

Student Complaints Policy and Procedure

York St John University is committed to giving its students the best learning experience it can. We pride ourselves on being a responsive and supportive organisation and in listening to our students. We recognise that sometimes you may encounter problems. The procedure below explains how to submit a complaint and what will happen if you do. See section 7 for the advice and support available when making a complaint.

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**YORK
ST JOHN
UNIVERSITY**

1 Introduction

- 1.1 The University welcomes feedback. You can share your views through course representatives, the Students' Union, and student surveys. If something goes wrong, we recommend raising your concern directly where it occurred to try to resolve it informally. If this doesn't work, the following Complaints procedure applies.
- 1.2 A complaint is defined as "an expression of dissatisfaction by one or more students about something a provider has done or not done, or about the standard of service provided by or on behalf of the provider" ([OIA Good Practice Framework](#), point 7).
- 1.3 Complaints may include (but are not limited to):
 - i. Concerns the University failed to meet contractual or other legal obligations, including non-compliance with the Universities UK (UUK) Code of Practice for the Management of Student Housing.
 - ii. Dissatisfaction with academic provision or student experience (for example, relating to teaching or research supervision, provision of feedback and return of assessed work, or where a researcher does not agree with the outcome of the School Research Ethics Committee (SREC) review or the University Research Ethic and Integrity Sub-Committee (UREISC) review).
 - iii. Concerns about failure to make reasonable adjustments for disabilities.
 - iv. Concerns the University did not meet its obligations to you under the Student Behaviour and Disciplinary Policy and Procedure.
 - v. Concerns about your York St John University accommodation.
- 1.4 You must state clearly your desired resolution. While we may not always meet your request, we will discuss alternatives with you.
- 1.5 The University Complaints Officer, usually the Head of Governance and Compliance, oversees complaints but may delegate this role when appropriate.

2 Scope

- 2.1 This procedure applies to current students or if you have withdrawn or graduated within the timeframe set out in section 9 below.
- 2.2 Complaints are student-led. Complaints by third parties (for example, by individuals or organisations other than the actual complainant) are not normally accepted. However, the University may make an exception if there is clear evidence that a student is incapable of managing their own complaint and there is clear, informed consent in writing from the student to communicate with the third party. Any such exceptions must be agreed by the Complaints Officer. Students are encouraged to seek support from members of staff from the Students' Union, who are familiar with the University's procedures and processes.

- 2.3 The policy does not apply to appeals against a decision by the University Assessment Board, for example relating to your academic award or progression on your programme: these matters are covered by the *Appeals* procedure. If you submit a complaint that the University believes would be more appropriately dealt with as an appeal, it may decide to follow the [Appeals procedure](#) instead of or as well as the Complaints procedure.
- 2.4 This policy applies to students on University programmes or franchise arrangements. Complaints about Validated Partners should be handled under their complaints procedures first. If you are unsatisfied with their outcome you can submit the matter to the Student Casework Manager (casework@yorks.ac.uk) for University review **within 10 working days** of their decision from the Validated Partner.
- 2.5 For services provided by third parties (for example, Security, you should contact the organisation directly. The University ensures such organisations have appropriate complaints procedures in place. If you are unsure how to access that complaint procedure, the Casework Team will be able to signpost you. If the matter remains unresolved, you can submit the outcome to Casework **within 10 working days** for review. The University may not be able to change the outcome, but we will review it to ensure your complaint has been dealt with appropriately.
- 2.6 If a problem with a placement provider has impacted on your learning experience, you may complain directly to the University under this policy.
- 2.7 Complaints about the Students' Union or Sport Union must go directly through their respective procedures first. If unresolved you can escalate the matter to Student Casework with a copy of the outcome letter to casework@yorks.ac.uk for review **within 10 working days** of the final decision.
- 2.8 Anonymous complaints are generally not accepted due to investigative limitations. Exceptions may be made if supported by sufficient evidence, at the discretion of the University Complaints Officer.
- 2.9 Complaints regarding staff conduct outside of teaching responsibilities will be referred to the University Secretary for consideration under other processes (for example, Staff Disciplinary Policy). Teaching-related complaints are managed under this procedure.
- 2.10 In cases involving the Complaints Officer or Disciplinary Officer or a Governor, the University Secretary will assess the complaint and provide guidance on subsequent actions.
- 2.11 Complaints will be handled under the current complaint procedure in place at the time the report is submitted.

