

GUIDANCE NOTE FOR STUDENT COMPLAINTS PROCEDURE

Please read through these Guidance Notes and the [University Complaints Procedure](#) before raising your complaint. The 'Guidance to the Student Complaints Procedure' provides important information regarding the operation and core principles of the Complaints Procedure.

1. What is a 'Complaint' under the Complaints Procedure?

- 1.1 One or more students can use this Procedure to express: 'dissatisfaction ... about the University's action or lack of action or about the standard of service provided by or on behalf of the University' for example;
- Dissatisfaction with the standard of academic or service provision (e.g. course design, curriculum content and structure, assessment arrangements and information, resources and facilities, Halls of Residence);
 - Dissatisfaction with the quality of supervision or tuition;
 - Issues of inappropriate conduct by a member of staff;
 - Failure, on the part of the University, to meet stated obligations (e.g. those set out in the prospectus or on the website).
- 1.2 This list is not intended to be exhaustive and, where appropriate, other matters will be considered under the Complaints Procedure.
- 1.3 Students on placement are entitled to bring complaints about their placement experience should they feel it is necessary. Whether the complaint is dealt with by the University, by the employer or by the placement provider is determined by which organisation has responsibility for the incident being complained about. For example, complaints about human resource issues will be dealt with by the employer or placement provider, but academic and/or University pastoral care matters will be dealt with by the University. A student who wishes to raise a complaint regarding their placement experience but is unsure who has responsibility for dealing with the complaint, should contact their University Placement Coordinator in the first instance. If a student thinks they are being bullied, harassed or discriminated against whilst on placement, they should refer to the [University Diversity and Dignity at Work and Study Policy](#).
- 1.4 Students studying at partner institutions can raise a complaint under the Complaints Procedure if it relates to the academic provision of their programme. If the complaint does not relate to the academic provision of their programme, for example, complaints about accommodation, they should raise their complaint with the partner institution under its complaints procedure.
- 1.5 Students using the Complaints Procedure can raise concerns informally with staff at Stage 1, before formalising them as complaints at Stages 2 of the Complaints Procedure, if not resolved.
- 1.6 The following matter cannot be made under the Complaints Procedure:
- Decisions which amount to "academic judgment"¹. Students who wish to raise an Academic Appeal against a decision of a Progression and Award Board or Mitigating Circumstances Board or Graduate School Board relating to the assessment of an undergraduate, postgraduate taught, or postgraduate research student should refer to the [Handbook of Academic Regulations Section 16 Academic Appeals](#) for taught courses or [Academic Regulations for Research Degrees](#).

¹ Academic judgement is a term found in Part 2 of the Higher Education Act 2004. The Office of the Independent Adjudicator states that academic judgment is not any judgment made by an academic, but a judgment that is made about a matter where only the opinion of an academic expert will suffice. For example, a judgment about assessment, a degree classification, professional suitability, research methodology or course content/outcomes and how best to teach, will normally be academic judgment.

- Complaints which are covered by other procedures. Annex B provides information on complaints which are not covered by the Complaints Procedure and how to raise a complaint about them.
- 1.7 A student who submits a complaint under the Complaints Procedure may also have a related application progressing under another process (for example, a related academic appeal or a related misconduct / fitness to practice case). In these situations, the complaint submitted may be suspended until the other processes have been completed. The student will be informed of this when they submit their complaint. If a student is informed that the complaint process is suspended pending the outcome of another process, at the end of the other process, the student must contact the Academic Standards Manager (studentcomplaints@westminster.ac.uk) to confirm whether they still want to progress their complaint under the Complaints Procedure.
- 1.8 If the Academic Standards Manager decides that a complaint falls under another process, they will advise the student. If a complaint falls under several processes, the Academic Standards Manager will advise how the complaint will be dealt with.

