



Senate Handbook

Student Complaints

This Handbook supplements Regulations governed by Senate.

It includes policies, procedures, advice and/or guidance that staff and students are expected to follow in the proper conduct of University business.

Contents

1	Introduction	3
2	General principles	4
	2.1 Who can make a complaint?	4
	2.2 Who is responsible for managing complaints?	4
	2.3 Where do students go to for informal advice and support?	5
	2.4 Student Wellbeing and Disability Support and Mediation Services	5
	2.5 Kaplan International College students	5
	2.6 Students studying with a validated partner	5
	2.7 Admissions Appeals and Complaints	6
	2.8 Dignity at Study	6
3	Broad outline of the stages of an investigation	7
4	Conduct of investigations	8
	4.1 Transparency	8
	4.2 Right to a fair hearing	8
	4.3 Gathering evidence and holding meetings	9
	4.4 Taking notes	9
	4.5 Suspension of registration of students under investigation	10
	4.6 Malicious complaints	10
	4.7 Communication of Complaint Outcomes	11
5	Stage 1 – Informal investigation	12
6	Stage 2 – Formal investigation	13
	6.1 Information for Students	13
	6.2 Information for Staff	15
	6.3 Information for appointed investigators	16
7	Stage 3 – Review	18
8	External complaint	21
Appendix A	General exclusions from the complaints procedure	22
Appendix B	Examples of potential complaint remedies	23

Major changes to this document since version 4.0 (August 2021):

- Change of name to Student Wellbeing and Disability Support
- Change of name to Student Support Plans
- Clarification around role of investigators and PVC (School)s
- Clarification that students can request any evidence given to investigators
- Removal of duplication

1 Introduction

This Handbook describes the University's approved procedures for the management of comments, concerns or complaints made by students. It supplements Regulation 26 of the University's Regulations and outlines the details of the procedures that will be followed in the event of a concern or complaint being made by a student against the University, its services and/or its staff.

This Handbook has been written for staff and students, and incorporates the previously published Staff and Student Handbooks. It is applicable to all students of the University (including full- and part-time Postgraduate Taught and Research students, Undergraduate students and associate students studying not for a formal academic award).

Universities, like other public bodies, have a duty to conduct their affairs in a responsible and transparent way and to take into account both the requirements of funding bodies and the standards expected in public life. As part of its overall commitment to equality of opportunity, Cranfield University is fully committed to promoting a good and harmonious environment where everyone is treated with respect and dignity.

The University recognises, however, that from time to time students may feel dissatisfied with some aspect of their dealings with the University. Some examples may include:

- concerns that their academic advisers (e.g. Course Director/Lead or Supervisor) have not provided them with an appropriate level of academic support;
- concerns that the University is not adhering to its own policies and procedures;
- questions over their financial dealings with the University;
- where students believe that one of the services provided by the University is inadequate;
- where students have concerns about the conduct of another member of the University (as detailed in the University's Dignity at Study Policy, which can be found in the Senate Handbook on Student Welfare).

The University will not accept complaints about academic judgement.

There are some matters which are excluded from these procedures, because other mechanisms exist to consider any issues or concerns. These are outlined in Appendix A.

This Handbook will be provided to students who outline that they are dissatisfied with one or more aspects of their student experience, and staff who are either the subject of a complaint or who are asked to take part in an investigation into a complaint.

Throughout this Handbook, the term "complaint" will be used to describe any and all issues or concerns students may choose to raise. The University is committed to ensuring that any concerns are dealt with quickly and fairly, and with due concern and care for all students' current and future studies. The use of the term "complaint" should not be seen to imply that the matter, whatever the outcome, will be held against any student in their continuing studies and assessment.

A number of tasks detailed in this Handbook are attributed to the Student Casework Team. These functions are performed under delegated authority from the Academic Registrar.

2 General principles

2.1 Who can make a complaint?

The procedures outlined within this Handbook are open to all students currently registered with the University, including those registered as visiting students or associate students (i.e. for short periods of time for learning credits) and students registered with Cranfield University but studying at a partner institution. If there is good reason, the University will accept complaints from former students, up to three months after the date of either the formal confirmation of their award or of their cessation of registration.

Complaints can be made by individual students or by a group of students providing that one student is identified as the main contact for the purposes of communications with the group. The University will also accept complaints made by third parties on behalf of students, providing that a compelling case is made to demonstrate why the student is unwilling/unable to act on their own behalf, and providing that the University has received a statement in writing that the student is prepared for the third party to act on their behalf in full. The University reserves the right to make a judgement on whether or not to consider formal complaints made anonymously, and whether to treat any complaint made as an anonymous complaint.

2.2 Who is responsible for managing complaints?

This Handbook refers throughout to key people in the University who manage formal complaints. For the avoidance of doubt:

- The “Lead Investigator” is the person(s) assigned by the University to investigate a complaint.
- The Pro-Vice-Chancellor (School) (PVC School) or Head of a Professional Service Unit (PSU) are responsible for receiving recommendations from the Lead Investigator and will retain ultimate responsibility for ensuring that the complaint is investigated fully and fairly.
- The Academic Registrar may delegate the management of individual complaints to one or more of the Assistant Registrars.

Any individual undertaking a role within the formal complaints procedures will normally have no prior knowledge of the matter and are asked to raise any potential conflicts of interest with the Academic Registrar (or Student Casework Team on behalf of the Academic Registrar) as they become apparent. If the conflict of interest is deemed to be prejudicial to the investigation the individual concerned will be removed as an investigator. If the individual concerned continues to be involved, a record of any conflict of interest raised will be retained along with the findings of the complaint in line with the University’s Data Retention Schedule.

