

<b>Document title</b>	KMMS Student Complaints Procedures
<b>Version</b>	1
<b>Effective Date</b>	September 2020
<b>Date for review</b>	January 2021
<b>Developing committee/board</b>	Student Life and Wellbeing Board/Undergraduate Programme Board
<b>Approved by/date</b>	Universities Joint Quality Committee/June 2020

**Kent and Medway Medical School**  
**Student Complaints Procedure**

**Contents**

1. Introduction .....	3
2. General Principles .....	4
3. What is a Complaint?.....	4
4. Who can make a complaint? .....	5
5. Collective or group complaints .....	5
6. Anonymous complaints .....	5
7. Third Party complaints.....	6
8. Complaints regarding staff misconduct.....	6
9. Timescales for making a complaint.....	6
10. Right to be accompanied .....	6
11. Reasonable adjustments.....	7
12. Frivolous or vexatious complaints.....	7
13. Suspension or Termination of a complaint .....	7
14. Stage 1 – Informal complaint .....	8
15. Stage 2- Formal complaint.....	8
16. Stage 3- Review .....	10
17. Office of the Independent Adjudicator for Higher Education.....	11
18. Students on placements.....	11
19. Recording and Monitoring.....	12
20. Formal Complaints Form.....	13

## **1. Introduction**

- 1.1 The Kent and Medway Medical School (KMMS) Student Complaints Procedure sets out the way in which a complaint can be made by a KMMS student, and the procedures for investigating and responding to a complaint.
- 1.2 KMMS are committed to providing all students with a high-quality education and student experience. However, we recognise that there may be instances where students have legitimate complaints regarding their course, the services or facilities provided by the School or either University. We take all such complaints seriously. We deal with them in confidence to support anybody raising a complaint to allay the fear of any disadvantage as a result of raising a complaint.
- 1.3 This procedure is designed to ensure that all student complaints are heard and responded to in a manner that is timely, fair, transparent and based on the consideration of relevant evidence. As far as is reasonably possible, we will safeguard the interests and wellbeing of any student making a complaint and staff who may be named or otherwise involved in a complaint.
- 1.4 This procedure has been developed in accordance with the Office of the Independent Adjudicator's 'Good Practice Framework for Handling Complaints and Academic Appeals.'
- 1.5 The KMMS Student Complaints Procedure is overseen by KMMS and operated by the University of Kent. The University of Kent is responsible for the student record and storage of complaint files. Members of staff involved in this procedure are from the University of Kent, unless the complaint concerns a Canterbury Christ Church service or facility.
- 1.6 This procedure is distinct from the procedure for Academic Appeal and Admissions concerns. In some rare instances, a complaint may overlap with an Academic Appeal. Where this applies, the University of Kent's Student Conduct and Complaints Office will adopt a proportional response in order to ensure that the requirements of both procedures are enacted in the best interests of all parties. The Student Conduct and Complaints Office reserve the right to defer investigation of a complaint until the Academic Appeal has been resolved.

## **2. General Principles**

2.1 KMMS will ensure that the KMMS Student Complaints Procedure is:

- Accessible - we aim to be responsive to the needs of KMMS students and provide clear information, advice and support with access to representation by either Students' Union (Kent Union Advice Centre or CCSU Advice)
- Clear - we will give a clear definition of a complaint and explain the complaints process in clear language, which is easy to understand and well signposted.
- Proportionate - we will aim to resolve any complaint as early as possible whether by informal local resolution or formal action.
- Timely - we will give clear time limits in which to bring complaints and will identify those complaints that require swift resolution. We will normally complete all complaints within 90 calendar days of the start of the formal stage 2 complaint.
- Fair - we will ensure that all staff involved in the decision making are independent, trained in complaint investigation and resourced and that each party is given an equal opportunity to present their case. Students will not be disadvantaged as a result of bringing a complaint.
- Independent - decisions will be taken by people without either perceived or actual conflicts of interest at all stages.
- Confidential - a complaint will be treated with an appropriate level of confidentiality and will normally only be disclosed to those involved in its investigation.
- Action taken- KMMS will ensure appropriate action is taken and will use the process to improve the student experience.

