

Nottingham Trent University

Quality Handbook

Part E: Regulations

Section 17E: Student Complaints Procedure

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1. Introduction

The University is committed to providing high quality education and services to all students. We value the views of our students and aim to provide a supportive environment and manage complaints in a way which is sensitive to the needs of each specific case.

- 1.1 The University is a large organisation and we are aware that problems may arise from time to time with regard to your course, the services or the facilities provided. You are encouraged to raise any concerns with us immediately so that we can discuss them with you at an early stage and prevent matters from becoming more complex. We aim to deal with complaints in a timely and consistent way to ensure that you are not disadvantaged as a result of raising your concern with us. We will provide peer support for you in bringing concerns to our attention and you will not be disadvantaged or treated less favourably by any member of staff than if you had not raised the complaint.
- 1.2 The complaints procedure incorporates the following:
 - a. Level 1: Early resolution at local level; and
 - b. Level 2: Formal stage

If you remain reasonably dissatisfied with the outcome once you have completed these processes, you may request a Complaint Review. You also have the opportunity to request a review of your complaint by the Office of the Independent Adjudicator (OIA).
- 1.3 These procedures have been developed to reflect the framework of the Office of the Independent Adjudicator (OIA) and is based on the 'Good Practice Framework: handling student complaints and academic appeals'.
- 1.4 In this document "we", "our" and "us" refers to Nottingham Trent University and "you" and "your" refers to students enrolled at Nottingham Trent University.
- 1.5 Reference to "working days" means days during the working week from Monday to Friday, excluding weekends, UK Bank Holidays and all University closure days.

2. Principles

This procedure is designed to ensure that complaints are treated fairly and seriously.

- 2.1 The University will ensure that students with protected characteristics, as defined under the Equality Act 2010, are treated fairly and without discrimination.

- 2.2 It is desirable that complaints are resolved locally, amicably and quickly and that the formal stage is only invoked following an attempt at local resolution.
- 2.3 This Procedure is internal to the University and does not have the same degree of formality as a court of law. As such legal representation is not deemed to be necessary or appropriate in the circumstances.
- 2.4 We reserve the right to transfer your complaint to another procedure if we feel that your concerns could be more appropriately addressed through a different University process. For example, complaints relating to University staff will be transferred to the Staff Disciplinary Policy and Procedure. Where your complaint is transferred we will inform you of this and direct you to relevant guidance and/or support.
- 2.5 We reserve the right not to respond to each individual point raised in a complaint, but where appropriate points may be grouped together when providing a response.
- 2.6 If your concern has already been raised through a different University procedure, then you may not pursue it concurrently through the Complaints Procedure; equally, if you have raised a concern through the Complaints Procedure then you may not pursue it concurrently through other existing procedures.
- 2.7 If a complaint is settled at any stage of the process, i.e. compensation is offered and accepted, you cannot then escalate your complaint to a later stage in the process.

3. What is a complaint?

A complaint is an expression of dissatisfaction by one or more students about the University's action, inaction or standards of service which have been provided by, or on behalf of, the University, on or off the campus.

- 3.1 Examples of complaints could include, but not are limited to;
 - a. Failure by the University to meet obligations including those outlined in the course/student handbooks or the student charter.
 - b. Concerns about the delivery of a course, teaching or administration.
 - c. Concerns about the quality of facilities, learning resources or services provided directly by the University.
 - d. Complaints involving other organisations or contractors providing a service on behalf of the University.
- 3.2 We will not normally deal with the following as complaints under this procedure:
 - a. a complaint about an admissions decision, which should be directed to the Admissions Office (or [Doctoral School](#) for research degrees). See the [Admissions Policy](#) for details.
 - b. Academic matters relating to assessment performance and outcomes, which will be considered under the [Academic Appeals Procedures](#); or matters of

