

MAKING A COMPLAINT

Welcome to Advice Direct... the written information service from Guild Advice.

This leaflet is designed to provide you with information on how to raise a concern and make a complaint at University through the Code of Practice on Student Concerns and Complaints.

Can I Complain?

It is hoped that at the University of Birmingham you will be able to focus on your studies with the support of your department and enjoy your time here. It is acknowledged, however, that occasionally some students may experience problems or difficulties, either academic or non-academic.

As a registered student you have certain **rights** and **entitlements**, which are set out in the Students' Charter (see 'Sources of Help' below). It is the duty of the University to meet these expectations. When they are not met you have the right to complain.

Making A Complaint

The University of Birmingham Code of Practice on Student Concerns and Complaints is intended to deal with student grievances quickly, fairly and consistently across the University. The procedure is designed to deal with complaints relating to:

- Programmes, modules, services or facilities provided by the University
- Actions, or lack of actions, by University and its staff
- Complaints against other students

There are certain issues, however, for which there are separate procedures

- Reviews of admissions procedures
- Appeals against academic assessment and progress decisions

- Appeals against disciplinary or other penalties
- Claims in respect of personal injury or damage to property
- Staffing issues, where the student complainant is also a member of staff
- Complaints concerning the Guild of Students
- Complaints concerning businesses operating on University premises, but not owned by the University
- Complaints falling within other procedures established within the University

The Code of Practice on Student Concerns and Complaints is split into two main stages, Informal and Formal.

1. Informal Stage

The first step that you must take in making a complaint is to establish whether you have a **valid reason** to complain. If you feel you do, you must initially attempt to resolve the issue **informally**, by contacting the individual or department concerned and politely inform them of your grievance, this will normally take place **within one month** of the event being complained about. For example, if you have problems with your University accommodation, you must contact your Hall Manager. If you have a complaint regarding your teaching or assessment you are advised to speak to your Personal Tutor or your Welfare/Senior Tutor.

A complaint should normally be made within 1 month of the initial event being complained about. This also applies to postgraduate students having problems with their supervisor(s), see the Advice Direct 'Problems with Your Supervisor'. Written dated evidence of this is key.

The Code of Practice **does not allow you to question academic judgment** for example the marking of your work, if you are unsure as to whether you are questioning academic judgment, please contact Guild Advice or the Student Complaints Officer (see Sources of Help, below).

Your correspondence to raise the complaint informally should include:

- **Your details** – Name, address, department, programme and year of study, registration number.
- **A detailed account of the complaint** – including dates of events, names of contacts or individuals involved, why you are complaining.
- **Action already taken by you** – explain what you have done to resolve the problem, whom you have contacted, the outcome and why it is unsatisfactory.
- **Decision hoped for** – what do you hope to achieve as a result of your complaint, e.g. apology, personal tutor changed
- **Evidence** – any evidence that supports your claim (e.g. reference to University regulations, Codes of Practice, Student charter) or is of relevance (e.g. letters, receipts, emails).

If you still feel that your grievance has not been adequately dealt with you should make a complaint using the correct form, to the Head of your School or the relevant Corporate Service **within one month** of the date of the response from the relevant staff member about your initial complaint. The **Concern Review Form** asks for the information already outlined above.

This form should be submitted to either the Head of School/Corporate Service. The design of the documentation within this process is aimed at identifying the fundamental elements of your complaint, to allow the University the opportunity to resolve it appropriately. It is therefore important that you take time in completing this and any other forms.

Once your form has been submitted, the relevant department of the University will look into the details of your complaint. As part of this process you will also be invited to a meeting with the Head of School/Corporate Service and/or student conduct nominee known as the Investigating Officer to discuss the issues you have raised in your form. You are entitled to take a “friend” to this meeting to support you – a “friend” is a current registered student, a member of staff from the University, a Full Time Officer from the Guild of Students.

A **Full Time Guild Officer** is a University of Birmingham Student who has been elected to provide representation for students, an Officer can attend a meeting with you to provide support and ensure procedures are followed.

This can be arranged through Guild Advice Advisors.

The Code of Practice states that you should normally receive a detailed written response to your complaint from the Investigating Officer **within 20 working days** of the date of receipt of your Concern Review Form.

Dependent on the University's investigation through the Investigating Officer (I O) [the Head of School or Corporate Service nominee] could offer one of the following outcomes:-

- Letter of explanation and/or apology
- Recommendations for further actions within the School/corporate service
- Recommendations for changes in University procedures/policies etc to be submitted to the appropriate University Committee
- Offer of re-imbursement of expenses up to a maximum of £100
- An alternative to the above if the investigating officer sees this fit, following discussion with the case handler.
- Remedy in line with other university policies, procedures, regulations and codes of practice.