2.2 A KMMS student should:

- Be respectful and courteous in the submission of a complaint.
- Seek a resolution that is reasonable, constructive and proportionate.
- Provide a full explanation of the complaint in a timely fashion, along with supporting evidence.
- Co-operate with this procedure as far as they are reasonably able.

## **3. What is a Complaint?**

3.1 We have adopted the following definition for a student complaint from the Office of the Independent Adjudicator for Higher Education's 'Good Practice Framework for Handling Complaints and Academic Appeals'

*“An expression of dissatisfaction by one or more students about a University’s action or lack of action, or about the standard of service provided by or on behalf of the University.”*

3.2 Examples of a complaint include:

- Failure by KMMS to provide a satisfactory service.
- Misleading or incorrect information in prospectuses or promotional material and other information provided by KMMS.
- Concerns about the behaviour of staff at University or on placement.
- Concerns about the delivery of a programme, teaching or administration including, where applicable, that provided by either University.
- Poor quality of facilities, learning resources or services provided directly by KMMS.
- Complaints involving other organisations or contractors providing a service on behalf of KMMS.

3.3 Separate complaints procedures are available for applicants and for the Universities accommodation <https://www.kent.ac.uk/accommodation> <https://www.canterbury.ac.uk/study-here/student-life/accommodation/canterbury-accommodation>

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

4.1 Complaints can be made by registered students on a KMMS programme or award, including:

- students on approved periods of interruption  
or;
- recent graduates (within three months of graduation).

#### **5. Collective or group complaints**

5.1 Complaints will normally be made by individual students, but where appropriate, groups of students are permitted to make a collective complaint where the subject matter is the same or similar. In such circumstances, the group should appoint a spokesperson. Due to the complexity of group complaints they will be automatically progressed to stage 2 of this procedure.

#### **6. Anonymous complaints**

6.1 KMMS hope that students have the confidence to raise complaints and be protected. Therefore, it should be unnecessary for a student to raise a

complaint anonymously. Anonymity makes it difficult for complaints to be investigated. In cases of doubt a student can seek confidential, independent advice from either Students' Union ([Kent Union Advice Centre](#) or [CCSU Advice](#))

## **7. Third Party complaints**

7.1 A complaint from a third party will only be accepted on behalf of a student from a Student Union representative or other third party if we receive written authority from the student for them to act on their behalf.

## **8. Complaints regarding staff misconduct**

8.1 Complaints regarding serious or sexual misconduct by staff will automatically be escalated to Stage 2 of the procedure. Details of any complaint about a member of staff may be shared with them, so that they can respond to any allegations made against them. This will be done in confidence and in line with Data Protection Law. We will discuss this with the student before the complaint is shared.

## **9. Timescales for making a complaint**

9.1 Complaints should be raised as soon as is reasonably possible. Students who wish to make a complaint must start the informal stage within one calendar month of the incident. If the complaint cannot be resolved informally, a formal complaint should be submitted within three calendar months of the incident. If a student has left KMMS (including recent graduates) they may make a formal complaint up to three months of their graduation or withdrawal from the programme.

9.2 Complaints received outside of these timescales will only be considered in exceptional circumstances and with supporting evidence.

9.3 In line with the OIA Good Practice Framework for handling complaints, complaints will normally be completed within 90 calendar days of the start of the formal stage by the Student Conduct and Complaints Office. The University of Kent's Student Conduct and Complaints Office will aim to complete stage 2 within 60 Calendar days of an Investigating Officer being assigned. The Student Conduct and Complaints Office reserves the right to make any reasonable extension to this timescale during the vacation periods.

## **10. Right to be accompanied**

10.1 Students can be supported at any meetings by a member of staff, member of a Students' Union (Kent Union Advice Centre or CCSU Advice) or another student of either university. It is a student's responsibility to arrange for a supporter to attend. The meeting organiser must be made aware of any additional attendee at least 2 days before the meeting. The student complaints procedure is not a legal process therefore, legal representation is not permitted at any stage however a student is able to seek independent legal advice.