Where complaints are made which directly involve a PVC (School), Head of a relevant PSU and/or the Chief Executive and Vice Chancellor, the University Secretary will identify an appropriate member of senior staff to manage the individual complaint instead, to ensure fairness to all parties. Similarly, where a complaint is made which directly involves the Academic Registrar and/or the University Secretary, the Chief Executive and Vice-Chancellor will identify an appropriate member of senior staff to manage the individual complaint.

All staff involved in the management of complaints are committed to ensuring that the matters are resolved fully and finally at the end of the process, and to ensuring that the people involved in the complaint will continue fully and appropriately in their future interactions in the University without prejudice.

2.3 Where can students go to for informal advice and support?

Further advice and support within the University is available from:

- staff in Education Services (including the Academic Registrar, the Assistant Registrars and Student and Academic Support Leads);
- staff in Student Wellbeing and Disability Support;
- those staff identified as Lead Investigators above;
- staff and students in the Cranfield Students' Association (CSA).

2.4 Student Wellbeing and Disability Support and Mediation Services

The Student Wellbeing and Disability Support service is able to offer advice and guidance to students in seeking a resolution to their complaint, as well as general advice on the complaints procedure. In addition, staff in Student Wellbeing and Disability Support have mediation skills, and are able, where appropriate, to facilitate mediation between a student and the person(s) their complaint concerns.

Mediation is a confidential process which can bring about an early resolution to a complaint where both parties are able to see each other's point of view and, with the aid of a mediator, can co-operate to find a resolution. The mediator will aim to produce with all persons involved a written resolution to the complaint that is fair and acceptable to all parties.

Should a student request a mediation session Student Wellbeing and Disability Support will aim, subject to the availability and willingness of the parties involved, to arrange this within ten working days of the request. Staff involved in a complaint are also able to independently contact Student Wellbeing and Disability Support to discuss whether mediation would be appropriate, at which point Student Wellbeing and Disability Support will suggest mediation to the student.

Taking part in mediation is completely voluntary; there is no requirement for any of the parties involved in the complaint to take part should they not wish to.

Whilst mediation can be very effective as a tool to resolve complaints early at the initial informal stage, students (and staff) are able to request help with mediation at any internal stage of a complaint (Stages 1-3).

Taking part in mediation will not preclude a student from taking a complaint further if a written resolution cannot be reached, and neither staff or students will be bound by any of the discussions or concessions made during an unsuccessful attempt at mediation.

2.5 Kaplan International College students

Students who are following the Pre-Master's programme at Kaplan International College London (KICL) with an offer to study at the University should make any complaint they have to KICL. Should any KICL student make a complaint to the University, the complaint will be referred back to KICL and a message sent informing the student that this is what has been done. However, students are free to pursue a complaint with the University if the complaint remains unresolved through KICL local procedures, and refers to an aspect over which the University has jurisdiction and power to deliver a remedy.

2.6 Students studying with a validated partner

The University offers a number of courses in conjunction with validated partners. Any complaint by a student studying with a validated partner should be made in the first instance to Cranfield

following the procedures set out in this Handbook. The University will normally investigate the complaint under this procedure, however where the complaint concerns something outside of the University's jurisdiction it may refer the complaint to the validated partner.

2.7 Admissions Appeals and Complaints

Appeals or complaints concerning any admissions decisions should be made in accordance with the admissions feedback, complaints and appeals procedure, as detailed on the University website.

2.8 Dignity at Study

The University has a Dignity at Study policy, which concerns bullying, harassment discrimination and intimidation, further details of which can be found in the Senate Handbook on Student Welfare.

Any complaint concerning bullying, harassment, discrimination or intimidation will be dealt with by the University through this complaints procedure.

3 Broad outline of the stages of an investigation

All investigations are managed in the following way:

- | | |
|--|---|
| STAGE 1 <i>informal investigation</i> | <ul style="list-style-type: none">- the student tries to resolve their complaint at the local level- Schools and service departments may publish local complaint mechanisms to use- rapid resolution sought- students are advised to make a note of any attempts to resolve the complaint (e.g. dates and outcomes of any meetings, copies of emails sent) |
|--|---|



Students have the right to complain formally at any time, but will be asked to outline what attempts have been made to resolve the complaint informally

- | | |
|--|--|
| STAGE 2 <i>formal investigation</i> | <ul style="list-style-type: none">- detailed enquiries and a full and documented investigation is undertaken by the Lead Investigator to verify the nature and substance of any complaint and determine any appropriate redress- outcomes may be the dismissal of the complaint, or any redress deemed appropriate by the Lead Investigator |
|--|--|



Students have the right to request a review of any decision made at Stage 2 under certain circumstances – see Stage 3

- | | |
|------------------------------|--|
| STAGE 3 <i>review</i> | <ul style="list-style-type: none">- students may request a review to the Academic Registrar against the outcome under certain circumstances- the Academic Registrar can either dismiss the request (if it is not appropriate) or will appoint one or more independent people to review how the original investigation(s) was conducted- the review will either be dismissed by them, or the matter referred back for further investigation by new investigators in the light of the student submission |
|------------------------------|--|

If at this stage the student believes they have been treated unfairly, they can complain to a body outside of the University.

Students and staff are able to contact Student Wellbeing and Disability Support, either as a pre-emptive measure or at any internal stage (Stages 1-3) of a complaint, to discuss if mediation would be an appropriate measure to seek a resolution to their complaint.

4 Conduct of investigations

Both students and investigators are entitled to specific rights; these apply to all internal stages of an investigation (i.e. Stages 1, 2 and 3). Please pay close attention to these, as failure to adhere to them may result in a complaint not being accepted or delayed, or, for investigators, provide grounds for a review.

4.1 Transparency

During the course of any investigation, the student(s) will be kept informed at all times of:

- the names of the people who have been appointed to investigate the allegation;
- the projected timescales for the completion of any investigation and, if there are unexpected delays or deferrals, any revised timescales;
- the final decision(s) of the investigators, in the form of a written report for a Stage 2 or Stage 3 investigation.