2 Who can use the Complaints Procedure?

- 2.1 The Complaints Procedure is for the use of students who are registered with the University.
- 2.2 Former students may raise a complaint provided the complaint is about a matter which occurred whilst they were enrolled as a student and they comply with the timescales for the submission of complaints. If you are a former student and wish to complain about an aspect of the University's provision that you have experienced since you ceased to be a student, you may not bring a complaint under this procedure, however, please do contact the [Alumni Relations team](#) who will endeavour to assist you.
- 2.3 If you are a student of a partner institution on a course that is validated by the University, including under a franchise arrangement, the student complaints procedures of that collaborative partner will normally apply, and you may therefore not bring a complaint in accordance with this Procedure. However, in the case of complaints concerning matters of academic delivery only, where you have exhausted the complaints procedure of the collaborative partner you shall normally have a right of appeal to the University in accordance with the appeals procedure of this Student Complaints Procedure (see paragraph 9.1 of the Student Complaints Procedure).

3 Time Limits for raising and progressing Complaints

There are time limits for both students and the University under the Complaints Procedure.

3.1 Students

- 3.1.1 **Stage 1: Concerns should be raised as soon as possible after the incident being complained about.** In the first instance you should raise your complaint with the member of University staff directly involved in or responsible for the matter being complained about. If you are not comfortable raising your complaint with that person, you should instead contact that person's line manager. You must make it clear from the outset what remedy you are seeking as an outcome of your complaint.
- 3.1.2 **Stage 2: Stage 2 Complaints must be submitted within 90 days of the occurrence of the matter you are complaining about.** A Stage 2 complaint received after this time will not be considered unless the student can provide a good reason, supported by evidence, why they were unable to submit the complaint within the 90 day period. The University will determine what constitutes a 'good reason' in these circumstances, but this may include the student having a serious illness or operation, or being directly involved with a medical emergency. If a Stage 2 complaint is submitted out of time without a good reason, a Completion of Procedures Letter will be issued to confirm that the University's procedures have ended.

- 3.1.3 Stage 3: **Stage 3 appeals must be submitted within 10 working days of the date of notification of the Stage 2 outcome or, in the case of a partner institution, within 10 working days of the completion of that institution's procedures.** Where such a request is not received by the deadline, the University's internal procedures are completed. Such a request will not be considered if Stage 2 of the process has not been completed. A Stage 3 appeal must be submitted on the Stage 3 Student Complaint Appeal form. The completed form must stipulate clearly and unambiguously the grounds upon which the request is based, and include a comprehensive statement explaining why the grounds have been met.

3.2 **University**

- 3.2.2 Stage 1 - Stage 1 is designed to address straightforward concerns locally and as swiftly as possible. This might be done, for example, by face-to-face discussion with a member of staff.
- 3.2.3 Stage 2 - The Investigating Officer will normally respond in writing to a Stage 2 complaint within 25 working days of receipt of the Stage 2 complaint. If the investigation takes longer than this, because, for example, of the complexity of the Stage 2 complaint or the absence of relevant staff, the student will be kept informed and will be provided with a revised date for a formal response to the Stage 2 complaint.
- 3.2.4 Stage 3 - The Deputy Registrar (Quality and Standards) will normally respond in writing to a Stage 3 complaint within 15 working days of receipt of the Stage 3 complaint. If the review at Stage 3 takes longer than this, the student will be kept informed and provided with a revised date for a formal response to the Stage 3 complaint.

4 **General Principles**

4.1 **Fair Dealing**

Students will not suffer a disadvantage as a consequence of making a genuine complaint. A student's 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. Submission of forged documents may lead to a complaint being suspended, and action possibly being taken under [Student Disciplinary Regulations](#).

4.2 **Early Resolution**

All parties are expected to make reasonable efforts to resolve matters informally as early as possible at Stage 1 of the Complaints Procedure.

4.3 **Anonymous Complaints**

Complaints which are submitted anonymously will not normally be considered because they may impede the investigation and communication of the outcome.

