



LIVERPOOL
HOPE
UNIVERSITY
1844

Liverpool Hope University

Student Complaints Policy and Procedure

Version Control

Responsibility for Policy:	Head of Legal Services
Approved by and date:	Senate 27th June 2018
Frequency of Review:	Every three years
Next Review date:	June 2021
Related Policies:	
Minor Revisions:	October 2019
EIA:	

COMPLAINTS POLICY AND PROCEDURE

This policy and procedure relating to student complaints complies with the UK Quality Code Chapter B9 Academic appeals and student complaints (April 2013) and with the OIA Good Practice Framework for Handling Complaints and Academic Appeals (December 2016). It is intended for students who are registered at the University. **If you have applied to the University but were turned down** or have concerns about the way your application has been handled, you should follow the Applicant and Appeals Complaints (<https://www.hope.ac.uk/undergraduate/howtoapply/admissionspolicyandappeals/>) procedure. **Members of the public** should write to caseworker@hope.ac.uk

The Complaints Process comprises three stages (informal, formal and review) and you are expected to resolve your complaint by progressing through each stage. If you remain dissatisfied with the outcome of your Stage 3 Complaint (Review) you have the right to refer the matter to The Office of the Independent Adjudicator for Higher Education (OIA). The OIA runs an independent scheme to review student complaints. The University is a member of this scheme and you may be able to ask the OIA to review your case. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right here: <https://www.oiahe.org.uk/students>

You normally need to have completed all three stages of this procedure before you complain to the OIA. The University will send you a letter called a "Completion of Procedures Letter" when you have reached the end of our processes and there are no further steps you can take internally. If your appeal is not upheld, the University will issue you with a Completion of Procedures Letter automatically. If your appeal is upheld or partly upheld you can still ask for a Completion of Procedures Letter if you want one. You can find more information about Completion of Procedures Letters and when you should expect to receive one here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>

1. Policy

- 1.1. This is the policy and procedure to use if you wish to make a complaint about an aspect of your University experience. It does not apply to appeals against a decision relating to your academic award or progression on your programme: these matters are covered by the Academic Appeals (<https://www.hope.ac.uk/gateway/students/studentadministration/studentpoliciesandprocedures/>) procedure. If you submit a complaint that the University believes would be more appropriately dealt with as an academic appeal, it may decide to follow the academic appeals procedure instead of, or as well as, the complaints procedure.
- 1.2. Complaints are defined as "an expression of dissatisfaction by one or more students about the University's action or lack of action, or about the standard of service provided by or on behalf of the University"
- 1.3. The Hope Charter (<https://www.hope.ac.uk/gateway/students/studentadministration/thehopecharter/>) sets out the general entitlements and responsibilities of students. If you believe that you have a legitimate issue of concern, you should refer in the first instance to the Hope Charter to clarify what it is reasonable for you to expect from the University.
- 1.4. The University welcomes your feedback. There are a number of ways to contribute your views constructively, including through your Staff-Student Liaison Committees. There are many other ways to get involved in consultation and feedback at the University. The main ways are set out at <https://www.hope.ac.uk/gateway/students/studentvoice/>.