Investigators should remain in regular contact with the student(s), keeping them up to date on how the investigation is progressing.

Investigators should be prepared to provide students with copies of any evidence that they have received if requested to do so by the student. Should investigators have any concerns about the privacy or confidentiality of any information they should consult the Academic Registrar or a Data Protection Co-ordinator for further advice.

Investigators should make it clear to any persons providing information or who are interviewed that the information will be shared with the student under investigation, unless there are clear and pressing reasons for this not to be the case. Even if there are reasons, it cannot be guaranteed the information will not be disclosed due to the University's data protection policy.

When providing evidence to student(s) under investigation, investigators should remind them of their right to rebut or dispute the honesty or accuracy of that evidence, giving them clear timescales of when and how they should do this.

4.2 Right to a fair hearing

The University takes any investigation very seriously, and is committed to ensuring that it appoints investigators who are not prejudiced or biased against any person involved in the investigation.

Should an appointed investigator feel that they are already too familiar with the circumstances of the case or the individual student(s) to be objective about the investigation, then they should discuss this as soon as possible with the person who has appointed them as an investigator. Exceptionally, investigators may become aware of such conflicts of interest as an investigation progresses, and they should disclose any concerns as soon as they may arise.

Similarly, should a student believe that an appointed investigator may be aware of their personal or educational circumstances, to the extent where the investigator may have made pre-informed decisions about their complaint, they may raise this with the person responsible for appointing the investigator.

Once notified of a potential conflict of interest, the person responsible for making an appointment will then consider whether those circumstances represent a "conflict of interest" in the appointed

investigator serving as an investigator, and will either appoint a different investigator(s) or explain to the investigator and/or student why this is not appropriate or necessary.

Investigators at all stages must ensure that all persons involved in an investigation have an equal opportunity to present their case and any evidence they feel relevant to any investigation.

4.3 Gathering evidence and holding meetings

Investigators have the right to interview any persons they believe are necessary to complete their investigation. This may include the student(s) making the complaint, who are required to meet any reasonable requests from investigators.

Student(s) making a complaint may refuse to meet with investigators or provide evidence. Should students choose to exercise this right, investigators should remind the student that failure to do so may result in any review (Stage 3) of the final decision on the grounds of incomplete evidence being deemed invalid by the Academic Registrar (or a member of staff on their behalf). Where a student refuses to meet with an investigator or provide evidence, the investigator should proceed with the investigation to the best of their ability.

Any person interviewed as part of an investigation has the right to be accompanied by a person of their choice. This person will be referred to at all times as the interviewee's "friend" (irrespective of their status, relationship to the interviewee or professional role). Investigators should inform any person they wish to interview of this right when arranging the meeting.

Students and staff may only bring a friend to a meeting if they have notified the investigator that they wish to do so in advance. Where an investigator has not been notified in advance, they should feel free to cancel and re-arrange the meeting at a future point, if they feel uncomfortable about proceeding. The friend is entitled to discuss any matter with the student or member of staff during the course of the meeting (including requesting a private discussion out of the investigator's hearing), but is not entitled to represent the student/staff member, or their views on their behalf.

During any meeting or interview, the person being interviewed or their friend is entitled to ask for copies of any evidence discussed, and for a short break either to discuss any points being raised, or to collect or discuss their thoughts in private.

Students and members of staff have the right to ask for a reasonable deferral of any meeting or any deadline of request for information from an investigator, but only on the grounds that they need further time to prepare for the requested meeting or information. Investigators may continue their investigations in the meantime, but should inform all parties if this is their intention. Investigators may also decide to conclude the investigation without that input if they deem the requested deferrals to be unreasonable.

4.4 Taking notes

During any meeting conducted to support an investigation the investigator (or another member of staff on their behalf) will take accurate notes, including dates and times of meetings, who was present, and any important facts or conclusions made during the meeting. Depending on the nature of the investigation, investigators may wish to provide those interviewed with a written summary of the meeting for them to agree with. Persons interviewed may also wish to reconcile their own notes with those of the investigators, and the investigators should agree to reasonable requests to do so).

Investigators should also take notes of any attempts made to obtain information, and record where people have not been co-operative.

Following completion of the investigation, these records should be sent through to the Student Casework Team (through studentcomplaints@cranfield.ac.uk), who will retain them until 12 months has elapsed after the end of the student's registration.

Students are advised to keep their own records of actions they have taken as part of their complaint should this be required for any future stage of the appeals process.

4.5 Suspension of registration of students under investigation

In most cases, students will continue their studies with the University while the investigation is underway.

At any stage, however, if the Academic Registrar believes the matter under investigation, or the student's behaviour or response to the investigation, represents a health or safety risk to that student or any other member of the University, they may authorise a temporary suspension of registration and/or a restriction to the student's presence on University premises.

The Academic Registrar may only take such action on receipt of clear evidence and after due consultation with other staff of the University. Investigators or other staff who have any concerns should raise these directly with the Academic Registrar.

Should the Academic Registrar restrict a student's access to the University or temporarily suspend their studies they will explain the reasons for taking such action to the student. Any suspension or restriction of presence will likely remain in place for the duration of the investigation.

4.6 Malicious Complaints

Cranfield University is committed to promoting a harmonious environment where everyone is treated with respect and dignity and in which no-one feels threatened or intimidated. As such, students found to be making malicious complaints which conflict with this commitment may face disciplinary or, if warranted, criminal proceedings.

Examples of malicious complaints include, but are not limited to:

- harassing or repetitive complaints;
- complaints which are intended to cause disruption, distress or annoyance, either to an individual or to the University as a whole;
- complainants undertaking actions which willfully and maliciously disrupt the due process of any investigation.

