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KMMS Student Complaints Procedure

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Members of staff indicated in this procedure are specialist University of Kent staff unless specifically stated otherwise.

1. Early Resolution

- 1.1. 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 usually within one calendar month of the incident. Early resolution discussions will normally take place with KMMS.
- 1.2. 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 should preferentially be submitted via the online [Notification Form](#), but if this is not possible can be face-to-face, by phone, 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.
- 1.3. Examples of where early resolution would not be appropriate include complaints regarding serious staff misconduct, group complaints and anonymous complaints (list not exhaustive). In these instances, KMMS will refer to the formal complaints procedure. Students who are concerned about early resolution should contact the Appeals, Conduct and Complaints Office for further advice.
- 1.4. 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 Appeals, Conduct and Complaints Office or the Student Life and Guidance Team. 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.

- 1.5. The Appeals, Conduct and Complaints Office 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.
- 1.6. If a complaint cannot be resolved through early resolution, then a Formal Complaint can be made, and the student will be directed to the formal stage as soon as possible

2. Formal complaint

- 2.1. 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. A student will not be required to complete a new form if it is deemed that Early Resolution is not suitable.
- 2.2. The online Complaints Form should provide information on:
 - the nature of the concern as concisely as possible and include any supporting actions
 - the student has taken to try and resolve the complaint through Early Resolution (if appropriate) the outcome/resolution the student is requesting.
- 2.3. The completed form will be reviewed by the Appeals, Conduct and Complaints Office at acco@kent.ac.uk. Incomplete forms may be returned to the student. Students can seek advice or support in completing the form or submitting a complaint with appropriate supporting evidence from either

Students' Union ([Kent Union Advice](#) or [CCSU Advice](#)).

- 2.4. The Appeals, Conduct and Complaints Office will acknowledge receipt of a Complaint Form within 3 working days. If early resolution has not been attempted by the student, the complaint may be referred back to the early resolution stage.
- 2.5. Formal complaints will normally be dealt with completely within 90 calendar days of the date of acceptance by the Appeals, Conduct and Complaints Office, with an aim to complete the Formal Stage within 60 Calendar days of an Appeals, Conduct and Complaints Officer/Adviser being assigned. The Appeals, Conduct and Complaints Office reserves the right to make any reasonable extension to this timescale during the vacation periods and will inform the student of any such extension.
- 2.6. The Appeals, Conduct and Complaints Office will arrange for the complaint to be investigated by an Appeals, Conduct and Complaints Officer/Adviser who will be independent and have no previous knowledge of the complaint. They will arrange a meeting with the student to discuss the complaint. Depending on the nature of the complaint, the University of Kent may liaise with CCCU or the Work Based Learning Administration Team (regarding placements) to assist with the complaint investigation.
- 2.7. A record of all meetings, whether face-to-face or conducted remotely, will be taken, and held in the student complaint file. Digital recordings of any meetings are not permitted unless there are exceptional circumstances/ reasonable adjustment requirements, and it is agreed in advance with the Appeals, Conduct and Complaints Office.
- 2.8. Where necessary the Appeals, Conduct and Complaints Officer/Adviser may seek advice from specialist services, including legal services. Where there are equality and diversity considerations specialist advice will be sought at

the earliest opportunity.

2.9. The Appeals, 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 an Appeals, Conduct and Complaints Adviser or the Head of Appeals 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 Early Resolution and Case Handling Manager at CCCU.

2.10. The report will then be submitted to the Dean of KMMS, or nominee, for consideration and to ensure that all recommendations are appropriate, before the outcome is provided to the student via the Appeals, Conduct and Complaints Office. The outcome of a student complaint will remain provisional until approved by the Dean of KMMS, or nominee.

3. Complaint Review

- 3.1. If a student is dissatisfied with the outcome of the formal complaint investigation, they can request a review. An appropriate Senior member of staff within the University will be appointed to consider the review and to ensure that appropriate procedures were followed, and that the decision was reasonable.
- 3.2. A review can be requested by submitting a [Review Request Form](#) to the Appeals, Conduct and Complaints .
- 3.3. Requests for a complaint review will be granted on the following grounds:
- There have been procedural errors or other irregularities in applying the Procedure when the complaint was considered at the formal stage.

- There is new evidence that could not be made available when the formal complaint was submitted that could have affected the outcome of the complaint.
 - The outcome decision was upheld or partially upheld but the decision or the proposed remedy was unreasonable or disproportionate.
- 3.4. The review request should be submitted in writing, including any supporting evidence, to the Appeals, Conduct and Complaints Office, within 10 working days of receiving the outcome of the complaint.
- 3.5. The review request will be acknowledged within 5 working days by the Head of Appeals Conduct and Complaints and/or the Head of Early Resolution and Case Handling (or nominee). The review request will be assessed using the criteria above to decide whether the request is based on permitted grounds and is eligible to be considered.
- 3.6. If it is considered that the request for a review meets one or more of the grounds, the Head of Appeals, Conduct and Complaints and/or the Head of Early Resolution and Case Handling (or nominee) will allocate a senior member of staff from the University who has not previously been involved to conduct a review. The purpose of conducting the review is to consider whether the grounds stated have merit. A review will not normally involve a fresh, full investigation. A complaint must have been considered at the formal stage before it can be escalated to review.
- 3.7. Once appointed the reviewer(s) will have 28 calendar days in which to conduct the review.
- 3.8. If it is believed that the grounds for a review have not been met, the student will be informed in writing, and a Completion of Procedures letter will be

issued within 28 calendar days of the decision.

3.9. If the complaint progresses to review, the reviewer can either:

- Dismiss the case.
- Conclude that the review is upheld, and recommendations will be made.
- Conclude that the complaint will be returned to an Appeals, Conduct and Complaints Adviser to consider the new evidence submitted.

3.10. Once the review is complete the Appeals, Conduct and Complaints Office will write to the student setting out the reviewer's decision.

3.11. If the case is dismissed the student will be advised and a Completion of Procedures Letter will automatically be issued to the student within 28 calendar days.

3.12. If the outcome of the review is upheld, the student will be informed of the outcome and any recommendations made to resolve the complaint. A student can request a Completion of Procedures letter at this stage, and one will be issued within 28 days of the request being made.

4. Office of the Independent Adjudicator (OIA) for Higher Education

4.1. 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](#).

5. Students on placements

- 5.1. A complaint about a student's experience on a placement may relate to:
- matters falling under the jurisdiction of the University; or
 - matters more properly falling under the jurisdiction of the host institution or company including the NHS and NHS Trusts.
- 5.2. 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.
- 5.3. For complaints arising whilst on placement, the KMMS Speaking Up in Practice Environments policy and procedures should apply in addition to complaint procedures of the placement provider.
- 5.4. In the first instance a complaint should be consider under Early Resolution 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.
- 5.5. Placement providers may process complaints relating to non-academic matters according to their procedures for doing so without recourse to the University of Kent. Where complaints are made with respect to services provided by the Universities the KMMS complaint procedure should be used.
- 5.6. 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.

Appendix A: Flowchart of complaints process

