process followed, details of any evidence gathered and any additional information for consideration a University Complaints Panel.

The Panel will be convened and chaired by a senior officer nominated by the Academic Registrar and will also include:

- i) two complaint assessors, who will be senior members of staff of the University with appropriate experience and no prior involvement in the cases that are under consideration;
- ii) the President or another elected sabbatical officer nominated by the Students' Union.

7.23 The Investigating Officer will present their report at a Panel hearing. Ultimate responsibility for determining the outcome of the formal stage of the complaints procedure rests with the Panel, and reports and outcomes shall remain provisional until approved by the Panel Chair.

7.24 Where a complaint is not upheld, a student must be informed in writing of the reasons. This written outcome should include information regarding:

- Grounds for progressing a complaint to the Review Stage;
- Time limit for progressing a complaint to the Review Stage;
- Procedure for progressing a complaint to the Review Stage;
- Sources of further support and guidance.

7.25 Where a complaint is upheld, the outcome must provide explicit detail of what action the University will take to resolve the issue and any timescales for implementation. The Panel will also decide what matters to feed back to the relevant services areas.

7.26 In making a judgement, the Panel has authority to:

- Acknowledge culpability or fault;
- Identify actions to rectify the cause(s) of the complaint, and appropriate timescales for implementation.

In making a judgement, the Panel may not:

- Change University policy or procedures (although reviews may be proposed as a consequence of complaints);
- Take disciplinary action against University staff;
- Change or in any way amend a previous academic judgement;
- Make arrangements detrimental to other students.

7.27 If a student is not satisfied with the outcome of Stage 2 but does not meet the grounds for review at Stage 3, the University will close the matter.

7.28 If a complaint is not upheld at the formal stage, and the student does not request a review, they are then able to request the issue of a Completion of Procedures letter.

Stage 3 – Review

8.1 Students may request progression of a case to the Review Stage on the following grounds:

- That the correct procedures were not followed in the consideration of their case through the earlier stages of the procedure;

- That the outcome of the formal stage of the Student Complaints Procedure was not reasonable;
- That there is new material evidence that for good reason was not available at the earlier stages of the Procedure.

8.2 The Review Stage is not a rehearing of the original complaint. The Review stage does not reconsider the underlying matters of the case afresh. New or additional complaints cannot be raised at this point.

8.3 A student seeking consideration at the Review Stage should submit a written request to the **Student Case Management Team** within 10 working days of the date of the outcome letter at the Formal Stage.

8.4 Reviewing Officers shall be nominated by the **Student Case Management Team**. Reviews will ordinarily be conducted by a Dean of Faculty, a Pro-Vice-Chancellor, or a Director or equivalent of a professional service area with no prior involvement in the case.

For complaints from postgraduate researchers, Reviews shall normally be carried out by the Chair of the Research Degrees Committee (or their nominee). Support will be provided by the **Student Case Management Team**. During the Review Stage, reviewers must consider whether there is evidence of bias, or reasonable grounds for the perception of bias in the earlier handling of the case/complaint.

8.5 The senior member of staff with responsibility for the **Student Case Management Team** will initially consider whether the grounds for Review have been met and retains a right to refuse the Review Stage where:

- no prima facie case has been made out in respect of the grounds identified above; *and/or*

- the request for the Review Stage was submitted late.

8.6 Where the Review Stage is refused, the senior member of staff with responsibility for the **Student Case Management Team** will write to the student setting out the reasons for the decision. The student will be issued with a Completion of Procedures letter.

8.7 The student will receive a decision on whether their request for Review has been accepted. If the request is accepted, the student will normally receive the outcome of the Review within 20 working days of the date the request for a review was submitted.

8.8 Where a Review Stage investigation relates to a complaint originating from a collaborative partner organisation, the scope of the review will also include the partner's handling of the original complaint.

8.9 A Reviewer may decide:

- That following Review of the matter, one or more of the grounds for Review were not met by the student and the outcome of Stage 2 is not changed; or
- One or more of the grounds have been met and would have changed the outcome of Stage 2.

8.10 Reviewers may overturn the outcome of Stage 2. Cases where a complaint is upheld on Review may not be returned to Stages 1 or 2 for further consideration. The Reviewer's decision represents the University's final decision regarding the complaint.

8.11 Outcomes of the Review Stage investigations should be promptly communicated to all parties in a manner that is clear and understandable and gives reasons for the decision. A copy of the final outcomes shall be retained by the **Student Case Management Team**.

8.12 Where a complaint is upheld at the Review stage, the outcome must contain detail of what action the University will take to resolve the issue and any appropriate timescales for implementation.

8.13 The decision made by the Stage 3 Reviewer is final. At this point, internal procedures are completed. If the complaint is not upheld a Completion of Procedures letter will be sent to the student. Where a complaint is upheld or part-upheld at Review stage, a Completion of Procedures letter will only be issued at the request of the student.

Office of the Independent Adjudicator

9.1 Once all stages of this Procedure have been exhausted, students have the right to refer the case to the **Office of the Independent Adjudicator (OIA) for Higher Education** for further review. An application to the OIA must be made within 12 months of the issue of a Completion of Procedures letter.

9.2 In considering complaints, the OIA will assess whether the University's procedures were properly followed, whether these procedures were reasonable, and whether the final decision was reasonable in all the circumstances.

9.3 The OIA cannot investigate complaints where a student has not completed all stages of this complaints procedure, where the complaint refers to matters occurring three or more years previously, where the Completion of Procedures letter is received by the OIA outside the twelve month time limit, or where matters have been or are being considered in court.

9.4 Full details regarding the OIA's rules and guidelines are available via www.oiahe.org.uk.

Recording and Monitoring

10.1 The University is committed to continuous improvement and constructive handling of any complaints, taking reasonable action to ensure that similar situations do not re-occur. Complaints shall be monitored to identify trends, areas of good practice and where improvements could be made.

10.2 The **Student Case Management Team** will submit an annual report on Student Complaints to the University's Education Committee. Recommendations from this report shall be used to enhance the quality of the student experience by informing the future development of University practices, procedures and activities. Monitoring reports will not contain any personally identifiable information.

10.3 A summary of actions made in response to student complaints will be made available to staff and students periodically.

Additional Information

This Procedure forms part of the University's regulatory framework. Other institutional Policies and Procedures that relate to Assessment include:

- **Undergraduate Assessment Regulations**
- **Taught Postgraduate Assessment Regulations**
- **Procedure for Addressing Academic Misconduct**
- **Procedure for Consideration of Exceptional Factors**
- **Procedure for Academic Appeals and Review of Assessment-Related Matters**
- **Student Complaints Procedure**
- Assessment Arrangements for Disabled Students
- **Procedure for the Suspension and Expulsion of Students on the Grounds of Professional Unsuitability**



Support and Guidance

Further support and guidance in relation to these Assessment Regulations is available from the following locations:

Assessment Regulations website
www.mmu.ac.uk/assessment-regulations

Student Hubs
www.mmu.ac.uk/students/hubs

Faculty Student Support Officers
www.mmu.ac.uk/sas/student-services/student-support-officers.php

Students' Union Advice Centre
www.theunionmmu.org/your-advice-centre

Telephone: **0161 247 6533**
Email: s.u.advice@mmu.ac.uk



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