- academic irregularity and misconduct which will be considered under the [Academic Irregularities Procedures](#)
- c. Challenges to academic judgement, that is, the decision made by academic staff on the quality of the work itself or the criteria being applied.
 - d. a concern about bullying or harassment by a student, which would fall within the [Student Code of Behaviour](#).
 - e. a complaint about the role of representatives of the Students' Union which should be directed to the [Nottingham Trent Students' Union](#).
 - f. matters relating to the [Student Loans Company](#), which has its own complaint procedures.
 - g. a complaint from an employer in relation to their employee who is an NTU student:
 - i. on an Apprenticeship;
 - ii. whose studies are partly or fully sponsored by an employer.
 - h. a matter that has been subject to legal proceedings in a court or tribunal unless those proceedings have been put on hold; or
 - i. a complaint that has already been dealt with through another process or considered by another appropriate body.
 - j. A complaint relating to a student's Fitness to Practice on a professional course.
 - k. Disruption to the normal operations of the University due to circumstances beyond its control where the University has made reasonable alternative arrangements to minimise the impact on students, including (but not limited to):
 - i. Fire or explosion;
 - ii. Terrorist act or threat or a terrorist act;
 - iii. Outbreak or a communicable disease, epidemic or pandemic;
 - iv. Civil emergencies;
 - v. Government restrictions or order, rule, regulation or action by a government or public authority;
 - vi. National mourning.
- 3.3 Where a complaint involves multiple issues, which do not fall neatly into the category of complaint (e.g. because it also covers issues that fall within the remit of academic appeals or other procedures), these matters may be considered together. Depending on the individual circumstances of each incident, the University reserves the right to either suspend one procedure pending the outcome of the other, or decide not to pursue a procedure in favour of the other.
- 3.4 If the issue(s) or event(s) triggering the complaint are the subject of, or related to, a police investigation, the University may suspend its complaint process pending the completion of that investigation and where appropriate any criminal proceedings, or may continue in parallel. This will be decided on a case-by-case basis and, where appropriate, in dialogue with the police.

4. Scope – Who is covered by the procedure?

The complaints procedure can be used by all Nottingham Trent University students with the exception of those named in the explanatory notes below.

- 4.1 This Procedure applies if you are:
- a current student enrolled with the University, including on part-time and distance learning courses, on an apprenticeship route or as part of a School-Based collaborative partnership; except research degree students for whom a separate process applies.
 - a student on a break in study.
 - a past student, and were enrolled at the University at the time of the events giving rise to the complaint (subject to the time limits set out in section 5.7 below).
- 4.2 **Group Complaint;** If you are making a collective complaint with a group of students, the University will request that one student is named the main contact for purposes of communication.
- 4.3 **Complaint by a Third Party on behalf of a student;** You are encouraged to make a complaint personally. The University will only accept a complaint on your behalf from a Students' Union representative, a parent/guardian or other third party if you provide written authority for them to do so. Where consent is provided to and accepted by the University, all communications relating to this process will still be copied to the student to ensure they are informed. The University reserves the right not to engage with a third party if, in our view, they do not behave in an acceptable manner.
- 4.4 **Anonymous complaints** are accepted and will be investigated via Report and Support.

Explanatory notes

- Research degree students are subject to Quality Handbook (QH) Section 17F: Research Degrees Complaints and Appeals Procedures.
- Students studying for a Nottingham Trent University award at a partner institution under a validation service arrangement are referred to Section 11 of this procedure.

5. Timeframe to make a complaint

Whether you are a current or former student, complaints should be submitted within 60 working days of the issue or event that occurred.

- 5.1 You may make a complaint about an issue or event which occurs while you are enrolled as a student at the University. You do not need to be still enrolled when you make your complaint provided the issue or event about which you wish to complain occurred while you were an enrolled student.
- 5.2 Complaints submitted outside of the prescribed time limits are difficult to investigate, given the passage of time. Complaints submitted outside of those time limits therefore will not be considered unless you can show good cause, i.e., that you have been prevented from submitting your complaint as a result of exceptional circumstances and provide relevant evidence in support.
- 5.3 An example of such circumstances may be a serious illness, bereavement or childbirth. A busy lifestyle will not be considered an exceptional circumstance.
- 5.4 You must state reasons for the delay when submitting the complaint and provide supporting evidence to extend the normal complaint timeframes, for example doctor's letter, birth and death certificates. The University reserves the right to accept or reject a complaint submitted out of time following consideration of any supporting evidence provided. In addition, the University is not obligated to investigate a complaint where some or all of the relevant records are no longer readily accessible to the University given the lapse of time since the matter complained of took place.
- 5.5 We will send you a Completion of Procedures letter if we do not accept your complaint for being out of time. That letter will explain why your complaint has been submitted late by reference to the time limits prescribed in this procedure.
- 5.6 The University normally aims to deal with all complaints within the timeframes set out in the table below.