4.4 **Unreasonable, Vexatious, Frivolous or Malicious Complaints**

The University reserves the right to refuse to consider any complaints which are thought to be unreasonable, vexatious, frivolous or malicious. This could include:

- Complaints which are harassing, repetitive or pursued in an unreasonable manner;
- insistence on pursuing non-meritorious Complaints and/or unrealistic or unreasonable outcomes
- Complaints designed to cause disruption or annoyance;

- 4.5 In such cases, the Academic Registrar may terminate consideration of the Complaint. You will be given an explanation, in writing of why the Complaint has been terminated. A false, frivolous, vexatious or malicious Complaint made by or behalf of a Student may be treated by the University as suspected misconduct and referred to be dealt with under the University's Student Disciplinary Regulations or Fitness to Practise procedure.

4.6 **Advice**

[The Student Union Advice Team](#) in the University of Westminster Students Union (UWSU) can give independent information and advice about submitting a complaint and progressing it through the Complaints Procedure. Please also refer to Annex A of this document for other sources of advice and/or guidance. The University does not encourage students to seek legal representation to bring a complaint under the Complaints Procedure because it is not a legal process.

4.7 **Representatives**

4.7.1 A Representative is defined as a person who may represent the student during the process and make representations on their behalf. In exceptional circumstances You may appoint a representative to deal with your Complaint on your behalf once submitted; however, an un-appointed third party may not submit a complaint on your behalf. Should You wish to appoint a representative You must notify the Academic Standards Manager in writing of the name, e-mail and postal address of your representative, as well as their relationship to you (e.g. friend, family member, University staff member, trade union representative, legal representative etc.). Where you appoint such a representative, subsequent communications will be with that representative, and any representations or submissions You wish to make should be made via your representative. You may also contact the University directly and the University may contact you directly. By appointing a representative You are giving permission for the University to share information relevant to the complaint with that representative. A student may revoke representation at any time and must inform the Academic Standards Manager in writing.

4.7.2 Although a student may obtain advice and guidance relating to an issue and be accompanied to a meeting, a complaint will normally only be processed if submitted directly by the student and not by someone acting on their behalf. Neither the student nor the University shall normally be represented by a legal practitioner in considering a complaint under the Complaints Procedure.

4.8 **Confidentiality**

The Student Complaints Procedure provides an internal confidential process for considering and determining Complaints by Students and Former Students. Where possible, this process is and should remain confidential. However, in some circumstances the University may be required to make disclosures either to other relevant staff within the University or to third parties where it is able to do so in accordance with data protection obligations. All individuals involved in the complaints process (including a Student, Former Student, Friend, representative, witness and member of staff) are required to respect the confidential nature of the process and of all information relating to a Complaint and its handling. Breach of confidentiality by a Student, their Friend and/or representative or by a member of staff may be treated by the University as misconduct and referred to be dealt with under the relevant University disciplinary procedure. The University will comply with its obligations of confidentiality and under data protection legislation when sharing or otherwise processing information under the Student Complaints Procedure.

4.9 **Disclosure**

The University operates a disclosure policy, which means that the student complainant will normally be provided with a copy of the information considered in deciding the outcome of the Stage 2 complaint. The documents provided to students may have information deleted to protect the privacy and confidentiality rights of third parties.

4.10 **Disciplinary Action**

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

4.11 **Hearings**

In most cases there will be the opportunity to discuss a complaint with the person who is dealing with the case at Stage 1 or Stage 2. There is, however, no automatic right to a formal hearing.

4.12 Submission of Additional Evidence

While a complaint is being considered under one of the stages of the Complaints Procedure, a student may submit relevant new evidence as it becomes available. However, this may increase the length of time taken to deal with the complaint.

4.13 Recordings

Students are not permitted to make a recording on any recording device of discussions held under the Complaints Procedure, whether at a meeting or by telephone or otherwise unless with the express permission of all parties to the discussions. The student or their representative/friend are free to take informal written notes.

4.14 Legal proceedings

If legal action is pending, the University reserves the right to suspend any internal investigations until such a time as the legal action is resolved. Complainants should also note the position of the [Office of the Independent Adjudicator \(OIA\)](#) on such matters.

4.15 Nominees under this procedure

Where in the Complaints Procedure reference is made to an officer of the University, such references are to be read as including a reference to their nominee.

