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

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## 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 for Higher Education [Good Practice Framework for Handling Complaints and Academic Appeals](#).
- 1.5. The KMMS Student Complaints Procedure is overseen by the University of Kent's Student Conduct and Complaints Office. The University of Kent is responsible for the investigation of the complaint, student record, and storage of complaint files. If the complaint concerns a Canterbury Christ Church University (CCCU) service or facility it may be referred to CCCU complaint procedures.
- 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 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. The University of Kent 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](#) 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 aim to resolve any complaint as early as possible whether by 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 formal complaints within 90 calendar days from receipt
- 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 in whole or part to those involved in its investigation
- Action taken - KMMS will ensure appropriate action is taken following any recommendations and will use the process to improve the student experience.

2.2. During the complaints process a KMMS student should:

- Be respectful and courteous in the submission of a complaint.
- Provide a full explanation of the complaint in a timely fashion, along with supporting evidence.
- Seek a resolution that is reasonable, constructive, and proportionate.
- 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 can include:

- Failure to provide a satisfactory service
- Misleading or incorrect information in prospectuses or promotional material and other information
- Concerns about the behaviour of staff (KMMS, University of Kent or CCCU) or staff on placement
- Concerns about the delivery of a KMMS programme, teaching or administration including, where applicable:
  - Poor quality of facilities, learning resources or services
  - Infringement of a student’s right to freedom of speech within the law
  - Infringement of a student’s right to academic freedom
  - Complaints involving other organisations or contractors providing a service on behalf of KMMS.

## 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
- recent graduates (within three months of graduation).

4.2. Complaints related to the Consumer Rights Protection Law issues can be made by prospective students that submitted an application to study at the University of Kent, prospective students that have accepted an offer to study at the University of Kent and enrolled students.

## 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 know they will be protected. Therefore, it should be unnecessary for a student to raise a complaint anonymously. Anonymity can make it difficult for complaints to be investigated fully.
- 6.2. Students who have concerns about raising a complaint can seek confidential, independent advice from either Students' Union ([Kent Union Advice](#) 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 misconduct or sexual misconduct by staff will automatically be escalated to Stage 2 of the procedure and considered using a separate staff misconduct protocol. Details of any complaint about a member of staff will be shared with them, so that they can respond to any allegations made against them. This will be done in line with GDPR and Data Protection, and we will discuss the sharing of any documentation with the student before it is shared.
- 8.2. Where appropriate, Human Resources may take precautionary action based on a risk assessment to safeguard students, patients, and the wider University community.

## 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 should try to resolve their concerns through early resolution within one calendar month of the incident. Early resolution discussions will normally take place with KMMS. If the complaint cannot be resolved through discussions with the School, a formal complaint should be submitted within three calendar months of the issue. If a student has left KMMS (including recent graduates) they may make a formal complaint up

to three months after their graduation or withdrawal from the programme.

- 9.2. Formal 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 by the Student Conduct and Complaints Officer within 90 calendar days of receiving a formal complaint. The Student Conduct and Complaints Office will aim to complete the investigation of a formal complaint 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 and will advise the student accordingly.

## **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](#) 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 working 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. 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 complaints without merit
  - seeking unrealistic or unreasonable outcomes

- insistence on pursuing what may be a 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 Office 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. If the complaint overlaps with other regulations or policies, the Student Conduct and Complaints Office will work in consultation with staff at KMMS/CCCU to determine the most appropriate procedure.
- 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 Student Conduct and Complaints Office may also invoke the [Student Discipline Procedure](#).

### **14. Early Resolution**

- 14.1. The focus of Early Resolution is to support a prompt 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 KMMS, such as Personal Academic Tutor or the Student Life and Guidance Team. Complaints at this stage can be submitted by [webform](#), face-to-face, by phone, in writing or by email. In some cases, Professional service departments operate distinct early resolution procedures (accommodation for example), in such cases these procedures should be followed when a concern arises.
- 14.2. If a student is unsure who to raise their concerns to they can seek advice from Either Students' Union ([Kent Union Advice](#) or [CCSU Advice](#)), the Student Conduct and Complaints Office or the Head of Operations. Early resolution can involve a meeting between appropriate staff and the student. Agreed notes from any meetings may be added to a student file as evidence of the complaint and subsequent offer of resolution.



- 14.3. The University of Kent will refer any concerns raised in the Early Resolution stage to CCCU if the matter is related to a service or facility provided by them, with the aim to resolve any concern as quickly as possible.

## 15. Formal complaint

- 15.1. If a complaint cannot be resolved through Early Resolution or it is not appropriate for the complaint to be considered at the Early Resolution stage, a student may proceed with a formal complaint by completing a [Student Complaints Form](#). Copies of the form can be provided in alternative formats if required.
- 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 (if appropriate)
  - 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 or support in completing the form from either Students' Union ([Kent Union Advice](#) or [CCSU Advice](#)).
- 15.4. The Student Conduct and Complaints Office will acknowledge receipt of a Complaint Form within 5 working days. If the Student Conduct and Complaints Office, consider that Early Resolution may be more beneficial in resolving any concerns they will liaise with the student and support and/or facilitate any discussions.
- 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 be independent and have no previous knowledge of the complaint. Depending on the nature of the complaint, the University of Kent may liaise with CCCU or the Practice Learning Unit (regarding 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 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 University of Kent'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 to the student that provides them with findings of the complaint investigation 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 CCCU, the report will also be submitted to the Head of Student Procedures at CCCU.
- 15.9. The report will then be submitted to the Director of Division for Natural Sciences and the Dean of the Kent and Medway Medical School, or nominee, for sign-off and to ensure that all recommendations are appropriate, before the outcome is provided to the student via the Student Conduct and Complaints Office.

## **16. Complaint Report Review**

- 16.1. If a student is dissatisfied with the outcome of the formal complaint investigation, they can appeal to a higher body within the University for a review of the process of the formal complaint to ensure that appropriate procedures were followed, and that the decision was reasonable.
- 16.2. If a student wishes to request a review, they should email the Student Conduct and Complaints Office. 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.
- 16.3. The review request will be acknowledged within 5 working days and the Head of Student Conduct and Complaints and/or the Head of Early Resolution and Case Handling (or nominee) will contact the relevant office for a reviewer to be appointed. Once appointed the reviewer(s) will have 28 days in which to conduct the review. This stage will not normally require a reconsideration of the issues raised.
- 16.4. Once the review is complete the Student Conduct and Complaints Office will write to the student setting out the reviewer's decision at the conclusion of this stage and a Completion of Procedures letter will be issued within 28 days.

## **17. Office of the Independent Adjudicator (OIA) 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**

- 18.1. 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.
- 18.2. 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 CCCU Practice Learning Unit.
- 18.3. 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.

- 18.4. 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.
- 18.5. If the student(s) remains dissatisfied and wishes to take the 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 (University of Kent) and the Directorate of Student Resolution and Student Protection (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 (Kent) and the Head of Early Resolutions and Case Handling (CCCU) will use complaint records to submit a termly report to Dean of the Kent and Medway Medical School, the Student Experience Board (University of Kent) 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 and 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 periodically made available to the University of Kent's Council and CCCU's Senior Management Team.

**Appendix A: Flowchart of complaints process**

