

# STUDENT COMPLAINTS PROCEDURES 2024/2025

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## SECTION ONE: ADVICE AND SUPPORT FOR STUDENTS

- 1.1 The University is committed to safeguarding the emotional, mental and physical well-being of all parties involved during the operation of its Student Complaints Regulations and the associated Procedures. Confidential advice and support are available from:

The Students' Union - <https://www.uswsu.com/academic>

The University's Wellbeing Services - <http://thewellbeingservice.southwales.ac.uk/>

The Chaplaincy - <http://chaplancy.southwales.ac.uk/>

There are also a number of other services that can provide you with support, full details of which can be found here: [Student Regulations | University of South Wales](#).

- 1.2 The Student Casework Unit provides authoritative, formal guidance on the applicability and operation of the Student Complaints Regulations and the associated Procedures.
- 1.3 You are allowed to have a support person with you at any discussions, meetings or hearings, for example a representative from the Students' Union or a friend. The role of the support person is to provide support to you during the meeting. Their role is normally not to represent you, or to advocate on your behalf or to speak for you, unless this has been agreed as a reasonable adjustment due to a disability. You cannot send any other person to the meeting on your behalf. At least 48 hours before the meeting, you must advise the University of the name and status of the person accompanying you. It is strongly recommended that you seek support from the Students' Union or Chaplaincy, as they are independent and familiar with the Regulations and Procedures of the University.
- 1.4 The Head of Student Casework (or nominee) reserves the right to refuse the attendance of a support person if it is determined that there is a conflict of interest relating to the nominated person, in which case, you will be given the opportunity to nominate a different support person.
- 1.5 This Procedure is not a legal process; however, you are able to seek preliminary advice, without prejudice, on the scope and nature of evidence you intend to submit in support of a case that is particularly complex.
- 1.6 The Head of Student Casework (or nominee), in conjunction with the Investigating Officer/Complaint Review Officer, reserves the right to accept or refuse a request for a legally qualified support person to attend any meetings, depending on whether a good reason is provided and the complexity and seriousness of the case. Any such requests must be sent to the Student Casework Unit. Should such a request be approved, the University reserves the right to also have a legally qualified person in attendance. Legally qualified support persons will be clearly informed of the nature of the proceedings, ie, that they are not a legal process and will not be conducted as such.
- 1.7 Where it is identified that swift consideration of your complaint is required, for example when progress or delays will affect your health, the University will ensure this is highlighted to the Investigating Officer (see also the document [Support for Students with Disabilities](#)).

## SECTION TWO: PROCEDURE FOR STAGE 1 - EARLY RESOLUTION

- 2.1 If you have a concern about an aspect of your experience at the University, you must normally try to resolve it at an early stage.
- 2.2 You should raise your concerns directly with the person responsible. If you are not happy with the response/outcome, you should then raise your concern with the Advice Zone. You may subsequently be referred to another, more appropriate, member of staff depending on the nature of the concern raised.
- 2.3 If your concern has not been resolved to your satisfaction, you are able to request that your complaint be dealt with at the formal stage by submitting the Complaint Form (found on the University website at <https://registry.southwales.ac.uk/student-regulations/student-complaints/>) and sending it to the Student Casework Unit, together with appropriate supporting evidence.
- 2.4 It is recognised that there may be certain complaints that are unable to be dealt with at this stage and, consequently, should be progressed directly to a formal investigation. The Student Casework Unit should be contacted for advice and guidance on such cases. The Head of Student Casework (or nominee) is responsible for making the final decision on any requests for direct access to the formal investigation stage.
- 2.5 If you have been provided with your preferred outcome at the Early Resolution stage, and consequently a formal investigation would lack purpose, we reserve the right to deem any subsequent formal complaint on the same issues as inadmissible.