The University reserves the right not to investigate, or to cease investigation of, any complaint which it considers to be malicious in nature.

The Student Casework Team, on behalf of the Academic Registrar will review all formal (Stage 2) complaints received and determine their eligibility. If at this stage a complaint is determined to be malicious in nature the Student Casework Team will write to the student informing them of this.

It is possible that during the course of an investigation the investigator(s) may consider that additional evidence received, or the conduct of the student making the complaint, indicate that a

complaint is/has become malicious. Such cases should be referred back to the Academic Registrar for review and possible termination of the investigation.

Dismissing a complaint as malicious is considered the formal outcome of a Stage 2 investigation, however the student retains the right to request a review of this decision using the Stage 3 review process under the specified grounds.

4.7 Communication of Complaint Outcomes

At the conclusion of a Stage 2 Investigation and Stage 3 Review, the investigator(s) will produce a report detailing the investigation findings, addressing all of the concerns raised and setting out details of any recommended redress, along with an accompanying coversheet showing the outcome and recommended redress.

Students who have made a complaint will receive a copy of the full report and coversheet. Where a complaint has been made about a member of staff, they will be entitled to receive a copy of the coversheet and full report (redacted where aspects of the complaint relate to others, as necessary). Where a complaint has been made about another student that student will be entitled to receive a copy of the report coversheet showing the outcome and any recommended redress.

The cover sheet may additionally be sent to any staff necessary in order to implement any of the recommended redresses (i.e. finance, SAS Leads, Registry etc.).

5 Stage 1 – Informal investigation

The University is committed to providing the best possible student experience, and does not outline procedures for Stage 1 of the complaints procedure. Some Schools and Service Departments have “local” complaints procedures, and these are deemed by Senate to represent a Stage 1 informal investigation. Students are advised to use these, where they exist.

Most complaints are best resolved at the local level and as soon as the problem arises, where the issues can be understood fully by people directly related to the nature of the complaint. Informal investigation and resolution help to ensure that misunderstandings are identified quickly, and that the process of resolving a complaint helps to build stronger relationships between the parties involved. All complaints should be submitted within a reasonable timeframe (normally twenty working days) of the incident(s) in question.

Complaints which arise from a formal outcome (i.e. an examination board decision or rejection of an appeal) will be treated as Stage 2 complaints, with no informal investigation.

Students are encouraged to raise their concerns directly with the people involved, or if they feel uncomfortable doing so, with an immediate line manager, or with someone in the School or service department they feel comfortable talking to.

In putting together an informal complaint, students should identify:

- the exact nature of their complaint;
- specific examples which demonstrate what they are unhappy about;
- how they believe their complaint can be resolved;
- who they believe may be able to resolve the matter.

A Stage 1 investigation may take a number of forms, but should be resolved as quickly as possible. Any of the possible resolutions listed in Appendix B may be appropriate remedies to a Stage 1 informal complaint.

While the University hopes that all complaints can be resolved informally, it recognises that students may remain dissatisfied with the outcome of an informal investigation, or that staff may not be able to resolve a complaint locally. In such cases a Stage 2 formal complaint should be submitted, using the Stage 2 Complaint form.

Students and staff are advised to keep records of the actions they and others have taken to resolve an informal complaint. This will include:

- keeping copies of emails they have sent and received;
- making a note of the dates and times of any meetings, and a record of what was agreed at those meetings.

Should a student submit a formal complaint (Stage 2), both the student and involved staff members will be asked to outline the actions they have already taken.

6 Stage 2 – Formal investigation

6.1 Information for Students

If you believe that the result of the informal investigation (Stage 1) has been unfair or inappropriate, then you may submit a stage 2 complaint in writing to the Academic Registrar (through studentcomplaints@cranfield.ac.uk). A member of the Student Casework Team will contact you to discuss your circumstances and advise you on possible next steps. They will also review your complaint submission to make sure it conforms to the requirements outlined below, and have the right to refuse to accept a formal complaint unless it does.

You must be a registered student to submit a complaint, and you are advised to submit a complaint as soon possible after the circumstances leading to it. The University will not accept submissions from you if you have ceased to be a student and more than three months have passed since you either left the University, or were notified of your result. The Academic Registrar reserves the right to exercise their discretion not to accept a complaint which is not submitted in a timely manner (normally within twenty working days of the outcome of the Stage 1 investigation), although this decision will not preclude you from submitting a Stage 3 review request.

On acceptance, the Student Casework Team will forward the complaint to the assigned Lead Investigator.

It is very important that any Stage 2 complaint is as comprehensive as possible. In order for it to be accepted you should structure your complaint in the following way:

1. Personal information

You should include your full name, your student number, your course, and the address that should be used to contact you.¹

2. The nature of your complaint

You should state clearly exactly what your complaint is about. If you have included more than one specific issue, please detail these clearly in separately-numbered points.

3. The evidence or circumstances leading to your complaint

Depending on the nature of your complaint, this may include:

- a timetable or “story” of independent incidents, including dates and times;
- emails or letters you have written or received;
- a list of people who can verify that specific incidents have taken place, and that the investigators may wish to contact.

(Please note that any investigation may involve you meeting with the investigators to explain or expand upon this evidence, but you will normally be expected to include all of the key important information in your initial statement.)

¹ It will be generally expected that you will be contactable – and contacted – through your @cranfield.ac.uk email address.

4. The remedy or remedies you are seeking as an outcome

You should state clearly what action you believe needs to be taken in order for you to feel satisfied that your complaint has been resolved. If you have included more than one specific issue, please detail your preferred remedies clearly in separately-numbered points. No commitment will be made by the Lead Investigator at this stage about whether your remedy or remedies will be considered appropriate or reasonable.

