



Senate Handbook

Staff Handbook

Student Complaints

This Handbook supplements Regulations governed by Senate.

It includes policies, procedures, advice and/or guidance that staff 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 The Student Advice Centre 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	9
	4.6 Malicious complaints	10
5	Stage 1 – Informal investigation	11
6	Stage 2 – Formal investigation	12
	6.1 Information for Lead Investigators	12
	6.1.1 On receipt of a student complaint	12
	6.1.2 On receipt of the final report from the appointed investigators	13
	6.2 Information for investigators appointed by the Lead Investigator	13
7	Stage 3 – Appeal	15
8	External complaint	18
Appendix A	General exclusions from the complaints procedure	19
Appendix B	Examples of potential complaint remedies	20

Major changes to this document since version 3.1(September 2017):

- Note that complaints about academic judgement will not be accepted
- removal of external complaint from process flow diagram
- Note that complaints about a formal outcome will be considered as Stage 2 complaints
- Updated process for Lead Investigators
- Updated process for Appointed Investigators
- Addition of statement on learning support agreements for students making a complaint
- Addition of information on summary dismissals at Stage 3
- Updated process for Stage 3 investigators
- Addition of section on external complaints

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.

A companion Handbook has also been produced for students, which helps to outline the procedures for them to register an issue, concern or complaint. If you have been appointed as an investigator, you should ensure that any student who has made a complaint is aware of the Student Handbook: Complaints.¹

Common examples of student complaints are:

- concerns that their academic advisers (e.g. Course Director 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;
- a belief that one of the services provided by the University is inadequate.

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.

¹ Much of the information in that Handbook is replicated in this document, but is written with the student in mind.

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 not willing/unable to act on his or her 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 his or her 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 within the University responsible for the area of the University involved in the formal complaint. This is either a Head of School or a Head of Service Department. He or she will usually refer the investigation of the complaint to one or more other staff, but 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 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.

Where complaints are made which directly involve a Lead Investigator 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 do 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 the Student Advice Centre;
- those staff identified as Lead Investigators above;
- staff and students in the Cranfield Students' Association (CSA).

2.4 The Student Advice Centre and Mediation Services

The Student Advice Centre 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 the Student Advice Centre 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 the Student Advice Centre 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 the Student Advice Centre to discuss whether mediation would be appropriate, at which point the Student Advice Centre will suggest mediation to the student.

Taking part in mediation is completely voluntary: there is no requirement for either yourself or the other parties involved in the complaint to take part should you or 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 his or her 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 resolve the complaint (e.g. dates and outcomes of any meetings, copies of emails)
--	--



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 appeal any decision made at Stage 2 under certain circumstances – see Stage 3

STAGE 3 <i>appeal</i>	<ul style="list-style-type: none">- students may appeal to the Academic Registrar against the outcome under certain circumstances- the Academic Registrar can either dismiss the appeal (if it is not appropriate) or will appoint one or more independent people to review how the original investigation(s) was conducted- the appeal 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 he or she has been treated unfairly, he or she can complain to a body outside of the University.

Students and staff are able to contact the Student Advice Centre, 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.

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 grounds for appeal.

4.1 Transparency

During the course of any investigation, the student(s) must 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;
- all evidence received or collected by the investigators;
- the final decision(s) of the investigators, in the form of a written report for a Stage 2 or Stage 3 investigation.

Please ensure that you remain in regular contact with the student(s), keeping them up to date on how the investigation is progressing.

Please also keep them informed of evidence you have obtained, especially those you consider to be key to your final decision. You should outline the nature of the evidence to the student(s), and provide a copy to them on request. If you have concerns about the privacy or confidentiality of the information, please consult the Academic Registrar or a Data Protection Co-ordinator for further advice.

When gathering evidence, you should make it clear to any persons 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.

If you provide evidence to the student(s) under investigation, please 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.

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

The person who appointed you will then consider whether those circumstances represent a conflict of interest in you serving as an investigator, and will either appoint a different investigator(s) or explain to you why this is not appropriate or necessary.

4.3 Gathering evidence and holding meetings

As an investigator, you have the right to interview any persons you believe are necessary to complete your investigation. This will always include the student(s) making the complaint, who are required to meet any reasonable requests from you.

The student(s) making the complaint may refuse to meet you or provide evidence. If they choose to exercise this right, you should remind them that failure to do so may result in any appeal (Stage 3) against the final decision on the grounds of incomplete evidence being deemed invalid by the Academic Registrar. You should then proceed with your investigation to the best of your ability.

When you meet with the student(s) under investigation, or with any other student or member of staff, they have the right to be accompanied by a person of their choice. Please refer at all times to this person as their "friend" (irrespective of their status or professional role).

Students (and staff) may only bring a friend to a meeting with you if they have notified you in advance. If they have not, you should feel free to cancel and re-arrange the meeting at a future point, if you 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 your hearing), but is not entitled to represent him or her, or his or her views on their behalf.

Students and members of staff also have the right to ask for a reasonable deferral of any meeting with you, or any deadline of request for information from you, but only on the grounds that he or she or they need further time to prepare for the requested meeting or information. You can continue your investigations in the meantime, but please let them know that that is your intention. You may also decide to conclude the investigation without that input if you deem their deferrals to be unreasonable.

4.4 Taking notes

Please remember to take accurate notes at all times, 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, you may want to provide others with a written summary of the meeting for them to agree with you. (They may also wish to reconcile their own notes with yours and you should respond to reasonable requests to do so.)