3 Principles

- 3.1 This procedure has been designed with reference to the Office for the Independent Adjudicator's Good Practice Framework and the Quality Assurance Agency's UK Quality Code, Advice and Guidance: Concerns, Complaints and Appeals (see section 11 for the links to these documents).
- 3.2 The procedure adheres to equality and fairness principles, aiming to resolve concerns early to prevent escalation. Complaints raised after programme completion may be deemed out of time (see Section 9).
- 3.3 Key commitments include
- i. Accessible and clear procedures
 - ii. Staff approachability
 - iii. Assurance that you won't be disadvantaged for raising concerns in good faith.
- 3.4 The University will do its best to abide by the time limits set out in these procedures, but it may not always be possible. The University aims to complete all the steps described in this procedure **within 90 calendar days** from the time you have submitted the full complaint, including your supporting evidence. As a general principle, issues are resolved as closely as possible to the point of occurrence, but with provision for formal procedures where necessary.

- 3.5 Complaints are handled confidentially, with information shared only as necessary, for example to progress your complaint, implement a decision on the complaint, implement recommendations from a complaint or where it is required by law or in the public interest. Concerns should be flagged with the Student Casework Manager.
- 3.6 You will be provided with the information which has informed the decision relating to your complaint, subject to considerations of privacy, confidentiality and the reasonable interests of any third parties.
- 3.7 Impartial investigators will handle (Level 2) formal complaints, and decisions will be explained to you. More information on the Level 2 procedure can be found in section 9).
- 3.8 Remedies will be offered where complaints are upheld.
- 3.9 We reserve the right to refuse to investigate or to suspend any investigation where it becomes evident that police, legal, court or tribunal proceedings have been initiated in relation to the issues raised in the complaint. We may also suspend an investigation on health grounds. Suspending an investigation will 'stop the clock' on all timescales outlined in this procedure.
- 3.10 The University expects all students to treat other students and staff at the University with dignity and respect. The University reserves the right to suspend investigation of a complaint matter if there is a breach of expected standards, including where those investigating a case are subject to harassment physical or verbal abuse. In these circumstances the student will be notified of the suspension and the reasons for it. If a student is considered to be in breach of University expectations of behaviour, the student might be subject to disciplinary procedures.
- 3.11 Your complaint will be upheld in the case where you have provided sufficient evidence to substantiate your claim on the balance of probabilities, for example, that what you have claimed is more likely than not to be the case.

4 Freedom of speech

- 4.1 The University is committed to securing freedom of speech and academic freedom within the law. We actively promote the open exchange of ideas, especially on contentious matters, recognising that free speech is strengthened, not weakened, by vigorous discussion of opposing perspectives in a civil, respectful, and peaceful manner. All members of the university community should feel empowered to consider and discuss contentious issues, assured that they will be treated with dignity and respect. While we do not tolerate unlawful abuse, bullying, harassment, intimidation, or violence, we recognise that lawful speech, even if offensive, shocking or disturbing to some, is protected and must not be restricted.
- 4.2 The University operates under the assumption that exposure to course materials, statements, views expressed during teaching or research, and related discussions generally do not constitute harassment. However, the University remains alert to the possibility that these matters may, in specific contexts, cross the threshold into unlawful harassment, and will assess such concerns accordingly.

5 Communication

- 5.1 Correspondence relating to your complaint will be sent to your registered contact details. You must notify the University of changes promptly.
- 5.2 The standard response time for emails sent to casework@yorks.ac.uk is 3-5 working days.
- 5.3 We will aim to be as transparent as possible about the complaint process and outcomes, however in some cases we may have to withhold particular information where sharing it would breach our data protection obligations, where it might compromise a legal process, or where there is another legitimate reason (such as safeguarding concerns). Where information is withheld, we will inform you that this is the case and provide a general explanation of the reason, unless doing so would itself breach legal or confidentiality obligations
- 5.4 We prefer email for efficiency but will accommodate other preferences upon request.

