

STUDENT COMPLAINTS REGULATIONS 2026/2027

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SECTION ONE: INTRODUCTION

- 1.1 The University's Student Complaints Regulations should be read in conjunction with the [Student Complaints Procedure](#).
- 1.2 The University of South Wales is committed to providing high quality education and support to its students. There are many routes through which students can raise any concerns or issues. The University welcomes feedback about its provision so that it can develop and enhance the services it provides.
- 1.3 When a complaint is received, the University seeks to resolve it as quickly, fairly and equitably as possible, whether the complaint is about services provided by the University, treatment by any staff member, student or visitor, or any other issue.
- 1.4 The University's Regulations and Procedures for student complaints apply to:
- Students studying with the University of South Wales.
 - Students studying at the Royal Welsh College of Music and Drama, in respect of the review stage only.
 - Former students, for a period of three months after leaving the University (please also see 3.7 in relation to timeliness of complaints).
 - Students studying university courses at the University's partner institutions, where the complaints relate to academic matters and where the course falls within the remit of USW's provision. Where matters are the responsibility of the partner institution; for example, facilities and student support services, the student will need to access the partner institution's complaints procedure but will have final recourse to the review stage of the University's Student Complaints Procedure.
 - Students studying on work placements or engaged in work-based learning.
 - Students on an approved leave of absence.
 - Apprentices. *(NB Any reference to 'student(s)' or 'complainant(s)' should also be read as 'apprentice(s)'. Information on the receipt and outcome of student complaints for apprentices will be provided to the Dean of Faculty (or nominee), who will inform the apprentice's employer.)*
- 1.5 The University's Regulations and Procedure for student complaints do not apply to:
- Those applying to study at the University of South Wales; who should refer to the complaints and appeals policy for applicants: <https://www.southwales.ac.uk/apply/after-applying/complaints-and-appeals-policy/>.
 - Anonymous complainants.
 - Third parties. The University expects that students with concerns should be responsible for making these concerns known themselves. A complaint from a third party will only be investigated in exceptional circumstances. The complainant must provide valid reasons for this request together with written authorisation that they are happy for the third party to act on their behalf.
 - The University does not normally consider it necessary for a legal representative to act on a student's behalf unless there are exceptional reasons, such as complex points of law, that mean this is required. A decision on whether to allow a legal representative will be made by the Head of Student Casework. Where a legal representative is not permitted, the student will be referred to other sources of support and guidance within the University.

SECTION TWO: SCOPE

Complaints covered by these Regulations and associated Procedures

Academic matters

- 2.1 Academic matters mean specific concerns a student may have about the provision of academic courses and related services, including complaints about the conduct and management of academic appeals by the Faculty. Complaints about the provision and conduct of academic courses cannot be used retrospectively as grounds for an appeal against the decision of an assessment board.

Student experience

- 2.2 Students may complain about any aspect of their experience at the University, including their learning and relationships with the administration or support services.

Discrimination by the University

- 2.3 Students may complain about discrimination by the University in relation a protected characteristic. Where appropriate, this may be referred to HR's Procedures (please see Section 3.16).

Adjustments for disabilities

- 2.4 The University has a legal duty under the Equality Act to provide reasonable adjustments for disabled students. If a student requests an adjustment from the University and the University determines the adjustment is not reasonable, the student can complain using these Regulations. Please see also the Exceptional Case Process, on the following webpage: <https://disability.southwales.ac.uk/disabled-students-allowances/>

Complaints not covered by these Regulations and associated Procedures

Academic appeals

- 2.5 Representations by students against decisions made by assessment boards are handled under the Academic Appeals Regulations and Procedure. Students wishing to submit an appeal may seek advice from the Students' Union and/or Student Services and should address their submission to the Student Casework Unit.

Violence, harassment, hate crime

- 2.6 Serious allegations should be raised with the Student Casework Unit in the first instance. The University's Disclosure Response team (DRT) provides specialist support to students who have or who are experiencing any of the following: sexual violence, domestic abuse, FGM, honour-based violence, stalking, forced marriage and gender-based violence. Students can request a referral to DRT through Student Casework.