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

These records should be sent through to the Academic Registrar (through studentcomplaints@cranfield.ac.uk), who will retain them until 12 months has elapsed after the end of the student's registration.

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 any member of the University, he or she 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. You should raise any concerns you have directly with the Academic Registrar.

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 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 Academic Registrar 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 appeal this decision using the Stage 3 appeal process under the specified appeal grounds.

5 Stage 1 – Informal investigation

The University 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.

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.

Otherwise, complaints are best resolved at the local level, where the issues can be understood fully by people directly related to the nature of the complaint. Informal investigation and resolution helps to ensure that misunderstandings are identified quickly, and that the process of resolving a complaint helps to build stronger relationships between the parties involved.

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.

Students are also told that it is helpful if they can 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.

While the University hopes that all complaints can be resolved informally, students are also advised during this stage to keep records of the actions they and others have taken to resolve their 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.

If the student submits a formal complaint (Stage 2), they will be asked to outline the actions they have already taken.

6 Stage 2 – Formal investigation

6.1 Information for Lead Investigators (PVC-Schools/Head of Service Departments)

6.1.1 On receipt of a student complaint

The Student Casework Manager receives all complaints and appoints investigators on the Lead Investigator's behalf. If, as a Lead Investigator you receive a complaint directly from a student, please consult the Academic Registrar 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 Lead Investigator, or the Student Casework Manager on his or her 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 Lead Investigator, or the Student Casework Manager on his or her 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 his or her own behalf, and providing that a statement in writing has been received that the student is prepared for the third party to act on his or her behalf in full.

The Lead Investigator, or the Student Casework Team on his or her behalf 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:

1. Personal information

The student should provide you with his or her full name, student number, course of study, and the address that should be used to contact him or her.

2. The nature of his or her complaint

The student should state clearly exactly what the complaint is about. If there is more than one specific issue, these should be detailed clearly in separately-numbered points.

3. The evidence or circumstances leading to his or her complaint

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

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

4. The remedy or remedies the student is seeking as an outcome

The student should state clearly what action he or she believes needs to be taken in order for him or her to feel satisfied that the complaint has been resolved. If there is more than one specific issue, the preferred remedies should be detailed clearly in separately-

numbered points. You should not comment at this stage whether those remedies are appropriate and/or reasonable.

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

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

On receipt of the submission of a formal Stage 2 complaint, the Lead Investigator, or the Student Casework Manager on his or her behalf should 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 also open to the Lead Investigator, or the Student Casework Team on his or her behalf to consider whether any immediate action is necessary, to take effect until a full investigation has been conducted. This may include making changes to the study environment of students (e.g. providing specific or alternative learning support – e.g. an alternative Supervisor in the short to medium term – or making adjustments to ensure that contact between the student and others is limited). In very exceptional circumstances, changes to the student's registration (up to and including a temporary suspension) may be necessary, but should only be done following consultation with the Academic Registrar.

6.1.2 On receipt of the final report from the appointed investigators

When the investigators have completed their report, you should review it to ensure that:

- a) all elements of the complaint, as submitted to you, 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 as Lead Investigator is then concluded. Please note that you may need to discuss the case further if the student(s) decides to appeal against your decision (Stage 3).

6.2 Information for investigators appointed by the Lead Investigator

A formal investigation (Stage 2) requires all aspects of the allegation and investigation to be documented fully, and a report to be written. It is likely in a formal investigation that you will be required 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 Learning Support Agreement 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 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 Lead Investigator, 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 Lead Investigator's availability.

At that point, the Lead Investigator will consider your report and confirm his or her decision. Once the Lead Investigator 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 appeal.

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

7 Stage 3 – Appeal

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 appeal on the following grounds only:

- A. that the evidence provided to the Lead Investigator, or 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 his or her or 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.

Please note that the Academic Registrar may summarily dismiss an appeal if:

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

He or she 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 his or her agreement. The Academic Registrar will confirm with the student in writing if their appeal is dismissed.

If the appeal 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 your appeal. The investigator(s) will contact you to confirm they have been appointed and outline to you the timescales they believe will be needed to review your appeal and come to a decision.

Appointment of an Appeal Investigator

Any appeal is reviewed initially by the Academic Registrar or a nominated deputy, who judges whether there is a *prima facie* case to answer. He or she will have appointed you as an appeal Investigator at this point.

Any accepted appeal 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 appeal 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;
- 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 appeal; or
 - ii. recommend to the Lead Investigator that he or she re-investigates the original complaint, with reasons why.

It is not usual during an appeal 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 Learning Support Agreement 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) please inform the student(s) that your 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 on each element of the appeal;
 - ii. a clear recommendation to either dismiss the appeal, or otherwise uphold the appeal 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.
- c) forward the appeal 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 Lead Investigator, 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.

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 is dismissed summarily by the Academic Registrar, or if a student has no grounds for appeal.

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).

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 Academic Registrar issuing a “completion of procedures letter”. A “completion of procedures letter” will be provided on request at the conclusion of any Stage 3 appeal (whether it is not accepted, summarily dismissed or fully investigated).

Students may also request from the Academic Registrar 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 his or her explicit consent (including decisions to reject requests for extensions to registration and thesis submission deadlines, as well as decisions to suspend or terminate his or her 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. He or she 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 his or her 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 his or her 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 his or her concerns.

Owner	Academic Registrar
Department	Education Services
Implementation date	September 2019
Approval by and date	Academic Registrar, September 2019
Version number and date of last review	Version 3.2; September 2019
Next review by	July 2021