Level	Student	Acknowledgement	Outcome
Level 1: early resolution at local level	Raise your complaint within 60 working days of the cause for concern.	Within 5 working days of receipt of the complaint, setting out the points of complaint.	Response communicated within 20 working days of receipt of the complaint.
Level 2: formal stage	Raise your complaint within 10 working days of the date of the local resolution outcome.	Within 5 working days of receipt of the complaint, setting out the points of complaint.	Response communicated within 30 working days of receipt of the complaint.

Complaint review	Request a review within 10 working days of the level two outcome.	Within 5 working days of receipt of the request for a review.	Response communicated within 15 working days of receipt of request for review.
OIA	Request a review within 12 months of the date of the Completion of Procedures Letter.	The University has no direct involvement with the complainant.	OIA timescales

5.7 Where it is not possible to manage a complaint within these timeframes, an alternative timescale will be provided.

5.8 Where you fail to proceed within the timescales specified we reserve the right to stop your complaint from progressing through this Complaints Procedure.

6. Using this procedure

The existence of this Procedure does not preclude you from discussing any issues or concerns about your studies informally with your school.

6.1 Staff in your School or the relevant Professional Service can be the first point of contact for you to discuss any concerns that you may have.

7. Level One: Early resolution at local level

Most complaints can be resolved locally. This is usually the most useful and effective means of resolving a complaint and should be the first recourse.

7.1 You should raise your concerns quickly and directly with your school or the relevant service area. If you are not sure where to raise your complaint or if you feel that you are unable to raise your complaint with your school or the service area concerned, please contact [Academic Registry](#) for advice.

7.2 You must raise your complaint no later than **60 working days** from the incident or cause for concern using the [relevant form](#).

7.3 You should describe your concerns clearly and provide information and evidence where possible to support your claims. Submit the level one complaint form and your supporting evidence to your school or the relevant service area.

7.4 Your complaint will be acknowledged within **5 working days**. You will receive an outcome within **20 working days**.

8. Level two: Formal stage

If you remain dissatisfied and/or consider your complaint to be unresolved following resolution at a local level, you may choose to escalate your complaint to the formal stage.

Where a local resolution is not possible due to the character, complexity or seriousness of the case, the formal stage will be used.

- 8.1 If you invoke the formal stage you must submit a [Complaint Form](#) within **10 working days** of the date of the level one outcome.
- 8.2 You should explain clearly on the Complaint Form why you believe that your complaint remains unresolved as this will help us to understand your complaint. We may ask you for further clarification or information, where necessary.
- 8.3 You should also describe the resolution that you seek as a result of your complaint as this can be extremely helpful to us. However, you must recognise that our response may differ significantly from your desired outcome.
- 8.4 You should provide detailed information to support your claims, and documentary evidence, where possible.
- 8.5 Your level two complaint will be investigated by a Complaint Investigator within Academic Registry, which is a central University department independent of all schools and service areas. The Complaint Investigator will:
 - a. consider whether your complaint is eligible and has been submitted within the time limit; and
 - b. consider whether the issues you have raised in your complaint should be investigated under this procedure or whether they would be more effectively addressed through another procedure.
- 8.6 Your complaint will be acknowledged within **5 working days** of receipt.
- 8.7 If your complaint is eligible the Complaint Investigator will assess your claims against the evidence you have provided, consulting other staff where appropriate. The Complaint Investigator may deem it necessary to meet with you to discuss your complaint. If you are unwilling to attend a meeting without good reason this and your reasons for not attending will be taken into account in the outcome of your complaint.
- 8.8 You may request to meet with the Complaint Investigator if you wish to discuss the details of your complaint in more detail. Such a request will not be unreasonably denied by the University.
- 8.9 You may be asked to explain the information or evidence you submitted with your Complaint Form or you may be asked for further information or evidence. You are expected to co-operate with reasonable requests, within the time limit set for a response.

