

**THE UNIVERSITY OF WALES, LAMPETER**

**ACADEMIC REGULATION XVIII:  
CONSIDERATION OF STUDENT COMPLAINTS AND GRIEVANCES**

**Definitions: complaints and grievances falling within these regulations**

1. This Procedure shall apply to students (hereinafter referred to as the “complainants”) in relation to the following matters:
  - (a) Formal Complaints or grievances of students in relation to other students at the University.
  - (b) Formal Complaints or grievances of students in relation to:
    - (a) Staff at the University
    - (b) Academic courses
    - (c) Services and facilities available to them
2. This procedure shall not apply to matters concerning examination or assessment, which are dealt with under the separate verification and appeals procedure.
3. Students are encouraged to seek to resolve matters informally where this is possible. This procedure applies where informal resolution of a matter is unsuccessful or inappropriate.

**Consideration by the Head of Department or non-academic Section**

4. Complainants, as defined in paragraph 1 above, shall seek in the first instance to have their complaint or grievance resolved by approaching the relevant Head of Department or non-academic Section. Such a complaint or grievance shall be submitted in writing to the Head of Department or non-academic Section. If the complaint or grievance concerns a Head of Department or non-academic Section, the complainant shall refer it straightaway to the Vice-Chancellor (see further paragraph 5 below). After receiving the written complaint or grievance, the Head of Department or non-academic Section shall investigate the matter and make a decision normally within three weeks. The Head of Department or non-academic Section may interview the complainant, and shall do so if this is requested by the complainant. Where it appears that a decision is unlikely to be reached within three weeks from receipt of the formal complaint, the complainant shall be informed accordingly, and given an indication of when it is likely that a decision will be reached. The remedies available to the Head of Department or non-academic Section are set out in paragraph 13 below.

### **Consideration by the Vice-Chancellor**

5. If a complainant is not satisfied, following the investigation described in paragraph 4 above, he or she may submit a written complaint or grievance to the Vice-Chancellor. The latter may investigate the matter himself, or appoint another person to investigate and report on it to him, or refer it to a Complaints Committee. The Vice-Chancellor may dismiss summarily a case which he considers to be trivial, malicious, vexatious or without merit. If the complaint or grievance concerns the Vice-Chancellor or his Office, the matter shall be referred straightaway to a Complaints Committee (see further paragraph 7 below).
6. In cases where the Vice-Chancellor or another person appointed by him is investigating the complaint or grievance, a decision may be made on the basis of the written evidence received. The Vice-Chancellor or the person appointed by him may interview the complainant, and shall do so if requested by the complainant. Consideration of the complaint or grievance shall normally be completed within four weeks of the date of receipt of the written complaint or grievance. When it appears that a decision is unlikely to be reached within four weeks from receipt of the formal complaint or grievance, the complainant shall be informed accordingly, and given an indication of when it is likely that a decision will be reached. The remedies available to the Vice-Chancellor or the person appointed by him are set out in paragraph 13 below.

### **Consideration by a Complaints Committee**

7. In cases where the complaint or grievance is referred to a Complaints Committee either by the Vice Chancellor or because the matter concerns the Vice-Chancellor or his Office, the Committee shall comprise:
  - (a) a lay member of the Council chosen by the Vice-Chancellor (or by the Pro Vice-Chancellor, if the matter concerns the Vice-Chancellor or his Office), who shall chair the Committee;
  - (b) two members of the academic staff chosen by the Vice-Chancellor (or by the Pro Vice-Chancellor if the matter concerns the Vice-Chancellor or his Office).
8. The Registrar & Secretary or a member of staff in the Registry nominated by him shall act as Secretary to the Complaints Committee.

