

## **STUDENT COMPLAINTS AND GRIEVANCE PROCEDURES, 2023-24**

### **1. Introduction**

1.1 The University is committed to providing a high quality experience for each student and encourages students to inform it where there is any cause for concern. The University's Student Complaints and Grievance Procedures therefore exist to enable students to make complaints about such matters.

1.2 These procedures seek to ensure that complaints made by students are treated seriously and, if found to be valid, are acted upon to ensure that the students' interests are protected as far as it is possible for the University to do so.

### **2. Definition and Scope**

#### **2.1. What is a complaint?**

It is an expression of dissatisfaction by one or more students about Middlesex University's action or lack of action, or about the standard of service provided by or on behalf of Middlesex University.

#### **2.2. Who can make a complaint?**

These Regulations cover all students registered on programmes at Middlesex University's London campus, including research students, members of staff registered on University programmes and those on work placements, engaged in work-based learning field trips, approved student exchange visits or during periods of approved interruption of studies. Middlesex University overseas campuses follow the University regulations with the process administered by equivalent post holders. (website links to these overseas campuses are: Dubai - <https://www.mdx.ac.ae> and Mauritius - <https://www.middlesex.mu>). Former students may raise issues of complaint within the timescales stated in section 3 below.

2.3. Students studying on Collaborative Partner programmes should refer to Appendix A. A collaborative partner is a partner who enters into an agreement with the University under which it has responsibility for the delivery of services and academic programmes in accordance with the terms of the agreement.

2.4. The Regulation on Student Complaints does not cover the following (separate procedures exist for these as noted in brackets):

(a) appeals against Assessment Board decisions (for taught programmes) or examination decisions of the University Research Degrees Board (for research degrees);

(b) complaints relating to a case of alleged misconduct by the complainant (Student Conduct and Disciplinary rules)

(c) matters relating to fitness for practice where there is an existing relevant Fitness for Practice Procedure (Faculty/School Fitness for Practice procedures)

(d) complaints against Middlesex University Students Union are dealt with by the Union

(e) complaints made by potential students who have gone through the admissions process but are not enrolled students as yet (Admissions complaints procedure)

(f) external complaints are dealt with by the Clerk to the Board of Governors.

2.5. The University reserves the right to reclassify a complaint as an academic appeal or vice versa, if the submission is deemed to have been made to the incorrect procedure, or the submission falls properly within the remit of one procedure rather than the other. The outcome of an appeal cannot be made the subject of a complaint except where there is possible material error in arriving at the decision.

2.6 Students who have a complaint or grievance concerning the provision of a programme of study or academic service which they believe has affected the quality of their academic performance, should, before submitting an Academic Appeal, follow the Student Complaints and Grievance Procedures. 2.7. The final decision regarding a matter raised under this Complaints Regulation or any of the associated procedures shall be considered to be the final decision of the University. There is no right to further consideration of the same matter under a different associated policy.

2.8. Each complaint will be considered on its own merits, subject to all legal and professional requirements.

2.9. A student will not be treated less favourably by the University or suffer any detriment or disadvantage if s/he makes a complaint in good faith, regardless of whether the complaint is successful. Frivolous or vexatious complaints may be considered under section 2.13.

2.10. Anonymous or vexatious allegations against the University or against a student or member of staff will not normally be considered under the complaints procedure and it may lead to action under section 3.4 (Deceitful Behaviour) in the Student Conduct and Discipline rules.

2.11. Any member of staff mentioned in a complaint will not be treated less favourably by the University than if the complaint had not been brought. If, however, the complaint against a member of staff is upheld, that member may be subject to disciplinary proceedings under University policy for staff.

2.12. These internal regulations of the University and their associated policies and guidance will be operated in accordance with its E/o2 (y)8.9 tuden( pr)-6 aheder(s)-2 (i)1be operated in( pro)10.5 (p6c



## 5. Delegation of responsibility

5.1. The Vice Chancellor delegates responsibility for dealing with student complaints as follows:

- Stage 1 (Early Resolution) student complaints are dealt with by the appropriate Faculty/Schools and/or Professional Service department as applicable.
- Stage 2 (Formal Stage) student complaints are dealt with by the appropriate Deputy Deans of Faculty/Schools (Deans normally assign responsibility for managing student complaints to a Faculty/School Senior Manager) or Head of Professional Service, or nominee appointed by any of the above.
- Stage 3 (University-Level Review) reviews are managed by a reviewer on behalf of the Vice Chancellor. The Director of Student Affairs normally nominates a neutral and appropriate senior staff member drawn from the following groups: Senior Managers, Director of Programmes and Programme Leaders from a Faculty/School or Professional Service that was not involved in the Stage 2 process to carry out the review to ensure independence from the previous decision maker.

## 6. Complaints Procedure Stages

### Stage 1 – Early Resolution

Initially, a student should seek to deal with their complaint by discussing the matter informally at a local level; at the level at which the event leading to the complaint occurred.

This could be either at:

- Programme level
- Faculty/School level, or to
- The relevant professional service department (eg. Financial Services)

### Stage 2 – Formal Complaint

If a student is not satisfied with the outcome of Stage 1, they may submit a Stage 2 complaint within 20 working days of the official outcome from Stage 1.