## SECTION THREE: PROCEDURE FOR STAGE 2 - FORMAL INVESTIGATION

- 3.1 You are normally able to proceed to the formal stage of the Procedure if your concerns have not been addressed at the Early Resolution stage. However, if you have been provided with your preferred outcome at the Early Resolution stage, and consequently a formal investigation would lack purpose, we reserve the right to deem any subsequent complaint on the same issues as inadmissible.
- 3.2 It is recognised that there may be certain complaints that are unable to be dealt with informally and, consequently, should be progressed directly to a formal investigation. The Student Casework Unit should be contacted for advice and guidance on such cases. The Head of Student Casework (or nominee) is responsible for making the final decision on any requests for direct access to the formal investigation stage.
- 3.3 To make a formal complaint you should complete the Complaint Form (found on the University website at <https://registry.southwales.ac.uk/student-regulations/student-complaints/>) and submit it to the Student Casework Unit, together with appropriate supporting evidence.
- 3.4 Your complaint will be reviewed to ensure it is timely and includes appropriate evidence. It will then be passed to one of the University's Investigating Officers; where this is a member of academic staff, they will have had no prior involvement with your case and will normally be independent of the subject area. However, it is recognised that occasionally a degree of subject expertise may be necessary in conducting investigations. Where it is considered that this is the case, the Head of Student Casework (or nominee) will make the final decision on the appointment of the Investigating Officer.

- 3.5 The Investigating Officer will seek to investigate your complaint within 40 working days. The final report will be provided to you within an additional 10 working days. Where the complexities of the case and the need to contact a range of individuals in the course of the investigation make this difficult, you will be kept informed of progress and the reason for any delays.
- 3.6 The Investigating Officer will aim to obtain relevant evidence and information by whichever method is most proportionate, which will vary on a case-by-case basis. The Investigating Officer may meet with you to discuss your complaint. You have the right to be supported by a support person at any meeting (see Advice and Support for Students).
- 3.7 You will be required to agree a Checklist of Issues, which will form the basis of the investigation, by a set deadline (which will be presumed to have been agreed if no response is received by that deadline). Any proposed amendments or additions to the Checklist after the set deadline will be considered at the discretion of the Investigating Officer.
- 3.8 In the interest of fairness, those who are either themselves the subject of the complaint, or responsible for the provision or service complained about, will be invited to comment on the complaint at the earliest opportunity. The Investigating Officer will also meet or correspond with any relevant members of staff and witnesses to discuss the detail of the complaint from their perspective. Any member of staff who is the subject of a complaint has the right to be supported by a colleague or a trade union representative throughout the process.
- 3.9 The Investigating Officer will, during the investigation, consider whether the complaint can be resolved without the need to complete the formal stage, with your agreement.
- 3.10 Following completion of the investigation, the Investigating Officer will prepare a report and present it to the Dean of Faculty/Head of Department<sup>1</sup> (or nominee) (and employer representative in the case of individuals registered as an apprentice). The Dean of Faculty/Head of Department (and employer representative in the case of individuals registered as an apprentice) will provide a response before the final report is submitted to the Student Casework Unit.
- 3.11 Where the outcome includes an offer of financial reimbursement/compensation the Investigating Officer will ensure that the faculty/department is aware of this. The Student Casework Unit will obtain approval from Executive. This is done prior to notifying you of the outcome of your complaint.
- 3.12 You will be asked to confirm in writing within one month whether or not you accept the outcome.
- 3.13 You may be eligible to request a review if, upon receipt of the outcome from the formal investigation, you believe that you have reasonable grounds to consider that your complaint has not been adequately addressed. You are only able to request a review once the formal investigation has been completed.

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<sup>1</sup> This means a member of senior staff from a professional services department; for example Director of Service, University Secretary etc

## SECTION FOUR: PROCEDURE FOR STAGE 3 - REQUEST FOR REVIEW

### General principles

- 4.1 You may be eligible to request a review if, upon receipt of the outcome from the formal investigation, you believe that you have reasonable grounds to consider that your complaint has not been adequately addressed. You are only able to request a review once the formal investigation has been completed.
- 4.2 The request for review must be submitted on the appropriate form to Student Casework within one month of receipt of the response to the formal investigation. You must provide relevant evidence when submitting the request for review.