- 8.10 Having considered the complaint, the evidence presented in support of it, together with any findings of investigation, the Complaint investigator will produce a decision letter, which will inform you of the process followed, the information gathered, the conclusions drawn and any recommendations made.
- 8.11 You will receive an outcome within **30 working days** from receipt of your Complaint Form. If the investigation into your complaint will take longer we will notify you of the reasons and provide you with an expected date of response. The outcome will be sufficiently detailed for you to understand our response.
- 8.12 If your complaint is upheld (in full or in part) a proposed remedy or other form of redress will be offered to you.
- 8.13 If your complaint is not upheld, you will be provided with an explanation for the decision.
- 8.14 Other staff at the University may be informed of the complaint outcome with due regard to confidentiality, as appropriate.

Complaint panel

In particularly complex cases, the Complaint Investigator may refer a level two complaint to a Complaint Panel.

- 8.15 Should a Complaint Panel be required you will be informed of this decision in writing.
- 8.16 The Complaint Panel will comprise:
- An Executive Dean from outside the School in which you are enrolled or Head of Service from a different service area;
 - One member of staff from outside the School in which you are enrolled (or others involved in the complaint);
 - A representative from the Students' Union Executive committee;
- 8.17 A Complaint Panel will be arranged within **10 working days** of receiving your complaint. We reserve the right to extend this time if needed.
- 8.18 You will be given notice of the date of the Complaint Panel and depending on the nature of the complaint, you will be invited to attend and the members of the panel will:
- go through the complaints process with you;
 - give you the opportunity to explain your complaint;
 - review those parts of the evidence which support your complaint or adversely affect it.
- 8.19 You are entitled to submit further evidence and call witnesses, provided that all information and documents are received by us by no later than **3 working days** before the Panel meeting.

- 8.20 All relevant papers will be provided to the members of the Panel and to you **5 working days** before the panel.
- 8.21 You will be informed of the composition of the Panel **5 working days** before the Panel Meeting. If you feel that a Panel member has a conflict of interest, you can submit a request in writing to the Academic Registrar for a replacement **3 working days** prior to the panel date.
- 8.22 The Complaint Panel meeting shall take place at the date and time confirmed in writing to the parties concerned. As much notice as possible will be given (normally at least **5 working days**) but there may be flexibility as to notice, dependent upon the circumstances of the investigation and urgency of the complaint.
- 8.23 The parties concerned shall be permitted to question each other, any witnesses and to address the Panel. The Panel may question the parties concerned and any witnesses.
- 8.24 If you fail to attend the Panel Meeting without good reason, the Panel will decide whether to consider your complaint in your absence, dismiss the complaint or invite you to a re-convened Panel Meeting.
- 8.25 We will take notes of the hearing setting out who attended, a brief outline of the proceedings, and the reasons for the decisions taken. These are note routinely shared with you, but are available on request.
- 8.26 The Panel will consider the facts and determine an outcome to the complaint which will be provided to you within **3 working days** of the Panel Meeting. The Panel may reject the complaint (not upheld) or uphold (in full or in part) the complaint, identifying appropriate redress.
- 8.27 After an initial complaint hearing we may carry out further investigations and hold further complaint hearings as we consider appropriate. Such hearings will be arranged without unreasonable delay.

Support at the Complaints Panel

- 8.28 The complaints process is not a legal procedure but is instead a formal mechanism by which consideration can be given to the matters raised by you. The purpose of a Complaint Panel is to enable you to explain your complaint and how you think it should be resolved, and to assist us in reaching a decision based on the available evidence and the representations you have made. Legal representation is not therefore permitted at meetings taking place at any stage under this procedure.
- 8.29 You may bring with you to the panel meeting, a supporter who may be either a [Students' Union representative](#), a fellow student or a parent/guardian. You must tell the Complaint Investigator who your chosen companion is, no later than **3 working days** before the Panel meeting. (for role of supporter see 15.2).

Closing the formal stage

- 8.30 The outcome of the complaint will be communicated to you in a letter via email, outlining the reasons for each decision and advising of the right to a Complaint Review.

8.31 If at this stage you are satisfied with the outcome and consider the complaint to be resolved, no further action is needed and the complaint is closed. You will not be entitled to request a Completion of Procedures letter on this basis.

9. Complaint review

If you are dissatisfied with the outcome of the formal stage on the grounds stated in paragraph 9.1 below you may request a Complaint Review.