Malpractice or impropriety

- 2.7 Whistleblowing is about raising concerns where there are risks to others or where there is legitimate public interest. It is different to other procedures for raising concerns or complaints because it is not intended for personal grievances. Concerns about malpractice or impropriety should be raised through the University's [Whistleblowing policy](#) (searchable via the University website).

Allegations of misconduct against other students

- 2.8 Allegations of misconduct against a student are governed by the [Student Misconduct & Fitness to Practise Regulations](#) and Procedures. Please refer to Section 3.15 for complaints about the conduct of a member of staff.

Complaints about the Students' Union

- 2.9 Students who are dissatisfied in their dealings with the Students' Union will have the opportunity to raise their complaint with the Students' Union in the first instance through procedures contained within the Students' Union's Standing Orders. The Procedure will be made known annually to all students through publications and/or notices. Complaints will be dealt with promptly and fairly and where a complaint is upheld there will be an effective remedy.
- 2.10 Those who fail to obtain a satisfactory outcome through the Students' Union, or who claim to be disadvantaged as a result of exercising their right not to be a member of the Students' Union, will be entitled to appeal to the Board of Governors of the University, who will appoint an independent person to investigate the complaint. The Board of Governors will receive a report from that independent person and determine what remedy, if any, is appropriate. The procedure may include recourse to the Office of the Independent Adjudicator, being an independent party, should the University not be able to provide a response to the complainant's satisfaction.

Complaints relating to academic judgement

- 2.11 The University will not consider complaints that relate solely to academic judgement.

Complaints that have already been considered

- 2.12 The University will not usually reconsider a complaint by a student that has already been considered through the Student Complaints Procedure, or if the same issues have been addressed through another procedure.

Complaints about external organisations

- 2.13 The University will not consider complaints about external organisations. The student should complain directly to that organisation. This includes issues with the administration of Disabled Students Allowances, complaints about which should be directed to the relevant funding authority and its supplier(s).

Joint complaints (Employer/Apprentice)

- 2.14 Where an apprentice is seeking to raise a joint complaint with their employer against the University, the University will consider the facts of the complaint and determine, at its sole discretion, the appropriate procedure to be adopted. The complaint will either follow the process set out in these Regulations and the associated Procedures or will follow the process set out in the Apprenticeship Employer Complaints Policy.

Complaints where a conclusion can be reached without an investigation

- 2.15 Where a complaint is received, but there is sufficient evidence to reach a conclusion, and an investigation would lack purpose, the complaint may not be able to progress to Stage 2 of the Student Complaints Procedure. However, in such cases, the student will be issued a Completion of Procedures letter outlining the findings and the reason for closing the complaint at that stage. The student may use this letter should they wish to challenge this decision externally e.g. with the OIA.

SECTION THREE: GENERAL PRINCIPLES

Submission of complaints

- 3.1 All complaints must be submitted in line with the Student Complaints Regulations and Procedure. If a complaint is made directly to the Vice-Chancellor, or any other senior member of staff of the University, the complaint will be passed to the Student Casework Unit, who will ensure that it is processed appropriately.

Submission in good faith

- 3.2 The University presumes all complaints are submitted in good faith and will not disadvantage any student for bringing forward a complaint.

Burden and standard of proof

- 3.3 The burden of proof determines whose responsibility it is to prove an issue. For student complaints, the burden of proof rests with the complainant. The standard of proof is on the balance of probabilities, that is it is more likely than not that the issues raised occurred.

Submission of evidence

- 3.4 Complaints must normally be supported by corroborating evidence upon submission. Evidence must be provided in English or Welsh. Complaints which do not provide such evidence will not normally be considered, unless the complainant can provide a good reason for not providing evidence. Examples of evidence include reports by professionals, written correspondence, financial information, witness statements or details of witnesses/relevant parties that can be contacted.
- 3.5 If the student submits any evidence that turns out to be false, this may be dealt with under the [Student Misconduct & Fitness to Practise Regulations](#) and associated Procedures. However, where the student represents their account of events and this differs from other accounts, this does not necessarily fall within the scope of false evidence.