2. Scope of this Policy

- 2.1. You may make a complaint if you are a current student at Liverpool Hope University. You can also make a complaint if you have withdrawn or graduated from the University if a complaint is initiated **within three months** of your departure.
- 2.2. Complaints relating to services provided by Collaborative Partners (i.e. if your course is being delivered at a place other than at Hope Park or the Creative Campus e.g. you are a Network of Hope College student or studying at the Tellal Institute) you should follow their complaints procedures in most instances unless it falls under a service that is directly delivered by Liverpool Hope. If you are still unhappy with the outcome after completing the Collaborative Partner's procedures, you may ask to have the matter reviewed under the Liverpool Hope procedure. In these circumstances, the Stage 3 Complaint Form (Request for a Review) should be sent to caseworker@hope.ac.uk within 10 days of the final decision of the Collaborative Partner.
- 2.3. Where you believe that a problem with the service provided by another organisation (eg. a placement provider) has impacted on your learning experience, you may complain directly to the University.
- 2.4. If you have a complaint against the Students' Union, you should raise it directly through the Students' Union own Complaints Procedure (<https://www.hopesu.com/resources/complaints-procedure--5>).
- 2.5. Anonymous complaints cannot usually be dealt with by this procedure, as anonymity makes it harder to investigate fully, to allow a fair right of reply to any person complained about, and to provide appropriate resolution where a complaint is found to have substance. Exceptionally, an anonymous complaint may be considered where a complainant demonstrates a compelling case, supported by evidence, for the matter to be investigated. This decision will be made by the Pro Vice-Chancellor Student Life & Learning or nominee.
- 2.6. Some complaints may concern matters which may be criminal offences, and which may be more properly dealt with through law enforcement processes. Where such matters are serious, a complainant is strongly advised to report them immediately to the police. In cases of doubt, the caseworker@hope.ac.uk or other appropriate person will advise students and staff. Where criminal investigations are underway, the University may delay the progression of any complaint relating to the same matters until the outcome of the investigation is known.
- 2.7. Where the issues raised affect a number of students, you may submit a group complaint. The University retains the discretion to communicate directly with some or all of the students individually, particularly where the substance or circumstances of the complaint differ, and to reach different decisions where it deems this to be appropriate. In processing a group complaint, the University may ask the group to nominate one student to act as group representative, to communicate on the group's behalf with the University and to liaise with the other students. Each student needs to communicate in writing to the caseworker@hope.ac.uk their wish to be represented by the designated individual.

3. Code of Conduct in Bringing and Handling Complaints

- 3.1. The complaints procedure shall be implemented with due regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations. The procedure applies equally to all students irrespective of age, disability, gender reassignment, pregnancy or maternity, race, ethnic origin or national identity, religion or belief, sex or sexual orientation.

- 3.2. The University expects everyone engaged with the complaints procedure to do so in a polite, courteous and prompt manner.
- 3.3. The University is committed to providing an exceptional student experience. We believe that dealing with problems or areas of concern as they arise will lead to the delivery of more effective resolutions. You are therefore encouraged to raise any issues of dissatisfaction at an early stage.
- 3.4. In seeking to resolve a complaint, the University is committed to ensuring:
 - 3.4.1. University procedures are available and accessible.
 - 3.4.2. The relevant staff members are, as far as possible, accessible and approachable if you wish to raise concerns.
 - 3.4.3. You will not be treated less favourably by the University as a consequence of making a complaint in good faith.
 - 3.4.4. Issues are considered and outcomes reported to you (and to others as appropriate) in a timely and effective manner. Indicative time-scales for the University's response are provided below.
- 3.5. The University will do its best to abide by the time limits set out in these procedures, but it may not always be possible to do so. The University aims to complete all the steps described in this procedure within 90 calendar days of the start of the complaint.
- 3.6. The details of your complaint will be kept confidential, except where the disclosure is necessary to progress your complaint or implement a decision on the complaint, or where it is required by law or in the public interest. If there are elements of your complaint which are particularly sensitive and you have particular concerns about their confidentiality, you are welcome to indicate this fact to the caseworker@hope.ac.uk who will discuss with you how disclosure can be minimised.
- 3.7. The University will keep and dispose of all correspondence relating to formal complaints in accordance with the relevant University Data Retention Policy.
- 3.8. You have the right of access to information and documents which have informed the decision relating to your complaint, subject to considerations of privacy, confidentiality, legality and the reasonable interests of any third parties. The University will aim to provide you with all relevant information and documentation.
- 3.9. You will be given reasons for any decisions made by the University under this procedure
- 3.10. Investigations under the formal procedure are carried out on an impartial basis by staff members who are not directly implicated in the events leading to the complaint.
- 3.11. Where a complaint is found in your favour the University will offer what it deems to be an appropriate remedy.
- 3.12. The University will seek to protect its staff from vexatious or malicious complaints. The University reserves the right to take disciplinary action against any student who is found to have initiated a vexatious or malicious complaint against the University or a member of its staff. A complaint will be deemed to be malicious if it is found to be baseless and with an intent to cause damage to the University or the person about whom the complaint was made. The mere fact that a complaint has not been found in your favour does not mean that it is baseless, and disciplinary action will not be taken against anyone making a complaint in good faith.
- 3.13. Your complaint will be found in your favour in the case where you have provided sufficient evidence to substantiate your claim on the balance of probabilities. A balance of probabilities means that what you have claimed is more likely than not to be the case.

