

CARDIFF
UNIVERSITY

PRIFYSGOL
CAERDYDD

STUDENT COMPLAINTS PROCEDURE

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1. Introduction

- 1.1. The University seeks to provide you with high-quality teaching and learning opportunities, services, and facilities. There are many ways for you to provide feedback on aspects of your student experience via surveys, your student representatives, and module feedback. We recognise, however, that there may be occasions when you are dissatisfied and may wish to complain.
- 1.2. Any student who is enrolled/registered with the University, including students who are on an interruption of study or temporary absence/exclusion, has the right to submit a complaint.
- 1.3. If you are a disabled student and require adjustments to this procedure to be able to fully engage with the process, please contact the Head of Registry to identify reasonable adjustments which can be made to support your engagement.
- 1.4. Information about what you can expect as a student is set out in the [Student Charter](#), your offer letter and associated [University Terms and Conditions](#).
- 1.5. All complaints will be managed in a confidential, proportional, and sensitive way. Information will only be shared with relevant parties who require access to it as part of this procedure.
- 1.6. Students reporting an event or raising a concern will not be disadvantaged.
- 1.7. The University does not accept complaints raised via social media or any other platform: you are expected to raise any complaint confidentially via this procedure.
- 1.8. If you are complaining about a person or service, the person or a representative from the service will be informed about your concerns so that they have an opportunity to respond as part of the investigation process. This is in line with the principles of natural justice and allows for a fair opportunity for the parties to respond to allegations raised. If there is a good reason why you think your complaint should not be shared, you will need to submit a request detailing the reasons why someone should not be given access to your complaint. The Academic Registrar will consider your request and make a decision on whether your complaint should be shared.
- 1.9. Anonymous complaints will not be accepted, except at the discretion of the Academic Registrar where there is a compelling reason to do so and/or where independent corroborating evidence has been submitted.
- 1.10. Where a complaint against a student or member of staff is referred for formal consideration under another University procedure, you may be called as a witness to give evidence at a formal hearing. The type of sanction imposed on any party will be determined by the permitted sanctions specified under the relevant procedure.

- 1.11. All complaints must be submitted using the appropriate form. You may also submit a group complaint as detailed in paragraph 2.6.2, below.
- 1.12. You will be expected to use your University email address and/or the personal email address confirmed on your student record in all correspondence throughout the complaints process.
- 1.13. The University does not permit the recording of any complaint investigation or mediation meetings but will provide notes of meetings to all parties present.
- 1.14. All parties involved in the process are expected to behave with dignity and in a way which is courteous and respects the views of others. If your behaviour is construed as being disruptive or otherwise unacceptable, the University may take action against you under the [Student Conduct Procedure](#). If you have a representative and their behaviour is construed as being disruptive or otherwise unacceptable, the University will not engage with them. You will be able to appoint a new representative if you wish.
- 1.15. Complaints that are deemed to be vexatious may lead to the student being investigated under the [Student Conduct Procedure](#). If a complaint is found to be vexatious or motivated by malice, it will be dismissed.
- 1.16. University officers may nominate alternates to act on their behalf.

2. **Complaints Procedure**

- 2.1. You may submit a complaint where you feel you have suffered a detriment, dissatisfaction, or disadvantage which may relate to one of more of the following:
 - The alleged action(s) of a member of staff;
 - The alleged action(s) of a student;
 - If you feel that you are experiencing bullying, harassment, discrimination, or sexual violence from someone in the University community;
 - Irregularities in the delivery of a programme of study;
 - The quality of or access to supervision;
 - Issues with your placement or your placement year;
 - The quality of facilities, services, or learning resources.
- 2.2. This procedure does not provide an academic outcome. If you wish to seek an academic outcome and/or challenge any academic decision in respect of your results, you will need to submit an academic appeal under the [Academic Appeals Procedure](#).
- 2.3. In addition to 2.2 above, some matters are outside of the scope of this procedure and the University has discrete procedures to deal with other issues. For example:

- If you wish to complain about a decision regarding your admission to a programme of study, you should refer to the [Applicant Complaint and Appeals Procedure](#).
 - If you wish to complain about Cardiff University's Students' Union, the [Students' Union Complaints Procedure](#) provides details of the process that you should follow.
- 2.4. If you are not sure which procedure to use to resolve your concerns, you can contact the Student Cases team for guidance or seek independent advice from the [Students' Union Student Advice](#).
- 2.5. If you have raised a concern under more than one procedure to try to resolve the issue(s), the Student Cases team will determine the most appropriate procedure, or order, to process the complaint. The team will advise you of their decision and provide information on the rationale.
- 2.6. You are expected to highlight any issues that you experience as soon as possible after they arise, so that there may be the possibility of early resolution. A delay in submitting a complaint may also limit the range of potential remedies. You have a maximum of **28 days** to make a complaint. This can be from the point that the issue originally arose or from the latest occurrence of the issue, where the issue is ongoing.
- 2.6.1. If you have left the University, you may still make a complaint within 28 days of the issue arising and/or the leaving date shown on your student record.
- 2.6.2. You may make a complaint as part of a group of students about the same issue at the same time but only where you all are seeking the same outcome. The group will need to appoint a spokesperson to represent them and all members of the group will need to consent to the University communicating and/or negotiating with the spokesperson. The [Group Consent Form](#) should be completed and attached to the complaint in such cases. The University reserves the right to separate group complaints where individual remedies would be more appropriate, and to apply a resolution to other students who were not involved in submitting the complaint.
- 2.6.3. Complaints received after **28 days** will not be considered, unless you provide an exceptional reason, supported by independent evidence, to demonstrate that you were unable to submit your complaint within the normal timescale. Upon receipt of the complaint and evidence the Head of Student Cases will determine if you have provided a valid reason for the late submission.
- 2.7. If you are unable to submit a complaint yourself (for example, due to ill health) you may be represented by another person, such as a Students' Union advisor. You will need to complete a [Form of Authority](#) to give permission for the Student Cases Team to talk to your representative. You cannot have legal representation, unless this is agreed as a reasonable adjustment on the grounds of disability.

- 2.8. Complaints made under this procedure will be dealt with sensitively, fairly, proportionately, and promptly under the following stages:
- **Informal:** early resolution (Stage 1);
 - **Formal:** formal investigation (Stage 2);
 - [University Review Procedure](#) (Stage 3).
- 2.9. Staff involved in investigating your complaint will have had no previous direct involvement in the issue(s) you have raised and all staff will have received training appropriate to their role.
- 2.10. If the University receives formal legal action, including a pre-action correspondence from a solicitor on behalf of a student making a complaint, we may choose to stop action under this procedure and appoint legal representatives to respond to the legal action.

3. **Mediation and restorative approaches**

- 3.1. The University may offer mediation and/or restorative practice to any student and/or other person(s) to reach a resolution agreement. Both processes are offered at the informal stage, but can be entered into at any stage of this procedure.
- 3.2. Mediation and restorative approaches can be effective ways to try to resolve disputes as an alternative to, or alongside formal complaints procedures. An impartial mediator or facilitator will be appointed to guide both parties through the process.
- 3.3. The role of the mediator or facilitator is to help all parties reach a solution to their situation and to arrive at an outcome that they are happy to accept. Mediators and facilitators do not take sides, make judgements, or impose outcomes. They are responsible for facilitating effective communication and helping to reach consensus between the parties. The focus of a mediation/restorative approach is to reach a settlement agreeable to all parties.
- 3.4. Mediation and restorative approaches are voluntary processes and will only take place if all parties agree. They are confidential processes and the terms of discussion are not disclosed to any party outside the meetings. The signed agreement, indicating the actions and outcomes, will be held by the Student Cases team and may be shared with the Head of School or Professional Services Department, where appropriate.
- 3.5. If the mediation or restorative approaches do not provide a resolution, the complaint will be considered under the appropriate stage of the procedure.

4. Representation and support for students making complaints

- 4.1. You can get independent support and representation from the Students' Union Student Advice, professional unions, or the Citizens Advice Bureau if you decide to make a complaint or if you have already submitted a complaint.
- 4.2. You may be accompanied at investigation meetings by a friend or representative.
- 4.3. Staff involved in a student complaint who are required to attend investigation meetings may seek advice from their line manager and/or Human Resources and may be accompanied at meetings by a friend or their trade union representative.

5. Submission of your complaint: informal early resolution stage (stage 1)

- 5.1. The University will make every effort to resolve complaints early and locally. Generally, complaints are most easily resolved if they are raised at the time the problem first occurs and with the person(s) directly involved.
- 5.2. You must set out your complaint clearly and provide evidence to support the issues you raise. Relevant evidence may include:
 - University documentation e.g. student handbook, programme information;
 - Correspondence: note that emails and letters must show the date on which they were sent and details of the sender and recipient;
 - Medical evidence;
 - Witness statements which have been signed and dated;
 - Reports by a third party e.g. police report or letter from a counsellor;
 - Financial information;
 - Offer of a place to study at Cardiff University;
 - Any other information relevant to the issue being raised.