## **11. Reasonable adjustments**

11.1 We will endeavour to ensure that information is available to students at all stages of the procedure in appropriate formats and if required we will make reasonable adjustments to the investigation process.

## **12. Frivolous or vexatious complaints**

12.1 On behalf of KMMS the Student Conduct and Complaints Office reserve the right to reject any complaint without full consideration if it is considered frivolous or vexatious. Examples include:

- complaints that are obsessive, harassing, or repetitive
- insistence on pursuing unmeritorious complaints
- seeking unrealistic or unreasonable outcomes
- insistence on pursuing what may be a meritorious complaint in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress which lack any serious purpose or value.

If the Student Conduct and Complaints Officer considers that the student's complaint falls into this category, the student will be advised that the complaint will not be considered further.

## **13. Suspension or Termination of a complaint**

13.1 On behalf of KMMS Student Conduct and Complaints Office will determine if the complaint overlaps with other regulations or policies and in consultation with appropriate KMMS staff, staff at both Universities will determine how to progress the complaint, if at all.

13.2 In exceptional circumstances the Student Conduct and Complaints Office may terminate a complaint at any stage, where the student's behaviour in relation to the complaint or investigation is deemed unacceptable or disruptive,

or where a complaint is deemed to be vexatious or malicious. In such cases, the KMMS may also invoke the Regulations on student discipline in relation to non-academic matters [**This will be a link to the Medical School version once online**]

13.3 .

#### **14. Stage 1 – Informal complaint**

14.1 The focus of Stage 1 is to support an early resolution to the complaint, prior to the point a formal complaint is submitted. This can involve the student either speaking with an appropriate member of the Kent and Medway Medical School's staff, such as Personal Academic Tutor or Student Life and Wellbeing Team. Complaints at this stage can be submitted face-to-face, by phone, in writing or by email. Normally a discussion between the Student Conduct and Complaints Office and the student will then take place. In some cases, service departments operate distinct complaints procedures, such as accommodation, in such cases these procedures will take precedent. Either Students' Union (Kent Union Advice Centre or CCSU Advice) can offer support and impartial advice.

14.2 Informal complaints are not normally recorded by the Student Conduct and Complaints Office, however, agreed notes from any meetings may be added to a student file or noted by Personal Academic Tutors as evidence of the complaint and subsequent resolution.

14.3 If a complaint cannot be resolved informally, then a formal complaint can be made and the student will be directed to the formal procedure as soon as possible.

14.4 The University of Kent will refer the complaint to Canterbury Christ Church University if the matter is related to a service or facility provided by CCCU that can potentially be addressed by early resolution.

#### **15. Stage 2- Formal complaint**

15.1 If a complaint cannot be resolved informally or it is not appropriate for the complaint to be considered at the informal stage, a student may submit a formal complaint by completing a Student Complaints Form. Copies of the form can be found at the end of this procedure or online at **[add link to form once online]**.

15.2 The Complaints Form should provide information on:

- the nature of the concern as concisely as possible
- include any supporting evidence
- the actions the student has taken to try and resolve the complaint informally (if possible)

the outcome/resolution the student is requesting

15.3 The completed form and any supporting documentation should be submitted by email to the Student Conduct and Complaints Office at [sccoffice@kent.ac.uk](mailto:sccoffice@kent.ac.uk). Incomplete forms may be returned to the student. Students can seek advice on appropriate supporting evidence from either Students' Union ([Kent Union Advice Centre](#) or [CCSU Advice](#))

15.4 The Student Conduct and Complaints Office will normally acknowledge receipt of a Complaint Form within 5 working days. If the informal stage has not been attempted by the student, the Student Conduct and Complaints Officer may refer the complaint back to stage 1 of this procedure.

15.5 The Student Conduct and Complaints Office will arrange for the complaint to be investigated by a Student Conduct and Complaints Officer who will normally be independent and have no previous knowledge of the complaint. Depending on the nature of the Complaint, the University of Kent may liaise with Canterbury Christ Church University or the Practice Learning Unit (with regard to placements) to assist with the complaint investigation.