Following the response from the Head of School or Corporate Service nominee, if you have taken the above steps, and you still feel that you have not had a satisfactory response, **then you should consider the formal stage of making a complaint.**

2. Formal Stage

If you feel that you have not received a satisfactory response to your complaint at the informal stage, you can submit a formal complaint **within one month** of the written response from the Investigating Officer.

Once again there is a relevant form which must be filled in, in order for the complaint to be considered. This is located on the University website [here](#), named the Senate Review Form.

At this stage you may find it helpful to contact Guild Advice to speak to an Advisor (see 'Sources of Help'). Advisors can discuss your problem with you, help you to prepare your formal complaint and advise you about the process.

- a) Before proceeding to the Formal stage, the case handler (who administers the complaint)/ IO may consider whether there are any alternative means of resolving the complaint. Options may be provided to the student and **you must again respond to the options within one month of receiving those proposals** indicating whether you are prepared to accept the proposals or not.
- b) If any alternative resolutions proposed are refused, your complaint will be referred to a Senate Review. **In any instance, we would strongly recommend that you discuss any options ASAP with Guild Advice if you are unsure on how to proceed.**

Mediation

In certain cases it may be appropriate to undertake mediation between the parties (e.g. you and your school). If the Case Handler/investigating officer cannot resolve the matter it will *normally* be referred for mediation. The University aims to complete the mediation process within 6 weeks of referral.

The Head of School, during the informal stage, may also offer you to mediation as part of the process.

In either of these cases you should look to speak to your Guild Advice Advisor regarding the process of mediation – with direct reference to the specifics of your complaint or concern.

We would suggest that you seek independent advice before agreeing to mediation.

The Senate Review Panel

If no resolution can be reached through mediation then your complaint will be referred to the Senate Review Panel.

The Panel will carry out a paper-based review of the complaint, however there is no hearing or meeting at which you can attend.

During the Senate Review Panel, the members will consider:-

1. Whether the appropriate process has been followed under the **Code of Practice on Student Concerns and Complaints**.
2. Whether fairness and proportionality has been exercised in the decision making process.
3. Whether it is appropriate to propose an alternate resolution.

The Panel will then decide on whether the processes followed and judgments made were appropriate; whether to refer the matter back to an earlier part of the process; and whether an alternative resolution is offered.

Within 5 working days of the Panel meeting, an outcome will be sent to you.

The Senate Review Panel makes up the final stage of the University's procedures. In certain limited instances you may be able to submit a Grievance to Council – please seek further advice before submitting a Grievance.

External Action

Office of the Independent Adjudicator for Higher Education (OIA)

The OIA provides an independent scheme for the review of student complaints. If having received a response from Complaints Review Panel you are still dissatisfied, then you may ask the OIA to consider your complaint.

They will usually **only** review a case if all the University's internal procedures have been exhausted. Once this has happened the University will issue a '**Completion of Procedures**' letter. An application to the OIA should be made **within 3 months** of receipt of this letter however **the request for the completion of procedures letter would need to be made within 1 month** of having received the Senate Review Panel Outcome, should submitting a grievance to council, not be an option for you. Any decision and recommendations made by the OIA will normally be accepted by the University (although it cannot be compelled to do so). Further details and an application form are available from the OIA.

Sources Of Help

Guild Advice, Guild of Students

Email: thearc@guild.bham.ac.uk

Visit the website at: <http://www.guildofstudents.com/support/thearc/>

Opening Hours

Drop In Clinics

Saturday/Sunday

Monday – Friday

Monday - Friday

CLOSED

Term: 10am-4pm Vacation 12pm-2pm

12 – 2pm

Student Complaints Officer

Email: student-complaint@contacts.bham.ac.uk

Tel: 0121 414 3811

<https://intranet.birmingham.ac.uk/as/registry/policy/complaint-appeal/complaints/index.aspx>

Code of Practice on Student Concerns and Complaints

<http://www.birmingham.ac.uk/Documents/university/legal/15-16/code-of-practice-student-concerns-and-complaints-procedure.pdf>

Students Charter:

<http://www.birmingham.ac.uk/students/birmingham/student-charter.aspx>

Office of the Independent Adjudicator for Higher Education (OIA)

www.oiahe.org.uk

Tel: 0118 959 9813

Email: enquiries@oiahe.org.uk

Counselling & Wellbeing

Website: www.studenthelp.bham.ac.uk

Telephone: 0121 414 5130

Disability & Learning Support

Email: disability@contacts.bham.ac.uk

Telephone: 0121 414 5130

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