

Student Complaint Procedure for Academic Partnerships

Responsibility for Policy:	Registrar and Chief Operating Officer
Relevant to:	LJMU Students Studying at an Academic Partner
Approved by:	Collaborative Provision Panel
Responsibility for Document Review:	Student Governance
Date introduced:	September 2022
Date(s) modified:	June 2023
Next Review Date:	June 2024

RELEVANT DOCUMENTS

- Quality Assurance Agency (2018) UK Quality Code, Advice and Guidance: Concerns, Complaints and Appeals
- The OIA 2016 Good Practice Framework – Handling Complaints and Academic Appeals

RELATED POLICIES & DOCUMENTS

- Student Complaint Procedure
- Student Disciplinary Procedure and Code of Conduct

Student Complaints Procedure for Academic Partnerships

1. General Principles and Information

- 1.1. Liverpool John Moores University and its academic partners are committed to providing an environment that is conducive to study and to providing academic and support services to facilitate the achievement of a student's target award. However, both the university and its academic partners recognise that from time-to-time students may wish to raise issues regarding the academic, administrative, support or other services provided by either the university or an academic partner of the University.
- 1.2. The university is committed to managing student complaints in a way that:
 - Is timely and efficient, to facilitate a speedy resolution.
 - Is fair and transparent to all parties.
 - Promotes informal conciliation such as mediation, where appropriate.
 - Promotes feedback and best practice to enhance the student experience.
- 1.3. The complaints procedure operates on the principles of natural justice:
 - There are two sides to every dispute.
 - All parties are given the opportunity to provide evidence to substantiate their version of the issue / incident.
 - Full disclosure of any allegations or evidence will be made to those parties involved in the complaint.
 - All students involved in a complaint have the right to be accompanied by a friend at each stage of the procedure. *A Definition of a Friend or Representative in the Student Complaints Procedures* is available at <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/student-complaints>. All staff have the right to be accompanied by a Trade Union representative at each stage of the procedure.
- 1.4. Students are expected to have met their obligations and responsibilities with regard to:
 - Meeting their academic commitments.
 - Acting in accordance with regulations.
 - Behaving with consideration for other students and staff.
- 1.5. All complaints are taken seriously, and students are not penalised for making a genuine complaint.
- 1.6. The university and its academic partners expect that students will not submit false statements, falsified evidence, or submit frivolous or vexatious complaints. Examples of such complaints include:
 - Complaints that contain false allegations or falsified evidence.

- Complaints that are obsessive, harassing, or repetitive.
- Insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes.
- Insistence on pursuing complaints in an unreasonable manner.
- Complaints that are designed to cause disruption or annoyance.
- Demands for redress that lack any serious purpose or value.

1.7. All information provided regarding a complaint will remain confidential for use within the complaints process and in the UK is subject to the requirements of the General Data Protection Regulations (GDPR). Only those staff directly involved with the complaint will be given access to confidential information. In exceptional circumstances, it may be necessary for the university or one of its academic partners to provide information to a third party with or without a student's consent. Examples of such exceptional circumstances are detailed in the Student Governance Confidentiality Statement available at <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/guidance-policy-and-process>

1.8. Where more than one individual is named in a complaint, normally, those individuals will be party only to the matter(s) of complaint and outcome(s) that are directly specific to them.

2. Advice and Support

2.1. Students can obtain advice relating to the complaints procedure from the Student Governance office at StudentGovernance@ljmu.ac.uk.

2.2. Students who need specific assistance or reasonable adjustments made in order to access the Partner Student Complaints Procedure should contact the Student Governance office at StudentGovernance@ljmu.ac.uk.

Further Information on reasonable adjustments in Student Governance procedures is available at <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/guidance-policy-and-process>.