- 9.1 Requests for a Complaint Review will only be granted on the following grounds:
- There was a procedural irregularity by the University in the consideration of the complaint which has materially affected the outcome; or
 - You have new material evidence which could not have previously been made available, for valid reasons; or
 - The outcome was not reasonable in the circumstances, in that the decision maker, taking into account the facts and circumstances of the case could not have reasonably reached that decision; or
 - Your complaint is about a partner institution in relation to quality of learning opportunities provided and you have exhausted the complaint procedures at the partner institution.
- 9.2 You should set out your concerns clearly and succinctly using the Complaint Review form and provide evidence in support (where possible). You must explain how your request falls within one or more of the grounds set out above
- 9.3 You must submit your Complaint Review request within **10 working days** of the date shown on the formal stage outcome letter.
- 9.4 A member of Academic Registry with no prior involvement in the matter will make a decision as to whether your request for a Complaint Review is based on the permitted grounds and hence eligible to be considered and notify you within **5 working days** of receiving the request.
- 9.5 If it is determined that the grounds are not satisfied, you will be informed of the decision and we will send you a Completion of Procedures letter confirming the closure of your matter and university processes within **15 working days** of the decision not to progress your matter to Complaint Review.
- 9.6 Once we have determined that your request meets one or more of the grounds for Complaint Review, we will allocate a Complaint Reviewer, not previously involved in levels one or two of the complaint process, to undertake the review. The Reviewer will consider all information collated for the complaint, together with any new evidence presented, but may contact you and anyone previously involved in the complaint as well as any new witnesses.
- 9.7 The purpose of conducting a Complaint Review is to consider whether the ground(s) relied on by you have merit. The Review will not consider new or previous issues of your complaint afresh, nor will it involve further investigation. It

will consist of a review of the evidence submitted in relation to the permissible grounds.

- 9.8 Upon completion of the review, the Reviewer will either uphold the outcome made at the formal stage, or make a different finding which overturns the original outcome. The decision taken at the Review stage is final. The outcome of the Complaint Review will be communicated to you in writing via email, and will include a Completion of Procedures Letter, normally within **15 working days** from your Complaint Review request being accepted. **This is the end of the University's internal procedures.**
- 9.9 If the deadlines are not deliverable, we will contact you to explain the delay and set a new deadline for our response.

10. Office of the Independent Adjudicator (OIA)

In the event that you are not satisfied with the outcome of the Complaint Review, you may request an independent external review of your case by the OIA.

- 10.1 You must complete the University's internal procedures before you can request an OIA review.
- 10.2 Your complaint must be submitted to the OIA within **12 months** of the date of your Completion of Procedures Letter from the University and must be submitted using the OIA's form. You must include your Completion of Procedures Letter with your submission.
- 10.3 Further information can be found on the OIA's website at www.oiahe.org.uk.

11. Complaints about partner institutions

If you are studying with a partner institution under a validation service arrangement you must complete the partner's local complaints processes before you can raise a Complaint Review with the University.

- 11.1 To apply for a Complaint Review under this procedure, you must ensure that
- procedures at the non-awarding partner institution have been exhausted; and
 - the complaint concerns the quality of learning opportunities provided.
- 11.2 If you submit a request for Complaint Review in relation to the partner institution, you will need to provide:
- written consent for us to request the details of the investigation from the partner institution; and
 - as much information as possible for us to carry out the review.

12. Evidence

It is your responsibility to substantiate your claims with independent documentary evidence.

- 12.1 We encourage you to provide sufficient details to support your complaint. Scanned copies of original documents will be accepted, however, original hard copies may be requested at any time.
- 12.2 You may be asked to clarify aspects of your complaint or to provide further information or evidence at any time to enable a full investigation. For example, relevant email correspondence, as well as meeting and telephone attendance notes can help us investigate your complaint more effectively.

13. Frivolous or vexatious complaints

Students and third parties using this procedure are expected to act professionally, reasonably and fairly towards University staff, and, in particular, to refrain from conduct which is abusive, rude or aggressive or otherwise requires action under the Student Code of Behaviour Procedure or termination of a complaint.