15.6 A record of all meetings, whether face-to-face or conducted remotely, will be taken and held in the student complaint file. Digital audio and/or visual recordings of any meetings are not normally permitted unless there are exceptional circumstances/ reasonable adjustment requirements and it is agreed in advance with the Student Conduct and Complaints Office.

15.7 Where necessary the Student Conduct and Complaints Officer may seek advice from specialist services, including legal services. Where there are equality and diversity considerations specialist advice will be sought from the Kent and Medway Medical School's Student Support and Wellbeing Team. Any such advice will be sought at the earliest opportunity.

15.8 The Student Conduct and Complaints Officer will produce a written report and, where appropriate, include supporting evidence and recommendations. The report will be submitted to the Head of Student Conduct and Complaints for comment, to ensure that the correct procedure has been followed and all concerns raised in the complaint have been responded to. If the complaint relates to a service or facility provided by Canterbury Christ Church University, the report will also be submitted to the Head of Student Procedures at CCCU.

15.9 The report will then be submitted to the Dean of the Kent and Medway Medical School, or nominee, for consideration. Outcomes of student complaints will remain provisional until approved by the Dean of the KMMS or nominee.

15.10 If the student is not satisfied with the outcome of Stage 2 but does not meet the grounds for review at Stage 3 the Student Conduct and Complaints Office will close the matter and issue the student with a Completion of Procedures Letter.

### **16. Stage 3 – Review**

16.1 If a student is dissatisfied with the outcome of Stage 2 on the grounds stated below they can request a Stage 3 Review by submitting a Stage 3 Form by email to the Student Conduct and Complaints Office, [sccoffice@kent.ac.uk](mailto:sccoffice@kent.ac.uk) Requests for a complaint review will be granted on the following grounds:

- That correct procedures were not followed in the consideration of the case through the earlier stages of the procedure
- That the outcome of Stage 2 was not reasonable in all circumstances
- New evidence that the student was unable, for valid reasons, to provide earlier in the process
- That the request is submitted in writing, including any supporting evidence, to the Student Conduct and Complaints Office, within 10 working days of receiving the outcome of the complaint.

16.2 The Student Conduct and Complaints Office and Student Procedures Office (where relevant) will review the Stage 3 Form and make a decision as to whether the request is based on permitted grounds and is eligible to be considered at Stage 3.

16.3 If it is believed that the grounds for a Stage 3 Review have not been met, the student will be informed and a Completion of Procedures letter will be issued within 28 days of the decision.

16.4 If it is considered that the request for a Stage 3 Review meets one or more of the grounds, the complaint will be referred to the Offices of the Vice Chancellors at both Universities for them to appoint an investigator who has not previously been involved in the complaint, to conduct a review. The purpose of conducting the review is to consider whether the grounds stated have merit. A Stage 3 Review will not normally involve a fresh, full

investigation. A complaint must have been considered at Stage 2 before it can be escalated to Stage 3.

16.5 The outcome of a Stage 3 Review will be that the Reviewer(s) either dismiss the case, or if it is upheld, the complaint will be returned to a new complaint Investigating Officer to consider the further evidence. The decision taken by the Reviewer(s) at the Stage 3 Review stage is final. The final decision of the Stage 3 Review will be communicated to the student in writing, with reasons, usually within 28 days from the review request being accepted.

16.6 If the outcome of the Stage 3 Review is that a complaint is upheld, a student can still request a Completion of Procedures letter and one will be issued within 28 days of the request being made. If the outcome of the request is that the complaint is not upheld (after further review at stage 2), a completion of procedures letter will be sent automatically within 28 days of the Stage 3 decision being issued.

## **17. Office of the Independent Adjudicator for Higher Education**

17.1 Once all stages of this procedure have been exhausted, the student has the right to refer the case to the Office of the Independent Adjudicator for Higher Education for further review. An application to the OIA must be submitted within 12 months of the issue of a Completion of Procedures Letter. Full details regarding the OIA's rules and guidelines are available on their website

## **18. Students on placements**

A complaint about a student's experience on a placement may relate to:

- matters falling under the jurisdiction of the KMMS; or
- matters more properly falling under the jurisdiction of the host institution or company including the NHS and NHS Trusts.