Students are asked to kindly flag any sensitive evidence on submission.

- 3.6 The University recognises that with advances in modern technology, it is easier to make covert recordings, ie, recordings of meetings or conversations made without the consent of the participants. Where recordings are made of telephone calls, this activity is likely to be in breach of the Investigatory Powers Act 2024 in the case of recordings of face-to-face meetings, the material gained is likely to be held in breach of the participant's Article 8 right (to a private and family life) under the Human Rights Act and the UK's data protection laws.

In addition, a recording should only be used for the purpose for which it was made and should not be made available to a third party without the consent of the individual it refers to, unless there is lawful reason to do so.

For these reasons, the University will only permit the use of such recordings as evidence in cases, in exceptional circumstances.

The facts that will be considered are:

- The extent to which the evidence is relevant to the issues in the case, including considering the nature of the evidence and if other, more cogent evidence is available.

- The extent to which the evidence has been obtained unlawfully or its use otherwise interferes with privacy rights.
- The extent to which the evidence can be relied upon from a technical perspective given that it is possible to manipulate recorded material. The availability of an independently created transcript of any recording may be helpful to satisfy this requirement.

Timeliness of submission

- 3.7 All complaints must be submitted no more than three months after the issue leading to the complaint. The Head of Student Casework (or nominee) will consider whether to extend this deadline where there is good reason, supported by evidence (if this is required to make a decision on lateness).

Complainants' engagement with the process

- 3.8 It is expected that complainants will engage with the process in a timely manner. If the complainant fails to respond to a request for further information or a meeting within timescales specified by the member of staff dealing with the case, without good reason (for example an incapacitating illness, in which case a doctor's note should be provided), the Head of Student Casework (or nominee) will suspend or close the case. *NB. Please see below where flexibility is required as a reasonable adjustment.*

Reasonable adjustments

- 3.9 The Student Casework Unit is committed to making reasonable adjustments to its processes where the need is identified, to ensure an equitable experience for students. Student Casework will ask students if they need reasonable adjustments. If a student informs Student Casework that they need reasonable adjustments, if a student is registered with the University's Disability Service, or if a student has an Individual Support Plan, a meeting will be arranged with the Disability Service to put this in place. The student will have the option to attend this meeting; or, if they prefer, they will be able to submit written requests for consideration in advance. The outcome of any discussion on reasonable adjustments will be communicated to the student for their agreement.

Impartiality in investigation

- 3.10 Neither the Investigating Officer nor the Complaint Review Officer will have any material interest in or prior involvement with the case. They will normally be independent of the subject area or department that is the subject of the complaint. There may be certain circumstances where the faculty or Student Casework Unit consider that an Investigating Officer external to the University is required; for example, where specialist knowledge is required. In such cases, an appropriate individual will be agreed between the relevant parties.

Anonymity

- 3.11 Complaints made anonymously will not normally be accepted by the University, unless there are exceptional reasons why the matter should be investigated, and independent evidence is provided. In such cases, the decision to investigate the complaint will lie with the Head of Student Casework (or nominee). Additionally, the way in which the complaint is investigated may change and the complainant would not receive an outcome.
- 3.12 The University will not normally take into account witness statements, where the witness requires that they remain anonymous.

Confidentiality

- 3.13 The University will process all personal information under this Procedure in accordance with the [Student Casework Privacy Notice](#) and as articulated in the Communication Plan for student complaints.
- 3.14 Confidentiality will be respected in conducting all aspects of the Student Complaints Regulations and Procedure. However, any member of staff about whom a complaint is made will have the right to be informed of the complaint and its nature and have access to any relevant evidence.
- 3.15 The University will not disclose any information to third parties regarding investigations and outcomes from student complaint cases unless legal exceptions under the UK's data protection laws apply.