### Grounds for review

- 4.3 The only grounds under which a complaint may be considered at the review stage are:
- a) You have evidence that the appropriate formal procedure was not followed and that this materially affected the outcome of the investigation.
  - b) You can evidence that there were specific issues of the complaint which you raised at the formal stage which were not considered.
  - c) You have new material evidence that you were unable, for valid reasons, to provide earlier in the process. *(NB Sensitive personal, family or cultural reasons will not be accepted as good reason.)*
  - d) You have evidence that the decision was manifestly unreasonable.

You are not able to introduce new issues at Stage 3.

### Consideration of the request for review

- 4.4 The University Secretary (or nominee) will consider the Request for Review Form in order to determine whether you have grounds under which the complaint can be considered at this stage. One of the following actions may be taken:
- a) conclude that the complaint meets the criteria for further consideration, or
  - b) dismiss the case.

You will be informed in writing of the decision of the University Secretary (or nominee) within five working days.

- 4.5 If a complaint is deemed not eligible for review, you will be issued with a Completion of Procedures Letter.
- 4.6 If your request for review is accepted as eligible, your case will be allocated by the Student Casework Unit to a Complaint Review Officer. The Complaint Review Officer will have had no prior involvement with the case and will be independent of the faculty/department/college.

## **Complaint Review Process**

- 4.7 The Complaint Review Officer will review the case and provide an outcome to the Student Casework Unit within 10 working days. Where the complexities of the case and the need to contact a range of individuals in the course of the investigation make this difficult, you will be kept informed of progress and the reason for any delays. The Complaint Review Officer may:
- a) overturn the outcome of the formal investigation and propose an alternative outcome;
  - b) refer the complaint for re-investigation by an Investigating Officer (this could be the Investigating Officer of the original complaint, or a new Investigating Officer); in this case the standard procedures and timescales, will apply;
  - c) uphold the findings of the original investigation.
- 4.8 The Student Casework Unit will liaise with the faculty/department/college with regard to the outcome and provide you with a response within five working days of receipt of the Complaint Review Officer's report.
- 4.9 If a complaint is not upheld at the review stage the Student Casework Unit will automatically issue you with a Completion of Procedures Letter.
- 4.10 If a complaint is upheld or partly upheld at the review stage you are able to request a Completion of Procedures Letter if you remain dissatisfied. The request must be made within one month of notification of the decision of the Complaint Review Officer.
- 4.11 In considering the case, the Complaint Review Officer may wish to re-interview you or members of staff/witnesses, but this is not a requirement.

## **SECTION FIVE: SUBMITTING A COMPLAINT TO AN EXTERNAL ORGANISATION**

### **Office of the Independent Adjudicator for Higher Education (OIA)**

- 5.1 If you are unhappy with the outcome of your request for review under the University's Procedures you may, following issue of a University Completion of Procedures Letter, lodge a complaint with the OIA.
- 5.2 Details of the OIA and the relevant information in relation to the Scheme can be accessed at [www.oiahe.org.uk](http://www.oiahe.org.uk). Further information and advice can be obtained from the Student Casework Unit.

### **Financial Ombudsman Service**

- 5.3 Following a complaint about debt advice or debt counselling provided by the University, you are able to request a review of your case by the Financial Ombudsman Service (<http://www.financial-ombudsman.org.uk/>) should you remain dissatisfied with the outcome of the internal procedures.

**Higher Education Funding Council for Wales (HEFCW)**

- 5.4 HEFCW is the regulatory body for higher education provision in Wales. In certain circumstances, you are able to make a complaint to HEFCW. Further information can be found on the following web page: <https://www.hefcw.ac.uk/en/regulation/complaints-about-regulated-institutions/>

**Disabled Students Allowances (DSA)**

- 5.5 Complaints about Disabled Students Allowances (DSAs) should be directed to the relevant funding authority or to the relevant DSA supplier (eg Needs Assessment Centre, Assistive Technology supplier or Non-medical Help provider. Further information on the Student Loans Company Complaints Procedure can be found here: [Complaints procedure - Student Loans Company - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complaints-procedure-student-loans-company)