While advice on which procedure is appropriate should be sought from the Placement Supervisor, matters related to placement learning will normally fall under the jurisdiction of the KMMS or the Canterbury Christ Church Practice Learning Unit.

For complaints arising whilst on placement, the KMMS Raising and Escalating concerns policy and procedures should apply in addition to complaint procedures of the placement provider:

In the first instance a complaint should be taken up informally with either the appropriate member of staff or with the Placement Supervisor. This may be

done by the student(s) concerned, another student, the Placement Supervisor or another academic member of staff acting on behalf of the student(s) making the complaint.

If the student(s) remains dissatisfied and wishes to take the academic complaint further, the matter should be put in writing in line with the above procedures. However, as the placement organisation will need to be consulted, this may necessitate a longer timescale and this will be communicated to the student.

## **19. Recording and Monitoring**

19.1 We are committed to continuous improvement and constructive handling of complaints to ensure that similar situations do not re-occur. Complaints are monitored by the Student Conduct and Complaints Office and the Student Procedures Office (CCCU) to identify trends, areas of good practice and where improvements could be made to the Kent and Medway Medical School practices. This information will also be used to review and continuously improve the Student Complaints Procedure.

19.2 The Head of Student Conduct and Complaints and Head of Student Procedures (CCCU) will use complaint records to submit a termly report to Dean of the Kent and Medway Medical School, the Student Experience Board (UoK) and Learning, Teaching and Assessment Working Group (CCCU). Annual Reports will be submitted to Quality and Monitoring and Review Subcommittee (CCCU) and Graduate Researcher College Boards. Recommendations within this report shall be used to enhance the quality of the student experience. Such reports will not contain any personally identifiable data.

19.3 A summary of actions taken in response to student complaints raised to the OIA will be made available to the University of Kent's Council periodically and Canterbury Christ Church University's Senior Management Team.

V4 University of Kent 1 May 2020

**20. Formal Complaints Form**

Please contact the Student Conduct and Complaints Office if you wish to receive this form in an alternative format.

Please note that the boxes will expand on typing.

<b>First name(s)</b>		<b>Title</b>
<b>Family name</b>		
<b>Student login</b>		
<b>Programme of Study</b>		
<b>Year/Academic stage</b>		
<b>Faculty</b>		
<b>Address for Correspondence (include postcode)</b>		
<b>Email Address for correspondence</b>		
<p><b>Please set out below the KEY POINTS of your complaint in no more than 500 words.</b></p> <p><b>Key point 1:</b></p> <p><b>Key Point 2:</b></p> <p><b>Key Point 3:</b></p> <p><b>Other Key points:</b></p>  		
<p><b>What documented evidence do you have to support your complaint? Please give details and attach any supporting documents.</b></p>   		

**Who did you approach to resolve your complaint informally? What action, if any, was taken to remedy your complaint?** Please note that this information will be checked with the relevant Academic School or Department.

Date	Name	Action taken	Outcome

**What prevented the complaint being resolved informally?**

**Key point 1:**

**Key Point 2:**

**Key Point 3:**

**Other Key points:**

**How do you propose that your complaint could be resolved to your satisfaction?**

**Key point 1:**

**Key Point 2:**

**Key Point 3:**

**Other Key points:**

***Declaration***

I declare that the information given in this Formal Complaints Form is a true statement of the facts and that I would be willing, if required, to answer further questions related to it.

I agree to the University of Kent and Canterbury Christ Church University using my personal data to process the complaint, in accordance with the Data Protection Act. This may include securely sharing it with the Investigating Officer and/or the appropriate University's Insurance Officer.

Signature:

Date:

Please return the completed form to the Student Conduct and Complaints Office by email to [sccoffice@kent.ac.uk](mailto:sccoffice@kent.ac.uk). Your complaint form will be acknowledged within five working days.