4.16 Variations to the Complaints Procedure

Where it is appropriate to do so, the procedures set out in the Complaints Procedure may be varied by the Academic Standards Manager.

5 Group Complaints

5.1 Where a complaint matter is being raised by more than one student, it may be dealt with as one collective complaint (a 'Group Complaint'). However, students submitting a Group Complaint must complete the following additional administrative steps:

5.2 One of the students in the group agrees to be the Lead Contact for the group. The University will only contact the Lead Contact in connection with the group complaint. The University will expect the Lead Contact to distribute the University's communications among the group and collate the group's response to the University's enquiries to give to the University. The University cannot be held responsible if the Lead Contact does not accurately provide the views of any member of the group or if they do not pass on information from the University.

5.3 The Lead Contact is responsible for submitting the complaint on behalf of the group to the University. It would be the Lead Contact's responsibility to ensure that the matters the group wishes to raise are listed clearly in the statement and that they have uploaded evidence that the group wishes to submit.

5.4 In addition, the Lead Contact must provide the names of all the members of the group, along with the following information:

5.4.1 All students in the group must provide in writing that they agree that the Lead Contact can represent them in the Group Complaint.

5.4.1 All students in the group must provide in writing how they have been personally affected by the matters raised.

5.5 The Lead Contact is responsible for uploading all information on behalf of the group when the complaint is submitted using the e:Vision task.

5.6 If a member of the group wishes to share confidential information / evidence, they should email studentcomplaints@westminster.ac.uk separately with this information.

- 5.7 Upon conclusion of the group complaint investigation Academic Standards will send each member of the group will receive an outcome letter and copy of the Complaint Investigation Report.

6 Remedies

- 6.1 Remedies for complaints may include an apology, alterations to a process or to a service provided by the University and, exceptionally, compensation for loss or damage suffered. The University seeks to ensure that any remedies proposed are reasonable and appropriate to the nature and circumstances of the complaint.
- 6.2 Financial remedies are usually only considered when a practical remedy is not available or is inappropriate or insufficient.
- 6.3 If the student's preferred remedy is a claim for actual financial loss that they have suffered, documentary evidence of that loss should be provided, for example, receipts for any payments they have had to make because of the University's failings.
- 6.4 Under the Complaints Procedure, the University cannot provide remedies which affect an academic decision of the University, for example, an increase of a student's marks or degree classification. If a student wishes to raise an academic appeal against academic assessment and progress decisions, they should refer to [Section 16 Academic Appeals](#)

7 Completing the Student Complaint Form

- 7.1 All sections of the Student Complaints Form (which is accessed online via the student's record on e: Vision. A Student Complaint User Guide is available for help in using the online form), must be completed in full. If a student needs advice or has difficulty with the form or does not understand the procedures, they should contact an adviser from [The Student Union Advice Team](#) in the University of Westminster Students Union (UWSU).
- 7.2 **Details of the Complaint**
The student should give details of their complaint. The complaint must be summarised even if students attach supporting documents. Students can provide additional information or expand on their complaint, but it is helpful to explain the complaint as concisely as possible. When submitting a formal complaint please ensure you:
- Explain what steps you took to resolve your complaint informally and why you are dissatisfied with the Stage 1 response
 - Provide detailed information explaining in full all of your concerns, including names if you are referring to staff members and dates when the matter(s) occurred
 - Provide a timeline or chronology of events (if applicable)
 - Provide any evidence in support of your complaint – emails, messages, blackboard announcements, witness statements, etc.
- 7.3 **Please give an indication of the desired outcome**
Students should let us know what they want done about their complaint. The University will consider any remedy proposed. However, it is important for students to be realistic about what they would like to be done about their complaint. Please see paragraph 6 above regarding the University's approach towards Remedies.
- 7.4 **Evidence to support the Complaint**
7.4.1 Students must provide evidence to support their complaint. The type of evidence required will depend on the type of complaint submitted. For example, for complaints relating to a student's health, medical certificates should be provided; for complaints about financial loss, receipts or bank statements etc. should be provided, and, more generally, students should provide letters, emails and witness statements (as appropriate) to support their complaints. Students can contact the Academic Standards Manager if they are unsure about what evidence to provide to support their complaints.