6 Malicious complaints

- 6.1 The University may take disciplinary action against students found to have submitted baseless complaints with intent to cause harm. Good faith complaints will not face such action.

7 Advice and support

- 7.1 The Student Casework Team (casework@yorksj.ac.uk) can clarify queries on the complaints process. The Students' Union offers independent advice and support.
- 7.2 Students with additional needs may request reasonable adjustments to the process. Please contact us by emailing casework@yorksj.ac.uk.
- 7.3 You may bring a supporter to any meetings. This person should be a current member of staff, a current registered student at the University, or a Students' Union representative. A Students' Union adviser will normally be best placed to support because they will be familiar with the University's processes. Where a complaint is submitted within the first three months of the student's studies and supportive links may not have been established, alternative supporters may be possible. Approval should be sought from the University Complaints Officer or their delegate. Some students with disabilities may require additional external support, this will be discussed with the student.
- 7.4 The supporter's role is to observe and provide moral support. They cannot ask questions, interpret your responses, or speak on your behalf. Where a student's disability or chronic condition affects their ability to participate in the complaints process directly, the University will make reasonable adjustments, including allowing formal representation (with the student's consent). The University reserves the right to ask a student to nominate a new supporter or representative if a supporter or representative is seen as obstructing the procedure, or if the supporter or representative does not treat other students and staff at the University with dignity and respect. In these circumstances the complainant will be notified.
- 7.5 Legal representation is not usually required or permitted, but if you believe it is justified in the circumstances, you should make these reasons known to the University Complaints Officer **at least three working days** in advance of the meeting(s) relating to your complaint. If a meeting has been arranged to take place within 3 working days, the student should make their reasons for legal representation known as soon as possible to the Complaints Officer. This should be done via the Casework email; casework@yorksj.ac.uk. If the Complaints Officer believes the student has established exceptional circumstances for legal representation, it will be permitted. These grounds may include:
- i. The seriousness of the complaint matter
 - ii. Complexities in any evidence presented
 - iii. Likely procedural challenges
- 7.6 Group complaints should nominate a representative to liaise with the University on the group's behalf. Each participant must confirm their agreement of the student representative and involvement in writing to the Student Casework Team (casework@yorksj.ac.uk). The University may refuse to review a complaint where a student has not demonstrated that they were directly affected.
- 7.7 The University retains the discretion to communicate directly with some or all of the students individually, particularly where the substance or circumstances of the complaint differ, and to reach different decisions where it deems this to be appropriate

8 Records, monitoring and review relating to the procedure on student complaints

- 8.1 The University will keep and dispose of all correspondence relating to level 2 formal complaints in accordance with its data protection and retention policies.
- 8.2 An annual summary of complaints and outcomes is reviewed by the Senior Leadership Team, the Academic Board and the Board of Governors to support continuous improvement.

8.3 The Student Complaints Procedure will be reviewed annually, taking account of good practice identified across the sector and learning from previous complaint cases.

9 Procedure

9.1 Before making a complaint, you should familiarise yourself with the following procedure. It is important to be clear about what resolution you are seeking in making a complaint.

9.2 If a disciplinary issue arises during the complaint, the process may be paused or adjusted.

Level 1 Local Resolution

Raise the issue locally	Address concerns with the relevant team or manager where the issue occurred (for example, delays in responses). If you are unsure who to contact, seek guidance from the Student Casework Team (casework@yorks.ac.uk). Many matters can be resolved satisfactorily at this stage.
Timeframe	You should raise your concerns as soon as possible. Your complaint must be raised within 3 months of the incident/s.
Guidance	The Student Casework Team may direct complaints to Level 2 if necessary.
Meetings	Meetings during this stage may be minuted. They will not be audio-recorded. You should not record them without the consent of those involved. This includes the use of AI. Unauthorised recording is prohibited and may lead to disciplinary action. In all cases, a summary of the meeting will be provided to you to confirm after the meeting.
Outcomes	If there are concerns relating to the outcome of level 1 discussion, for example, around the implementation of the outcome or the time taken to implement, you should contact the Student Casework Team (casework@yorks.ac.uk) to address delays.