- 13.1 If we believe that your complaint is frivolous or vexatious, we reserve the right to terminate our investigation of your complaint. A complaint will be deemed vexatious or frivolous if it is:
- Obsessive, harassing, or repetitive;
 - Insistent on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes;
 - Insistent on pursuing what may be meritorious complaints in an unreasonable manner;
 - Designed to cause disruption or annoyance; and/or
 - Demanding for redress which lacks any serious purpose or value.
- 13.2 In instances where a complaint is considered to be frivolous and/or vexatious, or where the conduct of you or a third party behave in a way that is considered to be unacceptable, the Executive Dean of School or Head of Department (or nominated Deputy) will decide whether to terminate contact with the complainant. In exceptional circumstances, this may mean that consideration of the complaint is also terminated, in which case you will be issued with a Completion of Procedures letter.

14. Confidentiality

The University will handle complaints with an appropriate level of confidentiality, and release information only to those who need it for the purposes of investigating or responding to it.

- 14.1 Details of any complaint about another student will be shared with them, so that they can respond to any allegations made against them.
- 14.2 Anyone making a complaint is expected to maintain confidentiality and avoid publishing to third parties, either on social media or by other means, any correspondence about the complaint between you and the University or any other University correspondence which is part of the complaint.
- 14.3 We will share the details of the complaint outcome with the relevant School/department.

15. Support for students

You are encouraged to seek support with the Complaints Procedure should you need it.

- 15.1 You can seek independent advice from the Student's Union [Information and Advice Service](#).
- 15.2 Your School and/or Academic Registry is able to provide you with advice and guidance on using this Procedure.
- 15.3 If you are under 18 years of age and you raise a complaint, Academic Registry will notify your parent/guardian that you have submitted a complaint and will keep them informed of progress, unless you expressly ask us not to.
- 15.4 Throughout the complaints process you may be accompanied to any meetings by a representative of the NTSU Information and Advice Centre, a friend or other supporter. You may be represented by that NTSU representative or friend upon agreement between you and us.
- 15.5 The role of any supporter is to provide support and advise the student. The student is expected to communicate and engage with the process themselves; there is no automatic right for supporter to communicate on the student's behalf. The University reserves the right not to engage with the Student's supporter if, in the view of the Academic Registrar, they do not behave in an acceptable manner or respect the nature of the role.
- 15.6 NTU provides a number of support services. You are encouraged to engage with these services and take up any appropriate support available to you. You can:
 - a. find out what support is available from [Student Services](#)

- b. [speak with a support adviser](#)
 - c. get support from the [NTSU advice centre](#).
- 15.7 The University and NTSU operates a [peer-support system](#) where a trained supporter may act as a friend. Our peer supporters offer support, encouragement and hope to students.
- 15.8 You can access the scheme by:
- a. emailing peer.support@su.ntu.ac.uk
 - b. calling 0115 848 6260
 - c. visiting the Information and Advice Service (IAS) offices on any campus in person.
 - d. [Use the booking form to access the scheme](#).
- 15.9 Our peer supporters are there to provide support. They do not act on the student's behalf. NTU will not share information with the supporter. The student is still expected to engage with the process themselves.

Policy owner
Academic Registry

Change history			
<i>Version:</i>	<i>Approval date:</i>	<i>Implementation date:</i>	<i>Nature of significant revisions:</i>
Sept 2017	12.09.17	01.10.17	New. Approved at Academic Board in June 2017, subject to minor changes.
Sept 2018	12.09.18	01.10.18	Removal of a level 2 complaint outcome as unreasonable as permissible grounds for a level 3 Complaint Review; Clarification that a level 3 Complaint Review will not consider new or previous issues of the complaint afresh.
Sept 2019	10.07.19	01.10.19	Clarification on information sharing between departments. Clarification that where Level 1 & 3 timescales will not be met, alternative timescales will be provided.
Sept 2020	16.09.20	01.10.20	Additional paragraph stating that the University may group individual points in R4Rs or complaints when responding. Additional paragraph stating that the University will notify students as soon as possible if unforeseen events (that are out of NTU's control) cause disruptions to University business. Clarification regarding supporting information.
Sept 2021	07.07.21	01.10.21	Clarification of the respective roles of level 1 and level 3 Reference to supportive complaint process through peer support
Sept 2022	15.06.22	01.10.22	Review and minor updating of Complaint process

Equality Analysis		
<i>Version:</i>	<i>EA date:</i>	<i>Completed by:</i>
Sept 2017	01.09.17	Academic Registry