7.4.2 Anonymous evidence, e.g. anonymous witness statements, will normally not be accepted as valid evidence.

7.5 **Late submission of the Stage 2 or Stage 3 Complaint**

Late complaints will only be considered in highly exceptional circumstances, where there is credible and compelling evidence supporting the reason for late submission, the evidence should also explicitly support the inability to submit the complaint by the University's published timeframe. This helps to ensure that the University applies the procedures consistently for all students.

Annex A: Services and Support Available

Academic Appeals

For issues relating to a request for a review of a decision of an Assessment Board on student progress, assessment and awards including challenges to the outcomes of the mitigating circumstances process may be best dealt with under academic appeals procedures (Section 16 Academic Appeal Regulations).

Email: academicstandards@westminster.ac.uk

Webpage: [Academic appeals | University of Westminster, London](#)

Counselling Service

A free confidential counselling service for students and staff.

Email: counselling@westminster.ac.uk

Webpage: [Counselling | University of Westminster, London](#)

Disability Learning Support

For advice regarding disability issues.

Email: dls@westminster.ac.uk

Webpage: [Disability Learning Support | University of Westminster, London](#)

Student Complaints

For general advice on the complaints process and advice on the University's mechanisms for external review of complaints.

Email: studentcomplaints@westminster.ac.uk

Webpage: [Student complaints | University of Westminster, London](#)

Student Representation

Course representatives are elected by students to represent their views.

Webpage: [Student representation | University of Westminster, London](#)

Student Wellbeing

Health and wellbeing advice

Email: student-wellbeing@westminster.ac.uk

Webpage: [Student Wellbeing | University of Westminster, London](#)

The Student Union Advice Team

The Student Union Advice Team with the University of Westminster Student Union gives general support and advice relating to complaints and appeals.

Email: suadvice@westminster.ac.uk

Webpage: <https://www.uwsu.com/>

Annex B: Matters falling outside the remit of the Complaints Procedure

The University's Complaints Procedure should not be used for any of the following, for which separate procedures exist:

The following is a non-exhaustive list of matters that will not be treated as a Complaint and not considered under this *Student Complaints Procedure*:

- Concerns about or appeals against decisions of Assessment Boards, including issues of academic judgement or outcomes of the mitigating circumstances procedure. Such matters must be considered in accordance with the [Academic Appeal Regulations](#) (see section 1.5 above for further information);
- Concerns about the actions of other Students. Such matters will normally be considered in accordance with either the [Student Disciplinary Regulations](#) or the [Academic Misconduct Regulations](#), as appropriate;
- Concerns or appeals by a Student who is or has been the subject of disciplinary action arising from actions or decisions taken under the [Student Disciplinary Regulations](#), which will be considered solely under those Regulations;
- Concerns or appeals by a Student who is or has been the subject of disciplinary action arising from actions or decisions taken under the [Academic Misconduct Regulations](#), which will be considered solely under those Regulations;
- Concerns or appeals arising from actions or decisions taken under the [Fitness for Registration & Practice Regulations](#), which will be considered solely under those Regulations;
- Concerns or appeals arising from actions or decisions taken under the [Fitness to Study Regulations](#), which will be considered solely under those Regulations.
- Complaints or appeals concerning the University's admissions process, which will be considered in accordance with the [Applicant Complaints Procedure](#).
- Complaints concerning the [University of Westminster Students' Union \(UWSU\)](#), which should be directed to the Students' Union in accordance with the Students' Union's own procedures. The procedure required under Section 22 (m) of the Education Act 1994, for an independent person appointed by the University of Westminster Academic Council to investigate and report on complaints against UWSU, is set out in Appendix A below.
- Complaints by Students who are also employed by the University where the complaint relates to their employment, which will be considered in accordance with the [Grievance Policy and Procedure](#).
- Concerns about wrongdoing at the University which are in the public interest should be raised in accordance with the [Public Interest Disclosure \(Whistleblowing\) Policy](#).