4. Communication, Advice and Support

- 4.1. Any correspondence from the University shall be deemed to have been delivered 48 hours after e-mailing or posting to the address notified to the University by you. You must keep the University informed of any changes of address. Our preferred means of correspondence is email as it enables us to communicate quickly and efficiently, but please indicate if you prefer to correspond by letter.
- 4.2. In making a complaint, you must state clearly what resolution you are seeking.
- 4.3. The Caseworker can answer general questions about the complaints process. The Students' Union can provide independent advice and support in making your complaint. It is strongly recommended that you do not proceed to the formal complaint stage unless and until you have taken appropriate advice.
- 4.4. You may choose to be accompanied by a supporter at any interview or meeting conducted in connection with the investigation. You may find it helpful to ask a Students' Union officer to be your supporter, but it can also be, for example, a friend or relative. You are not expected to need legal representation and formal rules of evidence shall not apply; legal representation at meetings will not normally be permitted.
- 4.5. As a general rule, the complaint can only be started and progressed by you personally. In some circumstances, a third party may submit and pursue a complaint as your representative if you provide written consent. If either your supporter or representative behaves inappropriately or delays matters at any stage while the complaint is being dealt with, this person will be asked to withdraw involvement. Legal representation is not usually required or permitted, but if you believe it is justified in the circumstances, you should make these reasons known to the Caseworker at least three working days in advance of any hearing. If the Caseworker considers you have established compelling grounds for legal representation, it will be permitted.
- 4.6. Please note on your complaint form if you have a disability that requires the University to make reasonable adjustments to accommodate your needs during the complaint process.

5. Monitoring

- 5.1. The Caseworker will make a record of all formal complaints investigated by the University. This data will inform an annual summary report of complaints and outcomes to Senior Management Team and Heads of Departments and to the Governing Body annually through a report to Senate. This process will ensure appropriate monitoring of all complaints and related outcomes and is intended to facilitate learning from complaints.
- 5.2. The Student Complaints Policy and Procedure will be reviewed as appropriate in the light of good practice identified across the sector and in line with OIA sector recommendations.

PROCEDURE

6. Informal Concerns and Resolution (Stage 1)

You should first seek to have the matter resolved informally at the point at which the incident which is the source of the complaint arose, which is usually within the Department concerned. For example, if you are unhappy with how you were treated by a staff member, you could raise your concerns directly with that person or with that person's manager. If you are unclear about

the appropriate staff member to approach, you can ask for information from caseworker@hope.ac.uk. Many matters can be resolved satisfactorily at this stage. You should raise your concerns as soon as possible, and not later than one calendar month from the time your concerns arise.