5. An outline of what steps you have taken so far to address the complaint informally (Stage 1)

If this is not outlined in 3 above, you should state clearly, providing dates and times of meetings, who you have already discussed your complaint with and what the outcome(s) of those discussions were.

On receipt of the submission of a formal Stage 2 complaint, and its acceptance by the Student Casework Team (on behalf of the Academic Registrar), one or more persons will be appointed to make detailed enquiries and obtain evidence to either support or dispute the allegation. You will be contacted within ten working days of the submission of your complaint to outline who has been appointed to undertake any investigation(s).

If you have any concerns that the investigator(s) is too familiar with the case to undertake the investigation, please raise this as soon as possible with the Academic Registrar (through the Student Casework Team; studentcomplaints@cranfield.ac.uk), who will consider whether an alternative investigator should be appointed.

It is open to the Academic Registrar, on the recommendation of staff in Education Services, to consider whether any immediate action is necessary before a full investigation is conducted. This may include making changes to your immediate study environment (e.g. providing you with specific or alternative learning support or making adjustments to ensure that contact between you and the people concerned with your complaint is limited). In very exceptional circumstances, the Academic Registrar may choose to make changes to your registration (up to and including a temporary suspension), but may only do so after consulting the relevant PVC (School).

You should also receive formal contact from the appointed investigator(s). They will contact you within ten working days of their receipt of your complaint. Before contacting you, the investigator(s) will have read your formal statement, and will provide you with an estimate of how long it will take to conduct the investigation. The appointed investigator(s) may at this stage also outline who they will meet with, and what further evidence they will be seeking.

In order to fully understand the basis and background of your complaint the investigator(s) may require a formal and structured meeting with you, at which notes are likely to be taken. You may bring a friend to this meeting and make notes of your own, and you may also ask to see the notes made by the investigator(s), to check for accuracy. Your friend may speak with you, either in the meeting or privately, but may not speak on your behalf.

The investigator(s) are entitled to ask for other evidence from you, including access to your emails, or documents on your personal filestores if they wish to determine the full extent of the circumstances of any complaint. They may also meet with other members of the University, or ask for evidence from others and you will be advised of this additional evidence and activities by the investigator(s).

If an investigation takes more time than initially estimated, the investigator(s) will advise you of the delay through your preferred contact address, and provide you with a revised estimated date of conclusion.

At the conclusion of their investigations, a recommendation to either dismiss the complaint, or uphold it (either fully or in part) and provide appropriate redress will be made to the Lead

Investigator. They will ensure all elements of your complaint have been considered, and determine whether to take forward any recommendations.

A report will also be provided to you at the end of the process, to outline the outcome of all aspects of your complaint, and explain any decisions made. You have the right to request the full investigation file (all notes and evidence) from the Student Casework Team if you wish. This will represent the completion of Stage 2 of the complaints procedure.

If you believe that the result of the formal investigation (Stage 2) has been unfair or inappropriate, then you may request a review of the decision (Stage 3) in writing to the Academic Registrar (via studentcomplaints@cranfield.ac.uk). A request for a review will only be accepted if it is made within twenty working days of the notification to you of the Stage 2 outcome. A member of the Student Casework Team will contact you to discuss your circumstances and advise you on possible next steps.

6.2 Information for Staff (Student Casework Team, PVC-Schools and/or Head of PSU)

6.2.1 On receipt of a student complaint

The Student Casework Manager receives all complaints and appoints investigators on the University's behalf. If you receive a complaint directly from a student, please consult the Student Casework Team about its eligibility (or otherwise consider it as an informal Stage 1 complaint and notify the student that this is how you are viewing the complaint).

Please note that:

- a) students may choose to submit a complaint as a group, providing that they have identified a main contact for the purposes of communications about the management of the complaint;
- b) the Student Casework Manager on the University's behalf has the discretion to decide whether or not to take forward a complaint submitted anonymously, or whether to treat any submitted complaint as an anonymous complaint;
- c) the Student Casework Manager, on the University's behalf may accept a complaint made by a third party providing that a compelling case is made to demonstrate why the student is unwilling/unable to act on their own behalf, and providing that a statement in writing has been received that the student is prepared for the third party to act on their behalf in full;
- d) The Academic Registrar reserves the right to exercise their discretion not to accept a complaint which is not submitted in a timely manner (normally within twenty working days of the outcome of the Stage 1 investigation).

The Student Casework Team also has the right to delay "accepting" the complaint until it is presented in a format that is reasonable to take forward an investigation. This should include the requirements set out for students in section 6.1.

On receipt of the submission of a formal Stage 2 complaint the Student Casework Manager will, on behalf of the University appoint one or more independent persons to make detailed enquiries and obtain evidence to either support or dispute the allegation, paying due heed to any potential conflicts of interest that they may be aware of.

The Student Casework Team will contact the student **within ten working days** of the submission of the complaint, outlining who has been appointed to undertake any investigation(s).

It is open to the Academic Registrar, on the recommendation of staff in Education Services, to consider whether any immediate action is necessary before a full investigation is conducted. This

may include making changes to your immediate study environment (e.g. providing you with specific or alternative learning support or making adjustments to ensure that contact between you and the people concerned with your complaint is limited). In very exceptional circumstances, the Academic Registrar may choose to make changes to your registration (up to and including a temporary suspension), but may only do so after consulting the relevant PVC (School).

6.2.2 On receipt of the final report from the appointed investigators

When the investigators have completed their report, it will be sent to the relevant PVC School/Head of PSU.

As a PVC School/Head of PSU, you should review it to ensure that:

- a) all elements of the complaint as submitted have been addressed;
- b) there are clear recommendations to dismiss or uphold each element of the complaint;
- c) the outcome is considered by you to be both fair and reasonable;
- d) you are happy to ensure that the proposed recommendations are acted upon.