Level 2 Formal complaint: investigation and decision

9.3 If you have not first raised your concerns at level 1, the Student Casework Team will request you seek level 1 resolution first. If you remain unhappy with the outcome of level 1 you may then move to level 2.

9.4 If you believe your concerns have not been properly addressed at level 1, you may decide to make a level 2 formal complaint by using the [complaint form](#). You should send your complaint to casework@yorks.ac.uk **within 3 months** of the incident or Level 1 discussions. Late complaints may be accepted at the discretion of the University Complaints Officer for exceptional reasons (for example, serious illness).

9.5 If the complaint is rejected due to being late you can request a 'Completion of Procedures' letter to take the matter to the Office of the Independent Adjudicator (OIA) as set out in section 10.8.

9.6 The Student Casework Team may refer the matter to the University Complaints Officer for a decision on whether the complaint procedure is the appropriate procedure to use. The Student Casework Team may request additional information or evidence from you. If your complaint is not accepted, you can request a 'completion of procedures' letter to take the matter to the Office of the Independent Adjudicator (OIA), as set out in section 10.8.

- 9.7 If accepted at level 2, an 'Investigating Officer', who is an independent staff member, will investigate, review evidence, and conduct interviews as needed.
- 9.8 The Investigating Officer may ask you for further evidence and/or may explore possible outcomes with you. Meetings during this stage will be minuted. They will not be audio-recorded. You should not record them without the consent of those involved. This includes the use of AI. Unauthorised recording is prohibited and may lead to disciplinary action. A summary of the meeting will be provided to you to confirm after the meeting.
- 9.9 Investigations aim to conclude **within 8 weeks** from the date your level 2 formal complaint was accepted by the University Complaints Officer. In complex cases, or cases where the Investigating Officer has difficulty in making contact with you or with others with relevant information, the report may take longer, but you will be kept informed of any delays and the reason for them.
- 9.10 The Investigating Officer will submit a report to the Complaints Officer recommending if the complaint is upheld, partly upheld, or not upheld. The report will provide reasons for the proposed outcome/s. If the complaint is recommended to be upheld or partly upheld, the Investigating Officer will, in all cases where it is appropriate, propose remedial action to be taken and indicative timeframes.
- 9.11 The Complaints Officer will review the report and determine the final outcome. You will receive the report and have **10 working days** to accept or reject the proposed outcome. If you do not accept the proposed outcome, you have the option of taking the matter to the Review Stage, as set out below (see section 10).
- 9.12 If we do not hear from you within 10 working days, the complaint will then be considered closed.
- 9.13 If the proposed outcome is accepted but there are concerns around its implementation or the time taken to implement, you should contact the Student Casework Team (casework@yorks.ac.uk) to address delays.

10 Review Stage

- 10.1 If you are not satisfied with the outcome of your level 2 formal complaint, you may ask for a review of the findings by completing the [Complaint Review](#) form and sending it to casework@yorks.ac.uk **within 10 working days** of the date the report was sent to you. You may request a review of your complaint on the following grounds:
- i. if you have new evidence that you were unable to provide, with good reason, during the level 2 investigation: or
 - ii. if you have evidence that the level 2 procedure was not properly followed.
- 10.2 Your request must set out the grounds for the proposed review and provide the evidence to support it.
- 10.3 Your request for a review will be considered by the Complaints Officer, or nominee. The Complaints Officer may reject a request for a review if it is received outside the deadline, without good reason for the delay. The Complaints Officer may also reject a request for a review if no evidence or substantive argument is provided. If your request for a review is rejected, you can request a 'completion of procedures' letter to take the matter to the Office of the Independent Adjudicator (OIA), as set out in 10.8.
- 10.4 Where a review is to be conducted, this will be carried out by the University Vice Chancellor, or their nominee. The reviewer will have had no previous involvement in the case. The University Complaints Officer and/or Student Casework Team will provide advice throughout the Review Stage. The reviewer will review the file, undertake any appropriate further enquires, and make recommendations. You will normally receive a response **within 10 working days** and will be informed if the review will require more time.
- 10.5 The review will normally only consider the evidence provided during the earlier investigation of the complaint. Exceptionally, the Vice Chancellor or nominee has the discretion to allow you to

introduce new material evidence at this point, if they accept that there were valid reasons why you were unable to provide the evidence earlier in the process.