7. Formal Complaint: Investigation and Decision (Stage 2)

- 7.1. If you believe your concerns have not been properly addressed when raised informally, you may decide to make a formal complaint. You should use the Stage 2 Complaint Form to send your complaint to caseworker@hope.ac.uk. If you do not use the form or where it is not completed in full, the University may not consider the complaint until it has been properly completed and submitted. An acknowledgement of receipt will usually be made to you within **four working days**.
- 7.2. You must include the date when the incident you are complaining about took place, and your complaint must be sent within **three calendar weeks of the incident or the conclusion of the informal discussions relating to it**. The Head of Legal Services, Governance and Risk has the discretion to permit late complaints to be considered, either because there are exceptional circumstances justifying the late submission of the complaint, or because the exceptional nature of the complaint means that it should still be considered.
- 7.3. On receipt of a complaint, the Caseworker may refer the matter to the Head of Legal Services, Governance & Risk for a decision on whether the complaint procedure is the appropriate procedure to use. Where a complaint is received after the deadline, the Caseworker will consult the Head of Legal Services, Governance & Risk on whether it is appropriate to accept the late complaint. If your complaint is not accepted, the University will, if you request, issue you with a "Completion of Procedures" letter to allow you to have the decision reviewed by the Office of the Independent Adjudicator, as set out in the final paragraph of this document.
- 7.4. If you have not first raised your concerns informally, the Caseworker may refer the matter for informal consideration, in an attempt to resolve the matter as early as possible. If you are unhappy with the informal outcome, you may then move to the formal stage.
- 7.5. Once the matter is accepted as a formal complaint (Stage 2), an appropriate senior member of staff will be named as the "Investigating Officer". This person will not have been previously involved with your complaint. Usually this person will be the relevant Dean or Pro Vice Chancellor unless such person has been involved at the informal stage. You will be told who this is.
- 7.6. The Investigating Officer will consider the written evidence, and will carry out any further investigations/interviews deemed necessary. The Investigating Officer may ask you for further evidence and/or may explore possible outcomes with you. The Investigating Officer will normally conclude the investigation and submit a report **within a calendar month from the date your formal complaint was lodged**. In complex cases, or cases where the Investigating Officer has difficulty in making contact with you or with others with relevant information, the report may take longer, but you will be kept informed of any delays and the reason for them.
- 7.7. You will receive a letter from the Investigating Officer giving reasons for the decisions that have been made. This report will specify an outcome: that the investigation officer has found in your favour; or partially found in your favour; or that your complaint has not been proved and is not found in your favour. If the complaint is proved or partly proved, the Investigating Officer will normally propose remedial action to be taken by the University.

- 7.8. You will be given **two calendar weeks** to consider the report, and to indicate whether you are satisfied with this outcome or not. If you accept the proposed outcome, it will be implemented as soon as possible. The case is then considered to be resolved. If you do not accept the proposed outcome, you have the option of taking the matter to the Review stage, as set out below.

8. Review Stage (Stage 3)

- 8.1. If you are not satisfied with the outcome of your formal complaint, you may ask for a review of the finding by completing the Stage 3 Complaint Form (Request for a Review) and sending it to caseworker@hope.ac.uk within **10 working days** of receipt of the report of the Investigating Officer.
- 8.2. The grounds on which you can seek a review are as follows:
- 8.2.1. The University made a material error in following its complaint procedure or
 - 8.2.2. The outcome was unreasonable in light of the evidence available; or
 - 8.2.3. New material evidence has come to light which you were unable, for valid reasons, to provide earlier in the process.
- 8.3. The matter will be referred to the Vice Chancellor or nominee, who will be advised throughout the review stage by the Head of Legal Services, Governance & Risk. The Vice Chancellor may appoint an appropriate staff member to review the matter, undertake any appropriate further enquires, and make recommendations.
- 8.4. You will receive a response from the Vice Chancellor within 3 calendar weeks of receipt by the University of your notice to request a review.
- 8.5. If the Vice Chancellor finds that you have established one of the grounds set out above, the Vice Chancellor has the discretion to either:
- 8.5.1. appoint a new Investigating Officer. The usual procedure set out above for the investigation will be followed, or
 - 8.5.2. substitute an alternative outcome.
- 8.6. If a new investigation is undertaken, further timescales will be communicated with you.
- 8.7. You will be given **10 working days** to consider the outcome of the review undertaken in accordance with paragraph 8.4. If you accept the outcome proposed by the Vice Chancellor, the matter is considered resolved.
- 8.8. If the Vice Chancellor or nominee upholds the original outcome, or if you do not accept an alternative outcome proposed by the Vice Chancellor, you will be sent a “completion of procedures” letter saying that you have come to the end of the Liverpool Hope University complaint procedure.
- 8.9. If you remain dissatisfied, you may seek an independent review by the Office of the Independent Adjudicator for Higher Education (OIA). The OIA is an independent body established to consider student complaints which have not been resolved internally.
- 8.10. The deadline for an application to the OIA is **twelve months** from the date of the “completion of procedures” letter. This service is free to students. More information can be found on the OIA website: www.oiahe.org.uk