If you are happy to confirm the report and its recommendations, you should confirm the decision to the appointed investigator, who will forward the final report, your confirmation and their investigation notes to the Student Casework Team. The Student Casework Manager will then contact the student(s) in writing and provide them with a copy of the final report.

Your role in the complaint is then concluded. Please note that you may need to discuss the case further if the student(s) decides to request a review of your decision (Stage 3).

6.3 Information for appointed investigators

A formal investigation (Stage 2) requires all aspects of the allegation and investigation to be documented fully, and a report to be written. As an investigator, you may feel it is necessary to have a formal and structured meeting with the student(s) who have made the complaint, at which notes must be taken.

On being appointed formally to commence an investigation please:

- a) ensure you have read and are familiar with Section 4 of this Handbook, which outlines general principles for the conduct of any investigation;
- b) consider whether there are any potential conflicts of interest you need to discuss with the Student Casework Team;
- c) read the formal complaint submitted by the student (see Section 6.1.1 for an outline of what this should look like);
- d) contact the student(s), and explain who you are, and what your role is within ten working days of being appointed;
- e) outline to them what timescales you think will be needed for the investigation;
- f) check that the student(s) under investigation is aware of the Student Handbook: Complaints and understands its content;
- g) advise the student(s) of their alternative sources of advice or support (Section 2.3);
- h) outline that you are undertaking a full and formal investigation into the allegation and you will either:
 - i. dismiss the complaint; or
 - ii. uphold or partially uphold the complaint and recommend to the Lead Investigator appropriate redress as a result of your findings.

At all times, keep the student(s) apprised of the progression of the investigation.

When sending forward the case for investigation, the Student Casework team will inform the investigator whether the student has a Student Support Plan in place. Investigators should then make reasonable adjustments where appropriate (in consultation with a Learning Support Officer if required), to accommodate these needs (e.g. meet in a ground floor room if student has mobility issues, emails sent during working hours to allow the student the opportunity to access support where required etc.).

All investigations will result in a formal report (using the standard report template) which will be provided to the student(s), with copies retained by the Lead Investigator and the Academic Registrar.

At the conclusion of the investigation:

- a) please inform the student(s) that the investigation has been concluded and that they will be contacted by the Student Casework Team;
- b) complete a full and accurate report of your investigation, which should include:
 - i. a clear decision (with reasons given) on each element of the complaint;
 - ii. a clear recommendation to either dismiss the complaint, or otherwise uphold the complaint in part or in full;
 - iii. a clear recommendation on any appropriate redress for the Lead Investigator to consider;
 - iv. a list of evidence you have obtained to support your findings, highlighting the key elements leading to your conclusions.

You should complete your final report and forward a password protected copy to the relevant PVC (School) or Head of PSU, requesting that they review the report and recommendations by a stated deadline. It would usually be expected that this deadline should be no more than a week after the report has been sent, however when setting a suggested response deadline investigators should take into account the urgency of the complaint resolution and the PVC (School)/Head of PSU's availability.

At that point, the PVC (School)/Head of PSU will consider your report and confirm their decision. Once the PVC (School)/Head of PSU has confirmed the recommendation, the confirmation and report should be sent to the Student Casework Team, who will provide the student(s) with a copy of your report. You will also be asked for your notes and other evidence by the Student Casework Team, which will be retained pending any potential review, in line with the University's Data Retention Schedule.

Your role as investigator is then concluded (although you may be asked to contribute to any future related review). Please ensure you have collated your notes, to be passed to the Student Casework Team.

7 Stage 3 – Review

The University takes allegations and their investigations extremely seriously, and acts in an appropriate manner to ensure that fairness for all parties is maintained throughout. It will likely assert that decisions arising from an investigation have been the result of a fair and thorough investigation, and are based on evidence provided by the parties concerned.

Students, however, have the right to request a review of the Stage 2 decision on the following grounds only:

- A. that the evidence provided to the assigned investigator(s) was incomplete or inaccurate, to the extent where it is reasonable to conclude that the decision may have been different;
- B. that the investigator(s) had summarily dismissed significant pieces of evidence in coming to their decision;
- C. that the investigator(s) had not made clear recommendations on each element of the formal complaint;
- D. that the investigator(s) were prejudiced or biased against the complainant(s), including any undisclosed conflicts of interest.

Any request for a review will only be accepted if submitted within twenty working days of the student's notification of the Stage 2 outcome.

Students may not request a review because they do not like the outcome, or because they believe the recommended redress is unfair or inadequate, given their complaint. (They do retain, however, the right to complain about the University to the Office of the Independent Adjudicator for Higher Education – see section 8 – External complaint).

Any review request must:

- (a) be submitted in writing to the Academic Registrar (via studentcomplaints@cranfield.ac.uk) within twenty working days of the conclusion of the Stage 1 or Stage 2 investigation;
- (b) state clearly which of the grounds A, B, C and/or D above are relevant to the request;
- (c) provide a clear statement of the foundation for the request, and evidence to support this statement (b) above;
- (d) outline a preferred outcome or solution for any investigator to consider.

Please note that the Academic Registrar may summarily dismiss a review request if:

- (a) it is not based on one of the permitted grounds of review; or
- (b) they do not believe that the student has provided sufficient evidence to merit an investigation; or
- (c) it was submitted out of time.

The Academic Registrar can only do this after consulting either the Pro-Vice-Chancellor (Education) or the Pro-Vice-Chancellor (Research) with details of the circumstances, and only with their agreement. The Student Casework Team, on behalf of the Academic Registrar, will confirm with the student in writing if their request is dismissed.

Where a request for a review is made on the grounds that the complaint was not fully investigated at Stage 2, or that the Stage 2 investigator did not address areas of the complaint, it may be referred back to that Stage 2 investigator instead of being accepted as a Stage 3 review. This would not preclude a student from submitting a further Stage 3 request at the conclusion of any further Stage 2 investigation.