2.3. Students can obtain professional and independent advice from a qualified adviser at Liverpool John Moores Students' Union Advice Centre, telephone number 0151 231 4900 or email JMSUadvice@ljmu.ac.uk

Further information is available on the Liverpool John Moores Students' Union webpages at <https://www.jmsu.co.uk/advice>

2.4. Student Advice and Wellbeing provides advice and support particularly in the areas of financial issues, disability, study support, accommodation, health, wellbeing, and counselling <https://www.ljmu.ac.uk/discover/student-support>.

2.5. Students can obtain advice on equality and diversity issues from the LJMU Equality and Diversity Officer {Telephone +44 (0)151 231 8141, Email

M.M.Akinsanya@ljmu.ac.uk}.

- 2.6. Students can obtain advice on Data Protection Issues from the University's Data Protection Officer at DPO@ljmu.ac.uk.

3. Who can complain?

- 3.1. This partner student complaints procedure is open to all registered or former registered students undertaking a LJMU programme of study delivered solely or partly by an academic partner of LJMU.
- 3.2. Anonymous complaints will not normally be accepted; complaints that are not made openly cannot be investigated in keeping with the principles of natural justice outlined in section 1.3. Exceptions to this may be made where the complainant raises serious issues of concern for the health and safety of students, staff and the general public.
- 3.3. Third-party complaints are not accepted, unless the third party is acting as the complainant's student representative and the student and University has authorised such representation in writing. Representatives can only act on behalf of a student where it can be demonstrated that there is a compelling reason for them to do so e.g. where the student has a disability that prevents them from engaging with the complaint process, or where the student has a lack of capacity due to exceptional circumstances such as hospitalisation.
- 3.4. For a university partner that is also a UK Higher Education Provider (HEP) who subscribes to the OIA, all complaints regarding the actions of the partner or its staff should be considered by the partner under their own procedures. Students who have exhausted the complaints procedure of a university partner who is a HEP and subscribes to the OIA should be issued with a Completion of Procedures Letter by the partner. If a student studying on a LJMU award delivered by or in partnership with another HEP wishes to complain about services provided by LJMU (such as the provision of ID cards, academic transcripts, or library access), students should complain directly to LJMU.

4. What is a Complaint?

- 4.1 The university recognises that from time-to-time students may wish to raise issues regarding the academic, administrative, support or other services provided by the university or one of its academic partners.
- 4.2 Examples of complaints include:
- Failure by either the university or an academic partner of the university to meet its obligations as specified in the programme or module handbook.
 - Misleading or incorrect information in documentation provided to a student.
 - Concerns about the delivery of a programme, associated teaching or administration.
 - The quality of facilities, learning resources or other services provided

directly by either the university or an academic partner of the university.

- The behaviour of a member of staff at either the university or an academic partner of the university.
- The behaviour of another student.

4.3 Some issues may be more appropriately considered under alternative processes rather than the Partner Student Complaints Procedure. For example, the following issues are not considered under the Partner Student Complaints Procedure:

- Dissatisfaction with a **decision made by an academic body** (i.e. the Board of Examiners) regarding student progression, academic assessment and awards. These issues are considered under the Academic Appeals Procedure <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/appeals-and-complaints>.
- Dissatisfaction about the outcome of an **academic misconduct process**. These issues are considered under the Academic Misconduct Appeals Procedure <https://www.ljmu.ac.uk/about-us/public-information/student-regulations/appeals-and-complaints>.

5 Time Limits

5.1 There are strict time limits for submitting student complaints and progressing to each stage of the process. This is to ensure that matters can be investigated when the circumstances are still fresh in people's minds and evidence is available to support a timely and appropriate resolution. The submission deadlines for each stage of the process are specified below.

5.2 Discretion for late submissions will be given only where there are exceptional reasons supported by relevant evidence. This includes where a student makes an allegation of harassment or sexual misconduct.

5.3 The university and its academic partners reserve the right not to progress complaints that are submitted outside of the specified time limits.