10.6 The Vice Chancellor or nominee may:

- i. Uphold the original outcome.
- ii. Substitute an alternative outcome.
- iii. Appoint a new Investigating Officer. The usual procedure set out above for the investigation will be followed.

10.7 Should an alternative outcome be substituted, you will be given **10 working days** to consider the outcome of the review. If you accept the outcome proposed, or do not respond within the timeframe, the matter is considered resolved.

10.8 If the Vice Chancellor or nominee upholds the original outcome, or if you do not accept an alternative outcome proposed, you will be sent a 'completion of procedures' letter saying that you have come to the end of the York St John University complaint procedure. If you remain dissatisfied, you may seek an independent review by the Office of the Independent Adjudicator for Higher Education (OIA). The OIA is an independent body established to consider student complaints which have not been resolved internally. The deadline for an application to the OIA is **12 months** from the date of the 'completion of procedures' letter. This service is free to students. More information can be found on the OIA website: www.oiahe.org.uk

11 Associated Links

[OIA Good Practice Framework](#)

[YSJU Concerns about university experience webpage](#)

[YSJU Research webpage](#)

[YSJU Collaborative provision webpage](#)

[YSJ Students Union Documents webpage](#)

[Office of the Independent Adjudicator for Higher Education - OIAHE](#)

[QAA Quality Code - Advice and guidance - Concerns, complaints and appeals](#)

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<p>Section 1 & 2</p> <p>Clarification of introduction section and addition of scope section to policy.</p> <p>Section 3</p> <p>Clarification added regarding raising concerns as early as possible.</p> <p>Information added regarding Freedom of Speech related complaints.</p> <p>Information added regarding suspending an investigation if expected standards are breached.</p> <p>Section 4</p> <p>Introduction of Freedom of Speech section.</p> <p>Section 7</p> <p>Advice and Support - Addition regarding if adjustments are required for the process for disability or accessibility reasons.</p> <p>Section 9</p> <p>Level 1 - Example updated, explicitly detailed timeframe in level 1 section, clarification on recording of meetings.</p> <p>Level 2 - Clarification added around if no response is received following outcome and next steps.</p> <p>Section 11</p> <p>Introduction of Freedom of speech complaints section.</p>	26/06/2024	Academic Board
<p>Section 9</p> <p>Level 2 – clarification added about which policy will apply if a matter is raised regarding an incident that occurred prior to changes in university policies.</p> <p>Section 11</p> <p>Removal of Freedom of speech complaints section</p>	20/08/24	Executive Board
<p>Simplification of policy throughout</p> <p>Section 1</p> <p>Addition of “including non-compliance with the Universities UK (UUK) Code of Practice for the Management of Student Housing” in examples of complaints</p> <p>Updated reference to Student Behaviour and Disciplinary Policy.</p>	25/06/25	Academic Board

<p>Clarified that concerns about university accommodation can be addressed under this policy.</p> <p>Section 2</p> <p>Clarification on third party complaints and exceptions</p> <p>Included Sport's Union.</p> <p>Clarified which complaints procedure will be implemented depending on when complaint is submitted.</p> <p>Section 3</p> <p>Clarification on the design of the procedure</p> <p>Section 4</p> <p>Strengthened requirement to protect lawful speech, even if controversial.</p> <p>Section 5</p> <p>Addition of standard response time</p> <p>Section 7</p> <p>Clarification on reasonable adjustments and representation.</p> <p>Section 9</p> <p>Level 1 local resolution – re-formatted this section for improved readability.</p> <p>Level 1 local resolution and level 2 formal complaint – extension of timeframe in which student can make a complaint.</p> <p>Section 10</p> <p>Removed belief that the outcome was unreasonable in light of the evidence available as grounds for review.</p> <p>Addition that requests for a review will be considered by the Complaints Officer to consider whether grounds for review are met and addition that request for a review will be rejected if there is no new evidence or a substantive argument that the complaints procedure was not properly followed.</p> <p>Section 11</p> <p>Links updated</p>		
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