The University **does not** accept covert recordings as evidence to support your complaint.

- 5.3. Unless it is determined that your complaint is out of time or it is deemed to be vexatious or motivated by malice, it will be referred by the relevant complaints administrator to your School or the relevant Professional Service Department.
- 5.4. If your complaint is about another student or staff member, the relevant Head of School or Department will determine if they can deal with it locally. Alternatively, they may recommend to the Academic Registrar that it be referred to the formal investigation stage (stage 2) for investigation, or that it be referred for investigation under the Student Conduct Procedure or Staff Disciplinary Procedures.

5.5. The complaints administrator will contact you within **14 days** of receiving the complaint. They may make 1 or more of the following actions:

- Dismiss your complaint as not justified;
- Seek further information;
- Provide an explanation or further information in response to your complaint;
- Identify a suggested solution;
- Offer an apology;
- Offer mediation and/or restorative approaches;
- Refer for consideration under a different University procedure;
- Refer to the Formal Investigation Stage (Stage 2).

5.6. On receipt of the outcome of the early resolution stage (stage 1), you should reply to the complaints administrator within **14 days** to confirm if you are satisfied with the outcome. If you are dissatisfied with the outcome, you should reply to the complaints administrator within **14 days** to escalate your complaint to the formal stage (stage 2). Your complaint will be closed if you do not respond by the deadline.

6. Escalation of your complaint: formal investigation stage (stage 2)

6.1. If your complaint has not been resolved to your satisfaction at the early resolution stage, or if the Head of School or Professional Service Department has referred it for consideration at the formal investigation stage, the Student Cases team will undertake an assessment of your complaint within **7 days**. They may make 1 or more of the following actions:

- Dismiss the complaint as not justified;
- Offer mediation or restorative approach;
- Request further information, clarification, or evidence;
- Commence a formal investigation;
- Refer complaint for investigation under the appropriate University Procedure, such as [Staff Disciplinary Procedures](#), [Student Conduct Procedures](#) or [Financial Regulations - Tuition Fee Policy](#).

6.2. If your complaint proceeds to an investigation under this procedure, the Academic Registrar will determine the scope of the investigation and will refer it to an appropriate Investigating Officer. You will be informed of the details of this referral.

6.3. The Investigating Officer will gather information and evidence, including any evidence from the early resolution stage. They may ask to meet with you and any other parties relevant to the complaint in order to seek to understand the facts of the case. The Investigating Officer will determine the procedure for any such meeting, ensuring that you have a fair opportunity to put your case.

6.4. Depending upon the complexity of the issues in your complaint and the number of people who need to be interviewed, the duration of the

investigation may vary. The Investigating Officer will advise you of the likely timescales, taking into account your concerns and any risks where the complaint is related to the harm of students or staff, disability support, or serious service failure.

- 6.5. The Investigating Officer will compile a formal complaint report and supporting evidence and submit it to the Academic Registrar for consideration.
- 6.6. The Academic Registrar will inform the Head of Student Cases of the outcome within **14 days** of the investigation being completed.
- 6.7. If the complaint relates to provision of a service, you will receive a copy of the formal complaint report. If the complaint is related to the behaviour of a member of staff or another student, Data Protection legislation may limit the amount of information we are able to share with you. You will receive a decision letter detailing:
 - The decision;
 - A clear explanation of the decision (to the extent we can share this information) and, if appropriate, any remedy;
 - What support is available to you;
 - Information on how to take the complaint to the University Review Stage if you are dissatisfied with the decision.

7. Request for review

- 7.1. If you are dissatisfied with the decision reached under this procedure, you can request a review of the complaint in line with the procedures and grounds set out in the [University Review Procedure](#). At the end of the University's internal procedures, you will be issued with a Completion of Procedures letter.

8. Outcomes and external adjudication

- 8.1. If you remain dissatisfied with the outcome of your complaint, you may submit a complaint to the [Office of the Independent Adjudicator for Higher Education \(OIA\)](#). You will need to provide the OIA with a copy of the Completion of Procedures letter to confirm that the University's internal procedures have been completed.