5.4 The university and its academic partners endeavour to complete the processing of a formal complaint and any associated review (Stage 2 and Stage 3) **within 90 calendar days**. This timeframe requires students to meet any university deadlines for the submission of material.

5.5 If, for good reason, such as the availability of essential witnesses, either the university or an academic partner of the university need to extend the timeframe, the student will be notified and kept regularly informed of the progress of the complaint.

6 Stage 1 – Local Resolution at the Partner.

6.1 All partners are required to inform students in writing that they are able to make a complaint.

- 6.2 In order to resolve concerns as quickly as possible, students are expected to try and resolve complaints locally by complaining directly to the partner. All stage 1 complaints should be submitted **within 30 calendar days of the event complained about**. For the purposes of this policy, this is considered to be a Stage 1 complaint.
- 6.3 Students need to provide **appropriate and relevant** evidence to support their complaint (evidence may include signed witness statements, letters, emails, and any other relevant information). Students should retain copies of their Stage 1 correspondence to the partner and any documentary evidence they submit.
- 6.4 Covert recordings (i.e. where the person or persons being recorded were not aware of and/or did not consent to the recording) are not normally allowed to be submitted as evidence.
- 6.5 Stage 1 student complaint responses may include the following:
- Providing information, advice and explanations.
 - Suggesting solutions.
 - Apologies and resolution.
 - Referral to other appropriate support services.
 - Referral to the formal student complaints procedure (Stage 2, below).
- 6.6 Students should allow 30 days for the university partner to respond to their complaint at Stage 1.
- 6.7 If it is not possible to resolve the complaint locally at Stage 1 or if the student is dissatisfied with the outcome of their Stage 1 complaint and believes that the matter has not been properly addressed, then students can submit a formal complaint to LJMU under Stage 2 of this procedure.
- 6.8 All University partners are responsible for informing LJMU students of the details of its complaints procedure in writing and how, having exhausted the partner's own complaints procedure, a student is able to either escalate a complaint to LJMU or to the OIA (Office of Independent Adjudicator) if the Partner subscribes to the OIA – see 3.4.
- 6.9 If the issues that a student wishes to raise relate solely to the actions of LJMU or relate solely to events that occurred at LJMU and not at a partner of the university, the student should complain directly to LJMU, and any complaint will be dealt with at all stages by LJMU.
- 6.10 The Partner Institution is expected to provide the University with a summary of all Stage 1 complaints from LJMU partner students.

7 Stage 2 – Formal Complaint

- 7.1 Where the complaint has not been resolved or satisfactorily dealt with by the academic partner of the university, then a student can submit a formal complaint to LJMU. Students will be expected to complete a complaint form and provide details of their efforts to resolve the matter locally. Alternatively, the student can provide reasons why it was not appropriate for their complaint to be considered locally. A complaint form is available from studentgovernance@ljmu.ac.uk.
- 7.2 Formal complaints should be made within three calendar months of the date of the event or when the issue of complaint occurred, not from the date the matter was first raised or responded to.
- 7.3 If a complaint is submitted outside the advertised deadlines, then the complaint will be deemed out of time and LJMU reserves the right not to progress the complaint any further. If a student is able to demonstrate that they have complained locally to the partner, discretion may be given for complaints submitted outside of this timeframe. Discretion may also be given where a student makes an allegation of harassment or sexual misconduct.
- 7.4 Students should complete all sections of the complaint form, clearly and concisely, describing their concerns and summarising the key events with relevant dates. Failure to complete all sections of the form clearly and legibly may lead to a delay in responding to the complaint, or the complaint not being progressed.
- 7.5 Where a student fails to provide reasonable evidence to substantiate their allegations, LJMU reserves the right not to progress the complaint further.
- 7.6 Students are also required to specify the remedy they seek and/or the desired outcome to their complaint.
- 7.7 If the complaint is rejected, for example if the complaint was submitted late or was submitted without reasonable evidence, the complainant will be notified in writing of the reasons for the decision.
- 7.8 If the complaint is accepted, there are a number of ways in which the complaint may be progressed at this stage, dependent upon the nature and complexity of the complaint. Students will be notified in writing of how their complaint will be progressed. Such action may include:
- A request for further information or clarification from Student Governance.
 - Referral of the complaint to a named person in the relevant faculty or school who will investigate the matter and provide a written response to the complaint. This person may request further information or evidence from the Partner Institution or student.
 - Nominating an Investigating Officer from within the University to investigate the circumstances of the complaint.
- 7.9 Wherever possible, LJMU will seek to facilitate an early resolution of the complaint and aims to provide a response **within 30 calendar days** of