If the request is accepted, the Academic Registrar will then, within ten working days of this receipt, appoint one or more senior members of the University to investigate the review. The investigator(s) will contact the student to confirm they have been appointed and outline to the student the timescales they believe will be needed to undertake the review and come to a decision.

If as a student you have any concerns that the appointed reviewer investigators are too familiar with the case to undertake the investigation, this should be raised as soon as possible with the Academic Registrar, who will consider whether an alternative investigator should be appointed.

The investigator(s) shall not review the matter themselves, but instead focus on the process of the previous investigation, in line with the stated grounds for a review. On completion of their investigation, students will be provided with a report, including a decision and the reasons for it.

The investigators may decide:

- (a) to dismiss the review; or
- (b) to fully or partially uphold the review, and refer the matter back to the Lead Investigator for a re-investigation of the matter, or request a re-investigation by different persons.

Any re-investigation will be conducted in the same manner as a Stage 2 investigation, save that the recommended outcomes of the re-investigation are considered as final, with no recourse to a second Stage 3 investigation (review). The decision of the University at that point would be considered final.

Information for Review Investigators

Any review request is initially by the Academic Registrar or a nominated deputy, who judges whether there is a *prima facie* case to answer.

Any accepted review will then focus on the specific grounds cited and are, in essence, limited to an investigation of how the Stage 1 and/or Stage 2 complaint investigations were conducted within the School. Your role as review investigator (which may be by yourself or with one or more other people) is to determine whether the University has acted fairly, and your decision will be the University's final view on the matter.

On being appointed formally by the Academic Registrar or a nominated deputy to commence an investigation please:

- a) ensure you have read and are familiar with Section 4 of this Handbook, which outlines general principles for the conduct of any investigation;
- b) consider whether there are any potential conflicts of interest you need to discuss with the Academic Registrar;
- c) review all of the evidence provided to you at the outset;
- d) contact the student(s), and explain who you are, and what your role is **within ten working days** of being appointed;
- e) outline to the student(s) what timescales you think will be needed for the investigation;
- f) check that the student(s) are aware of the Student Handbook: Complaints and understand its content in relation to their Review request;
- g) advise the student(s) of their sources of advice or support (Section 2.3);

- h) outline that you are undertaking a review of the previous investigation and you will either:
 - i. dismiss the review; or
 - ii. recommend to the Lead Investigator that they re-investigate the original complaint, with reasons why.

It is not usual during a review investigation for you to need to interview either the student(s) or the previous investigators, although you may choose to do so in order to come to a reasonable conclusion.

At all times, keep the student(s) apprised of the progression of the investigation.

When sending forward the case for investigation, the Student Casework team will inform the investigator whether the student has a Student Support Plan in place. Investigators should then make reasonable adjustments where appropriate (in consultation with a Learning Support Officer if required), to accommodate these needs (e.g. meet in a ground floor room if student has mobility issues, emails sent during working hours to allow the student the opportunity to access support where required etc.).

All investigations will result in a formal report which will be provided to the student(s), with copies retained by the Lead Investigator and the Academic Registrar.

At the conclusion of the investigation:

- a) complete a full and accurate report of your investigation, which should include:
 - i. a clear decision (with reasons given) on each element of the review;
 - ii. a clear recommendation to either dismiss the review, or otherwise uphold the review in part or in full;
 - iii. a clear recommendation on whether the complaint needs a re-investigation by different persons than those who undertook it originally;
 - iv. a list of evidence you have obtained to support your findings, highlighting the key elements leading to your conclusions.
- b) forward the review report to the Pro-Vice Chancellor Education or Research (as appropriate) for their approval.

Once the relevant Pro-Vice Chancellor has approved your report you should forward it to the Student Casework Team, who will communicate your decision to the student(s) and the PVC (School)/Head of PSU, and provide them with a copy of your report.

You should collate a copy of your detailed notes, and forward these to the Student Casework Team (through studentcomplaints@cranfield.ac.uk) for retention pending any potential external appeal in line with the University's Data Retention Schedule.

Your role as investigator is then concluded.

Please also note that the student may contest your decision to an external body (the Office of the Independent Adjudicator, OIA); any investigation by the OIA is unlikely to involve you, but you may be asked by the Academic Registrar to provide notes or other information. This can take place up to one year after the conclusion of your investigation.

8 External complaint

At the completion of Stage 3, the University will consider any decision it has made to be final and complete, with no further right of appeal. This is equally true if any complaint or request for a review is dismissed summarily by the Academic Registrar, or if a student has no grounds for a review.

If, however, students remain dissatisfied with the outcome or with how the University has managed the complaint and its subsequent investigations, they have the right to submit a complaint against the University to the external regulator for the UK higher education sector, the Office of the Independent Adjudicator for Higher Education (OIA).

More information about the OIA can be found at www.oiahe.org.uk.

In order for students to submit a complaint to the OIA, the University must agree that they have exhausted the internal procedures. This is managed by the Student Casework Team issuing a “completion of procedures letter” on behalf of the Academic Registrar. A “completion of procedures letter” will be provided on request at the conclusion of any Stage 3 review (whether it is not accepted, summarily dismissed or fully investigated).

Students may also request from the Student Casework Team a “completion of procedures letter” at any point in the process if they do not believe the University is capable of following its own procedures fairly, and they do not wish to engage further with the University on this matter.

The OIA will not consider any complaint unless a “completion of procedures letter” has been provided. Any complaint to the OIA must be registered within twelve months of the University issuing a “completion of procedures letter”.

