

Student Complaints and Resolution Policy

Effective from 1 September 2022

1. Purpose

The purpose of this policy is to set out how complaints will be handled from current or former students. It ensures that student complaints are dealt with fairly and promptly and at the appropriate level.

This policy should be read in conjunction with the [Student Complaints and Resolution Procedure](#).

2. Scope

This policy relates to student complaints regarding the facilities, level of service or treatment they have received from the University. This includes complaints about specific University employees, Academic Units, or service areas.

For the avoidance of doubt, if for any reason there is a conflict between the Student Complaints and Resolution Procedure and the Student Complaints and Resolution Policy, the Student Complaints and Resolution Policy will take precedence.

This policy is **not** intended to address instances of student misconduct or specific academic decisions. If you report, or are being investigated in relation to, an allegation of student misconduct (whether academic or non-academic), this will be handled under the [Student Disciplinary Policy](#). If you wish to appeal against an academic decision (such as Personal Extenuating Circumstances or unsatisfactory progress decisions or a Board of Examiners outcome), please follow the [Academic Queries and Appeals Procedure](#).

3. Roles and responsibilities

An Authorised Person (usually a Head of Academic Unit/Service, or their nominee) is responsible for considering and determining Level 1 informal complaints.

The Academic Registrar, or nominee, is the senior member of staff in the University with overall responsibility for ensuring a proper outcome for any student complaint.

The Complaint Officer has responsibility for processing submitted formal complaints to the University. The Complaint Officer is authorised to reach conclusions and provide an outcome on cases on matters that are deemed to be formal complaints.

The Chair of the Complaint Committee is responsible for considering and determining complaints which have been referred to them due to their difficulty or seriousness. The Chair of the Complaint Committee is normally a Pro-Vice Chancellor with no prior involvement in or close connection to the case. They may consider the complaint themselves or may form a committee by appointing further independent colleagues with no prior involvement in or close connection to the case.

People Services are responsible for undertaking staff disciplinary investigations, if appropriate, following a complaint submission.

Student Complainants are responsible for ensuring that any complaints submitted to the University are done so in good faith. Although students will not be disadvantaged for lodging a complaint in good faith, where a complaint is found to be malicious or vexatious (for example, harassing, obsessive or repetitive complaints intended to cause disruption or offence), the University may investigate the Complainant under the [Student Disciplinary Procedure \(non-academic\)](#).

The Student Progress Service, is the service appointed by the Academic Registrar to act on the Academic Registrar's behalf to consider formal complaints and to administer Student Complaint hearings, where required.

4. Policy

4.1. Fairness

All student complaints will be investigated thoroughly, fairly and within a reasonable timeframe.

The University will not normally investigate complaints made anonymously. In exceptional circumstances, where the University accepts that there is a compelling case supported by additional evidence, a complaint may be treated as confidential in nature (where the identity of the Complainant is known to the University but not disclosed to any responding parties).

The University will disclose relevant case documents to appropriate parties involved or named in the complaint. Any student or University employee asked to give a statement or evidence to inform an investigation should ensure that they do so promptly, honestly and objectively.

4.2. Conduct

The University reserves the right to terminate a complaint investigation where a complainant's behaviour or language in relation to the complaint is considered to be disrespectful, offensive or disruptive. Examples of such behaviours include (but are not limited to):

- Threatening, intimidating or abusive behaviour or language towards any University employee associated with the complaint investigation;
- Providing dishonest information or falsified evidence as part of the complaint investigation;
- Submitting complaints which may be deemed malicious or vexatious.

Where a student complainant engages in any disruptive or offensive behaviours during the course of the complaint investigation, the University may consider these in line with the [Student Disciplinary Procedure](#).

4.3. Timeframes

Level 1 concerns should be submitted in writing to the appropriate Head of Academic Unit or Service **no more than 3 calendar months after the event** about which the complaint is made.

Level 1 concerns are normally concluded within 30 calendar days from the date the concern was acknowledged.