9. Consideration of the complaint or grievance shall normally be completed by the Complaints Committee within six weeks of the date of receipt of the written complaint or grievance. When it appears that a decision is unlikely to be reached within six weeks from receipt of the complaint or grievance, the complainant shall be informed accordingly, and given an indication of when it is likely that a decision will be reached.
10. The Complaints Committee shall conduct its investigation of the complaint or grievance by means of an oral hearing supplemented by written evidence in accordance with the following procedures:
  - (a) Normally each party shall be given by the Registrar and Secretary at least two weeks notice of the hearing and shall be invited to submit a written statement which shall be made available to the other party at least one week before the hearing.
  - (b) Each party may bring a 'friend' to the hearing who may help to present the case and/or give advice to the party concerned. The friend shall not be a witness at the hearing. The friend shall be drawn from any one of the following categories:
    - (i) a member of staff of the University of Wales, Lampeter;
    - (ii) a student of the University of Wales, Lampeter;
    - (iii) a Trade Union representative;
    - (iv) a Students' Union officer.
  - (c) Each party may bring a witness (or witnesses), who will be asked, wherever possible, to provide a written statement in advance of the hearing. The names and status of the witnesses shall be notified to the Registrar and Secretary at least one week in advance of the hearing.
11. At the oral hearing, the following procedures shall apply and the Chair of the Committee shall inform each party of these procedures:
  - (a) Each party shall be heard separately by the Committee.
  - (b) Each party may make an opening statement.
  - (c) Each party may be questioned by the Committee.
  - (d) Each party may call witnesses who may be questioned by the Committee.
  - (e) Each party may make a closing statement.
  - (f) Throughout the hearing, a friend who accompanies the complainant may offer the latter advice and assistance in presenting his or her case.

12. After the oral evidence has been heard and the written evidence has been received, the Complaints Committee shall proceed, in the absence of all other persons except the Secretary, to deliberate on the case. The remedies available to the Committee are set out in paragraph 13 below. The Secretary shall make a written record of the conclusions and recommendations of the Committee. The complainant shall be informed of the Committee's decision normally within one week of the hearing.

### **Remedies available to those investigating a complaint or grievance**

13. The person or persons investigating a complaint or grievance in accordance with paragraphs 4, 6 and 12 above shall have the power to take any one or more of the following decisions:
  - (a) to dismiss the complaint or grievance (in whole or in part);
  - (b) to uphold the complaint or grievance (in whole or in part);
  - (c) to offer an apology to the complainant;
  - (d) to recommend disciplinary action against any other student or member of staff in accordance with the disciplinary procedures relating to staff or students (as appropriate);
  - (e) to recommend reimbursement of any direct financial losses incurred by a complainant (subject to documentary evidence being provided of the financial losses), and/or financial compensation to a maximum of £200 in any case;
  - (f) to take such other action as is considered reasonable and fair in all the circumstances.

### **Appeals against decisions of the Vice-Chancellor or a Complaints Committee**

14. If a complainant is not satisfied, following the investigations by the Vice-Chancellor or the Complaints Committee in accordance with paragraphs 5-12 above, he or she may invoke the procedure laid down by Parliament concerning the Office of the Independent Adjudicator (OIA). Details of this procedure shall be sent to the complainant at the same time as notification of the decision regarding the complaint or grievance.

**Time limits for consideration of complaints or grievances**

15. A complainant shall normally submit his or her complaint or grievance within three months of the incident (or series of incidents) which has led to the complaint or grievance. After this time limit, the complainant shall be required to show good reason to the person (or persons) investigating it, in accordance with paragraphs 4-7 above, why the matter was not brought forward within the time limit. The person or persons investigating the matter may either dismiss the matter if it falls outside the time limit or allow it to be considered notwithstanding the fact that it is outside the time limit.
16. There shall be no appeal against a decision not to consider a complaint or grievance outside the time limit, except in so far as the provisions of paragraph 14 may apply.

**Matters not otherwise provided for**

17. If the person or persons investigating a complaint or grievance, in accordance with the preceding paragraphs, finds that a particular matter is not otherwise provided for in these Regulations, he or she may take such action as is consistent with these Regulations, the University's Charter and Statutes, the requirements of natural justice, and any legal or Parliamentary requirements.

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