A student should submit their Stage 2 complaint to:

- the Deputy Dean, (for academic programme or Faculty/School related complaint)

## 6.1 Stage 1: Early Resolution

It is expected that most complaints can be resolved at an early stage by discussing the matter informally at a local level. A student should therefore bring the matter to the attention of an appropriate member of staff, who will aim to resolve the matter by informal discussion.

i. Initially, a student should seek to deal with their complaint at the level at which the event leading to the complaint occurred. This could be either at programme level, Faculty/School-level or within the relevant professional service department.

ii. A student should, if at all possible, address their complaint (completing the Stage 1 form available from UniHub <https://unihub.mdx.ac.uk/student-life/your-voice/formal-complaints-procedure>) to the member of staff most directly involved in the event leading to the complaint, in order to give that person the opportunity to address their concerns. For example, if the complaint concerns academic matters, a student might wish to take this up with their Personal Tutor/Research Supervisor/Director of Studies, or with another member

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## 6.2 Stage 2: Formal Complaint

i. If a student is not satisfied with the outcome of Stage 1, they may choose to submit a

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x. Following the outcome of Stage 2: Formal Complaint, the student may request, under certain circumstances (see 5.3.i) an internal review under section 5.3 of these regulations;

Or the student may wish to approach the Office of the Independent Adjudicator for Higher Education (OIA) for review, without having gone through an internal review under section 5.3 of these regulations.

If this is the case :

(a) The student can request a Completion of Procedures (CoP) letter to be issued by the University.

(b) The request for the Completion of Procedures (CoP) letter must be made in writing to Student Complaints [stcomplaints@mdx.ac.uk](mailto:stcomplaints@mdx.ac.uk) within 20 working days of the date of the Stage 2: Formal Complaint outcome.

(c) If the student requested the University to provide the Completion of Procedure letter beyond the 20 working days deadline specified in the Stage 2: Formal Complaint outcome, the twelve-month period of time for bringing the complaint to the OIA will run from the date of the Stage 2: Formal Complaint outcome letter.

(d) The Completion of Procedures (CoP) letter will state that the student has not completed the University's internal processes. The student will be required to present exceptional reasons to the OIA for not requesting the University to review the appeal.

### 6.3 Stage 3: University-Level Review

i. If a student considers that:

a. there has been a procedural irregularity in the conduct of the Stage 2 investigation;

or

b. new information has come to light, which the student was unable to disclose previously and which would have had a material impact upon the investigation previously undertaken.

c. the decision reached was unreasonable based on the information that had been available to the University when the case was considered.

The student can request a review of the outcome of the Stage 2 investigation. A student wishing to request a review must do so within 20 working days of the written response to Stage 2. The review request must be submitted to Student Complaints

[stcomplaints@mdx.ac.uk](mailto:stcomplaints@mdx.ac.uk) using the University Student Review Form (ULR.1L4 -1. avaiioC 0 -2.207 TD-6.6 ( w

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v. Further discussions may be held with the student and/or subject of the complaint and with members of staff involved at Stage 1 and/or Stage 2.

vi. Where possible, reviews should normally take no more than 20 working days from the date that a student is notified that a designated neutral senior staff member is in place to handle the review. The neutral senior staff member undertaking the review will establish appropriate timescales based on the nature and complexity of the case. These timescales should be communicated to the student and the student kept informed of any changes.

vii. The neutral senior staff member will inform the complainant, the subject of the complaint and the Director of Student Affairs, in writing, of the outcome of the investigation.

viii. Possible outcomes:

Justified

Partly Justified

Not Justified

The student will be provided with the rationale behind the decision.

#### 6.4 The Office of the Independent Adjudicator

When the University's internal procedures have been concluded a student will be issued with a Completion of Procedures (CoP) letter, normally from the designated neutral senior staff member who conducted the University Level Review.

Following this, a student who is dissatisfied with the final decision on his/her case may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education.

Information and eligibility rules are available at: [www.oiahe.org.uk](http://www.oiahe.org.uk)

#### 6.5 Reporting

An annual report of student complaints prepared by the Director of Student Affairs (or nominee), will be received by Assurance Committee and the Board of Governors.

#### NOTES

These complaints procedures and any decisions made under them are not intended to give rise to legal rights, or obligations on the University to pay compensation either in respect of a decision made pursuant to the procedures or for a breach of these procedures. Anonymous complaints will not normally be considered.

The University will hear and consider

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When the University Level Review has been concluded, the student will be issued with a Completion of Procedures (CoP) letter. Following this, any student who is dissatisfied with the final decision on his/her case may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education. Information and eligibility rules are available at: [www.oiahe.org.uk](http://www.oiahe.org.uk).

#### C8 Reporting

An annual summary report of student complaints in relation to Collaborative Partner Institutions, prepared by the Student Casework Manager, will be received by Assurance Committee and the Board of Governors.

#### **D. Exceptions to the Above Procedure**

The above procedure may not apply if under the agreement between the University and the Collaborative Partner if an alternative procedure for handling complaints is set out in that agreement.