Appendix A

General exclusions from the complaints procedure

The procedures outlined in this Handbook cover any and all concerns and complaints raised by students with the following exceptions (which are addressed through other mechanisms):

a. Appeals against the management of formal University procedures

The University operates a number of procedures to manage its students effectively. These processes include rights of appeal within them, and any complaints of the unfairness of those procedures are addressed through the stages of those individual procedures. This includes:

- the conduct and outcome of any disciplinary investigation relating to the student's own conduct or behaviour;
- the management of appeals against academic decisions made by Examiners;
- changes made to a student's registration without their explicit consent (including decisions to reject requests for extensions to registration and thesis submission deadlines, as well as decisions to suspend or terminate their registration early).

b. Concerns about general health, safety or environment within the University

There is a 'Health & Safety Alert' form for 'whistle blowing' or complaints; the University's Safety, Health and Environment Office has a communications and complaints procedure, which is part of the ISO 14001 quality management system.

c. Complaints about the Cranfield Students' Association (CSA)

The CSA is a separately-registered charity, and as such outlines its own internal complaints procedures.

d. Concerns about student services not provided directly by the University

- **the NHS and other healthcare providers** have their own comments/complaints procedure;
- the **Pre-School** is monitored and overseen through Ofsted, see posters in the Pre-School or go to www.ofsted.gov.uk;
- the **Counselling Services** are monitored and overseen by BACP (see www.bacp.co.uk/prof_conduct/).

Appendix B

Examples of potential complaint remedies

When a student's complaint is upheld, it is the responsibility of the University to make appropriate and proportionate reparations. Lead Investigators have the authority on behalf of the University to approve recommended remedies made by the investigators they have appointed, and to act upon them on behalf of the University Executive as a whole.

The appropriate remedy or remedies should, wherever possible, aim to return the student to the position they would have been in had the circumstances they have complained about not occurred. There are a number of suggested options, which are outlined below. ***Please note that these are suggestions and should not be viewed by investigators or staff as the required or expected remedies; each case should be considered on its own merits and in the full context of the investigation.***

a. An apology

It is recommended that a written apology, on behalf of the University, is included in any complaint which is either fully or partially upheld, as it has been concluded that something has been deemed to have gone wrong for which the University is responsible.

The Lead Investigator can apologise on behalf of the University. They may also require a specific senior manager (e.g. Director of Professional Unit, Head of Department, Director of Education/Research, line manager, individual member of staff) to apologise additionally for specific elements of the complaint.

Where apologies are made, they should be genuine and reflect the nature of the complaint and the findings of the investigation. An apology does not amount to an admission of liability in a legal sense.

b. Change of academic adviser, or similar arrangement

c. Change of environment (e.g. office, lab, accommodation)

d. Change of support arrangements (e.g. learning support)

While Schools usually have internal mechanisms to manage such requests, a complaint outcome may prejudice a particular outcome of that process, or overturn where such a mechanism has been used with an unacceptable outcome for the student. Where such changes are agreed, the Lead Investigator must take care to ensure that they are reasonable for all affected parties (i.e. not only the complainant). For example, a change of supervisor should take into consideration the existing workloads of potential nominees.

Similarly, the Lead Investigator needs to ensure that the proposed change does not negatively affect other staff and students. For example, forcing a third party student to move from an office or lab to their personal detriment is not recommended. Any complaint outcome should be phrased flexibly enough to guard against such possibilities.

In such cases, any financial implications for implementing such changes should be met from the appropriate School or Professional Service Unit budget (see also (i) financial compensation below).

e. Reversal of a process decision

f. Removal of personal data

g. Access (or repeated access) to a University process

Some examples of this are:

- removal of records of previous decisions overturned by the complaint;
- the right to repeat a module or assessment, with a previous instance being “forgotten”;
- refund of tuition fees or other costs erroneously charged;
- review of a previous decision made by a disciplinary hearing, examination board, or a member of staff.

It should be stressed that the outcome of a complaint should not compromise the University’s academic standards, or processes which lead to maintain them. (For example, a complaint outcome may be for assessed work to be re-submitted, or re-assessed, but should not result in a mark or award outcome being changed.) Such outcomes should result from recognition of a procedural error, and not one of academic judgement.

h. Extensions to registration (and/or assessed work submission dates)

This is a likely outcome where it has been deemed that periods of registration represented “time wasted” for the student as a result of actions or inactions of the University. In most cases, any proposed remedy of an extension to registration would include a full fee bursary for that period of time (see (i) financial compensation).

In some cases, it may be appropriate to offer a period of extension which will require the student to pay a tuition fee. For example, this may be appropriate if the complaint is not upheld, but a clear recommendation to allow the student to continue to complete their degree forms part of the complaint outcome.

i. Financial compensation

There are two main areas where financial compensation is considered an appropriate outcome, to be paid out from the appropriate School or Professional Service Unit budget:

- i. material loss to the student for which the University is liable, and for which evidence has been presented: e.g.-
 - full or partial refund of tuition fees for time lost (which may include a fee waiver for any proposed periods of extension of registration);
 - lack of access to facilities paid for in advance;
 - personal costs incurred as a direct result of the deficiency of the University.
- ii. reparations as a result of willful negligence of one or more members of staff of the University (or its contracted services): e.g.-
 - time wasted during the student’s period of registration.

In the case of reparations, the National Union of Students (NUS) provides a full-time student living cost annually. This figure can be used as a guide to determine an appropriate level of reparation costs. Any proposed figure may need to be adjusted taking into account the student’s mode of attendance and the relative engagement of the student both before and during the complaint process.

Financial compensation should not normally be considered for:

- i. speculative or potential material losses proposed by the student, which cannot be linked directly to the deficiencies of the University (e.g. “I would have had a job with salary of £xxxxx by now if I’d completed my degree on time”);
- ii. deficiencies of the University caused as a result of human error and/or differences of opinion, where it is reasonable to conclude that staff of the University acted professionally and/or in good faith to support the student or resolve their concerns.

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