Level 2 complaints must be submitted to the Student Progress Service (via casework@ncl.ac.uk) **no more than 3 calendar months after the Level 1 Response** from the Academic Unit or Service or **no more than 6 calendar months after the event**.

Level 2 complaints are normally concluded within 60 calendar days from the date of the initial complaint submission.

The Level 3 request for review of the formal complaint outcome must be submitted in writing to casework@ncl.ac.uk **within 14 days of notification of the outcome of the Level 2 determination**.

Level 3 requests for review are normally concluded within 30 days of the request date.

Concerns, complaints or requests for review submitted after the time limits set out above will only be accepted for investigation where a compelling reason to justify the delay is given. The Complainant will be informed in writing of any determination where a complaint or review request has not been made in time.

The Academic Registrar, or their nominee, is ultimately responsible for deciding whether to admit a complaint or review request submitted outside of the above timeframes.

4.4. Group Complaints

Where the issues raised in the complaint affect more than one student, a group complaint can be submitted. One student must be nominated as the group representative and will be responsible for liaising with the other members of the group. The University will normally only communicate directly with the nominated student, although the outcome can be sent directly to each member of the group particularly where a settlement offer is being made.

Where students have personal circumstances which require specific consideration, they should submit a separate complaint, which will be considered on an individual basis.

4.5. Confidentiality

All University employees and students involved in any complaint investigation have a duty of confidentiality to both the Complainant and the Responding parties. This means that all parties should refrain from discussing the case with anyone other than people who may be deemed to have a legitimate need to know.

Through the implementation of the Complaint and Resolution Policy and Procedure, the University recognises that it may receive personal sensitive data. The University will process and share such data with relevant University employees for the legitimate business purposes of undertaking a thorough investigation, in line with the General Data Protection Regulations

(GDPR). Students should avoid disclosing unnecessary personal information during their complaint, unless they feel it is relevant to the issues raised.

By signing the Complaints and Resolution form (or submitting a written complaint via a Newcastle University email account), the complainant gives their consent for relevant people with a legitimate business interest to view any personal data provided in connection with their complaint. If the Complainant does not consent to the matter being investigated, no further action will be taken.

If a student does not wish for a particular employee to have access to their documents, this should be made clear in their letter of complaint or during a complaint interview. However, please note that the University may be unable to conclude an investigation into a complaint if we are unable to seek a response from a key person.

4.6. Related investigations

Where the Complainant is involved in another ongoing formal University investigation (for example: Assessment Irregularities, Student Disciplinary, Academic Appeals), the Academic Registrar, or nominee, will determine whether the complaint may proceed simultaneously.

Complaints about the conduct of University employees will normally be investigated under Level 2 of the Student Complaints and Resolution Procedure, in collaboration with People Services. Any evidence or outcome resulting from the investigation may be considered separately by People Services. Parallel investigations about the same substantive matter will only be considered in exceptional circumstances, as determined by the Academic Registrar.

4.7. Appeals

Where a Complainant is dissatisfied with the outcome of their Level 1 concern, they may submit a Level 2 formal complaint to casework@ncl.ac.uk for further impartial consideration.

A Complainant may appeal a Level 2 Complaint decision by submitting a request for review of the outcome to the Academic Registrar (via casework@ncl.ac.uk), based on one or more of the following:

- Procedural irregularity;
- New material evidence that was previously unavailable;
- Unreasonable decision.

Decisions made by a Level 3 Complaint Committee are normally final and the conclusion to the University's procedures, which have no right of appeal.

Following a final decision about a complaint (after a Level 3 Review or Level 3 Complaint Committee), the Complainant will be issued with a Completion of Procedures Letter to confirm that the University's internal procedures have been completed.

If the student remains dissatisfied with the final outcome from the University, they can seek an external review of the case by submitting a claim to the [Office of the Independent Adjudicator \(OIA\)](#). Complaints to the OIA must be submitted within 12 months of the date of the Completion of Procedures Letter.