Complaints against members of staff

- 3.16 For complaints of serious misconduct by a member of staff, a case conference will take place to decide whether the case will be considered through the Student Complaints Procedure or through the appropriate HR procedure for staff, or appropriate alternative process. Normally, if the complaint is about the alleged misconduct of a member of staff, this will be considered under the HR procedure, whereas service complaints directed at an individual member of staff will be handled under the Student Complaints Procedure.
- 3.17 Where student complaints are investigated by HR, the findings will be shared with the Student Casework Unit, for an outcome for the complainant to be decided.
- 3.18 If the complainant is unhappy with the outcome of the consideration of their case under the Student Complaints Regulations and the associated Procedures, or HR's Procedures following a referral of the complaint, they can request a review of the outcome under the Student Complaints Procedure. The complainant will be informed in writing of the process of submitting the request for review.
- 3.19 Requests for reviews in respect of cases investigated by HR will examine the outcome for the complainant and are not able to overturn HR's disciplinary findings.
- 3.20 Where new evidence is provided with good reason at this stage, this will be shared with HR for consideration of whether the conduct of the member of staff requires further investigation.
- 3.21 Once the internal procedures have concluded, the complainant will be issued with a Completion of Procedures Letter, which will enable them to apply to the Office of the Independent Adjudicator for Higher Education (OIA) for a review of their complaint, provided that the complaint they take to the OIA is eligible under its Rules.

Complaints against senior members of staff

3.22

Subject of complaint	Who will handle the complaint
Dean of Faculty	Deputy Vice-Chancellor
Director of Department *	Deputy Vice-Chancellor
Deputy Vice-Chancellor	Vice-Chancellor
Vice-Chancellor	Chair of the Board of Governors

* This means a member of senior staff from a professional services department; for example, Director of Service, University Secretary (etc.).

Advice and support for staff

- 3.23 It is recognised that being involved with, or the subject of, a complaint can cause pressure for staff. The University runs a Staff Support Scheme, details of which can be found on the Human Resources (HR) website. In addition, the Chaplaincy has considerable experience of dealing with sensitive matters and is available to offer formal and informal confidential advice and support. The Student Casework Unit can provide procedural guidance documents to staff relating to the Student Complaints Procedure.

Group complaints

- 3.24 Where a complaint is submitted by a group of students, one member of the group should be nominated as the main contact and spokesperson.

Each member of the group must confirm in writing that they wish the nominated individual to act in this capacity and that the complaint accurately reflects their concerns. The nominated contact will receive updates on the complaint on behalf of the group. All members of the group will receive notification of the outcome individually.

- 3.25 It is the responsibility of the spokesperson to ensure that all students party to the complaint are included on the group complaint form. New members will not be admitted to the group complaint after the final form has been submitted.
- 3.26 The Head of Student Casework (or nominee) may decide it is appropriate for a group complaint that is submitted in relation to multiple issues or cohorts to be divided into multiple groups or treated individually.

Complaints by students on placement

- 3.27 Whether a complaint will be dealt with by the University or the placement provider will depend on the circumstances of the complaint. If the complaint is more appropriately dealt with through the placement provider's own complaints procedure, the complainant will be assisted by an appropriate member of staff in the faculty in taking this forward.

Deadlines

- 3.28 Deadlines under the Procedure may be extended at the complainant's request, where there is good reason to do so. For example, if a complainant has ill health or a family bereavement that has prevented them from submitting a form within the specified timescale. If a complainant wishes to request an extension, they must do so in writing to the Student Casework Unit and they may be asked to provide relevant evidence, such as a doctor's note, to support their request.
- 3.29 The University may extend the deadline for investigation where the complexity of the case, or other unforeseen circumstances, necessitate further time to complete the investigation. The complainant will be kept informed of progress and the reason for any delay.