submission of the complaint. Should this not be the case, then students will be kept informed of any likely delay and the reasons for the delay, at the earliest opportunity.

- 7.10 Students will receive written notification of the outcome of their complaint from LJMU and a copy will be sent to the University's academic partner and the relevant LJMU Faculty. This will include whether the complaint is upheld or not, the rationale for the decision and any further action to be taken.
- 7.11 Academic partners of the university are expected to cooperate with the university in the consideration of any complaint, for example by providing information to a Director of School or other Investigating Officer when asked to do so.

8 Stage 3 – Final Review

If students remain dissatisfied with the outcome of their complaint, they have the option to refer the matter to Stage 3 of this complaint procedure. The student can contact studentgovernance@ljmu.ac.uk for advice on procedural matters.

- 8.1 Students have the right to request a review of their formal complaint by the Vice-Chancellor (or nominee) under Stage 3 of this student complaint procedure, where they believe and can substantiate that:
- The formal (Stage 2) Student Complaint procedure has not been followed correctly; and/or
 - The formal complaint has not been appropriately addressed; and/or
 - The decision regarding the outcome of their formal complaint is unreasonable in all the circumstances.
- 8.2 The grounds for the appeal should be clearly stated in writing and sent with full supporting evidence, **within 15 calendar days** of the date of the Stage 2 outcome letter to the Assistant Academic Registrar (Student Governance) by email at StudentGovernance@ljmu.ac.uk.
- 8.3 An acknowledgement of the Stage 3 complaint will be sent to the student within 5 working days.
- 8.4 Stage 3 of the Partner Student Complaints Procedure is not a re-opening of the complaint and will not consider the issues afresh or involve a further investigation. A complaint must have been considered at Stage 2 before it can be escalated to Stage 3.
- 8.5 New evidence will not be considered, unless the student can demonstrate valid reasons why they were unable to provide this evidence earlier in the process.
- 8.6 If necessary, the reviewer may contact the student and/or the University partner to clarify any issues and/or matters of procedure.

- 8.7 The student will be formally notified in writing of the decision of the reviewer, normally **within 30 calendar days**. The reviewer will determine whether the Stage 3 Complaint should be *Upheld*, *Upheld in Part* or *Not Upheld* and provide the reasons for this decision and specify if any appropriate action or remedy is required.
- 8.8 The decision of the Reviewer is final, and this represents the completion of internal LJMU procedures. The University will provide the student with a Completion of Procedures Letter.
- 8.9 The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. Liverpool John Moores University is a member of this scheme. If a student is unhappy with the outcome they may be able to ask the OIA to review their complaint. Students 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 if something has gone wrong at <https://www.oiahe.org.uk/students>.
- 8.10 A student normally needs to have completed the Student Complaints Procedure for Academic Partnerships before they can complain to the OIA. Liverpool John Moores University will send a student a letter called a "Completion of Procedures Letter" when they have reached the end of university processes and there are no further steps the student can take internally. If the student's appeal is not upheld, Liverpool John Moores University will issue the student with a Completion of Procedures Letter automatically. If the appeal is upheld or partly upheld the student can ask for a Completion of Procedures Letter if they want one. Students can find more information about Completion of Procedures Letters and when they should expect to receive one here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.