Unreasonable behaviour

- 3.30 Complaints which, following initial consideration, the University considers to be vexatious or complaints that are being pursued in an unreasonably persistent manner, will not be considered and could result in action being taken under the Student Misconduct & Fitness to Practise Regulations and the associated Procedures. In this context 'unreasonably persistent' means, for example, that the complaint is being made in a way that is obsessive, prolific or repetitious, and is having a negative effect on the University's colleagues or work, or that might be considered to be harassment.

It may be one that is being pursued in a way that hinders the ability of the University to carry out its Student Complaints Procedure. A 'vexatious complaint' is, for example, one that the University considers is designed to cause disruption or annoyance or makes demands for redress that lack serious purpose or value.

- 3.31 Where the Head of Student Casework (or nominee) considers that a complaint is being pursued in an unreasonably persistent manner or is vexatious, the complainant will be written to and informed that the University will not consider the complaint any further. Reasons for this decision will be given, and a University Completion of Procedures Letter will be issued.
- 3.32 Where a student behaves unreasonably in their interactions with staff of the University, this may be taken forward under the [Student Misconduct & Fitness to Practise Regulations](#), if the student is in breach of the [Student Code of Conduct](#).

Referral to other procedures

- 3.33 In certain cases, for example, where there is a threat of serious harm, or where there are signs of significant distress, the University may decide to put the Student Complaints Procedure on hold pending further advice or may refer the complainant to the [Support to Study Procedure](#).
- 3.34 Where another procedure is already in progress, the Head of Student Casework (or nominee) will decide whether it is appropriate to allow the complaint to proceed at the same time as the other procedure, or whether the complaint should be paused until the other procedure has completed.
- 3.35 In such cases, the nature and length of the considerations may require adjustment from the usual form or may be suspended pending the outcome of investigations under another procedure.
- 3.36 The Head of Student Casework (or nominee) may refer a complaint, or elements of a complaint, to be dealt with under other University regulations or procedures if it is considered appropriate.

Student Complaints Procedure

- 3.37 For information on the handling of complaints submitted under the Student Complaints Regulations, please refer to the [Student Complaints Procedure](#).

SECTION FOUR: MONITORING

- 4.1 Recommendations arising from investigations into student complaints will be communicated to the relevant department or faculty to take forward, and a record made by the Student Casework Unit for reporting purposes.
- 4.2 The Student Casework Group may identify lessons learnt and make recommendations for consideration by the Learning, Teaching and Enhancement Committee, Research Degrees Committee, Quality Assurance Committee and Academic Board, as appropriate, on any matters arising from the consideration of complaints that require enhancements and/or amendments to regulations and procedures.

SECTION FIVE: COMPLAINTS TO EXTERNAL ORGANISATIONS

Office of the Independent Adjudicator for Higher Education (OIA)

- 5.1 If a student is unhappy with the outcome of this Procedure they may, following issue of a University Completion of Procedures Letter, lodge a complaint with the OIA. Students are required to exhaust the University's internal complaints procedure before making a complaint to the OIA.
- 5.2 Details of the OIA and the relevant information in relation to the Scheme can be accessed at www.oiahe.org.uk. Further information and advice can be obtained from the Student Casework Unit.

Financial Ombudsman Service (FOS)

- 5.3 Following a complaint about debt advice or debt counselling provided by the University, the student will be informed of their right to request a review of their case by the Financial Ombudsman Service (<http://www.financial-ombudsman.org.uk/>) should they remain dissatisfied with the outcome of the internal procedures.

Medr (Commission for Tertiary Education and Research)

- 5.4 Medr is the regulatory body for higher education provision in Wales. In certain circumstances, students are able to make a complaint to Medr. Further information can be found at the following webpage: <https://www.medr.cymru/en/complaints/>

Disabled Students Allowances (DSA)

- 5.5 Complaints about Disabled Students Allowances (DSAs) should be directed to the relevant funding authority or to the relevant DSA supplier (eg Needs Assessment Centre, Assistive Technology supplier or Non-medical Help provider. Further information on the Student Loans Company Complaints Procedure can be found here: [Complaints procedure - Student Loans Company - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complaints-procedure-student-loans-company)