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## 15. REGULATIONS

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## 15.5 Student Complaints and Grievance Procedures

### 1. Introduction

The latest version of this procedure is available at <http://www.mdx.ac.ae/life-at-university/current-students/student-complaints-and-grievances>

This statement has been adapted for the Dubai campus from Middlesex University's 'Student complaints and grievance procedures'. Middlesex UK's policy is available at:

[https://www.mdx.ac.uk/\\_data/assets/pdf\\_file/0021/532407/Student-Complaints-and-Grievance-Procedures.pdf](https://www.mdx.ac.uk/_data/assets/pdf_file/0021/532407/Student-Complaints-and-Grievance-Procedures.pdf)

- 1.1 The University is committed to providing a high quality experience for each student and encourages students to inform it where there is any cause for concern. The University's Student Complaints and Grievance Procedures therefore exist to enable students to make complaints about such matters.
- 1.2 This procedure seeks to ensure that complaints against the University made by students are treated seriously and, if found to be valid, are acted upon to ensure that the students' interests are protected as far as it is possible for the University to do so.

### 2. Definition and Scope

- 2.1. A complaint is defined as an expression of dissatisfaction about matters that affect the quality of the student's learning experience, or about a standard of service provided by or on behalf of Middlesex University.
- 2.2. These Regulations cover all students registered on programmes at Middlesex University's Dubai campus, including research students, members of staff registered on University programmes, and those on work placements, engaged in work-based learning or during periods of approved interruption of studies.
- 2.3. Former students may raise issues of complaint within the timescales stated in 3 below.
- 2.4. The Regulation on Student Complaints does not cover the following (specific procedures exist for dealing with these as noted in brackets):
  - (a) appeals against Assessment Board decisions (taught programmes) or examination decisions of the University Research Degrees Board (research degrees);
  - (b) complaints relating to a case of alleged misconduct by the complainant (student conduct and discipline regulations)
  - (c) matters which fall within the remit of the University's student disciplinary procedures.

- (d) matters which fall within the remit of University's admissions procedures.
- 2.5. The University reserves the right to reclassify a complaint as an academic appeal or vice versa, if the submission is deemed to have been made to the incorrect procedure, or the submission falls properly within the remit of one procedure rather than the other. The outcome of an appeal cannot be made the subject of a complaint except where there is possible material error in arriving at the decision.
- 2.6. The final decision regarding a matter raised under Student Complaints and Grievance Procedures shall be considered to be the final decision of Middlesex University Dubai. There is no right to further consideration of the same matter under a different associated policy.
- 2.7. Each complaint will be considered on its own merits, subject to all legal and professional requirements.
- 2.8. A student will not be treated less favourably by the University or suffer any detriment or disadvantage if s/he makes a complaint in good faith, regardless of whether the complaint is successful. Anonymous or vexatious complaints against the University or against a student or member of staff will not normally be considered and the latter may lead to action under the Student Conduct and Discipline Procedures.
- 2.9. Any member of staff mentioned in a complaint will not be treated less favourably by the University than if the complaint had not been brought. If, however, the complaint against a member of staff is upheld, that member may be subject to disciplinary proceedings under University policy for staff.
- 2.10. These internal regulations of the University and their associated policies and guidance will be operated in accordance with principles of equal opportunities, fairness and equality. Complaints will be handled with an appropriate level of confidentiality. There is an expectation that students and staff members will treat both the complaints processes and each other with respect.
- 2.11. It should be noted that these complaints procedures are not designed to deal with problems such as: unexplained absence of a lecturer; late arrival of University buses; maintenance issues in student accommodation, and so on, except in so far that such concerns are not resolved through simpler procedures or are persistent.
- 2.12. Frivolous or vexatious complaints
- a) The Deputy Director (or nominee) may reject a complaint at any time, on the basis that the complaint has "no serious purpose, or is intended to cause disruption or annoyance, or if the student is seeking an unrealistic remedy. We refer to these complaints as "frivolous or vexatious".

- b) A frivolous or vexatious complaint can be characterized in a number of ways including:
- Complaints which are obsessive, persistent, harassing, prolific, repetitious;
  - Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
  - Insistence upon pursuing meritorious complaints in an unreasonable manner;
  - Complaints which are designed to cause disruption or annoyance;
  - Demands for redress which lack any serious purpose or value.
- c) The University are sensitive to the fact that if the student raises the same or similar issues repeatedly despite receiving a full response, there may be underlying reasons for this persistence.
- d) Deciding whether a request is frivolous or vexatious is a balancing exercise, taking into account all the circumstances of the case. The University's main consideration will be the issues raised in the complaint rather than the behaviour of the student bringing the complaint.
- e) If the Deputy Director (or nominee) decides that a student's complaint is frivolous or vexatious, they will confirm this in writing and that the complaint is terminated. Reasons for the decision will be stated and the decision will be final.

### **3. Timeframe for Making a Complaint**

- 3.1. A student who is, or was recently a registered student, or a group of students wishing to complain should normally do so within 3 months of the event which has given rise to the complaint or, if a series of events has given rise to a complaint, within 3 months of the final event in the series.
- 3.2. The Deputy Director (or nominee) has the discretion to extend any timescales stated in the Student Complaints and Grievances procedure taking into consideration any circumstances that justifies an extension

### **4. Delegation of Responsibility**

- 4.1. The Director of Middlesex University Dubai delegates responsibility for dealing with student complaints as follows:
- Stage 1 (Early Resolution/ Complaint) student complaints are dealt with by the appropriate programme teams (academic) and/or Professional Services departments as applicable.
  - Stage 2 (Appeal) student complaints are dealt with by the appropriate Campus Programme Coordinators or Managers of Professional Services departments.

- Stage 3 (University-Level Review) investigations are managed by the Deputy Director on behalf of the Director. The Deputy Director may nominate a Campus Programme Coordinator or Manager from an area that was not involved in the Stage 2 process or call a Panel of senior staff members to carry out the review.

## 5. Complaints Procedure Stages

Complaint against	Stage 1	Stage 2	Stage 3
Faculty/Module Coordinator	Appropriate Programme team (academic)	Campus Programme Coordinator	Deputy Director
Staff member of a service department	Appropriate Professional Services team	Manager of that service department	Deputy Director
Campus Programme Coordinator / Manager of a service department	Deputy Director	Complaints Panel	Director

### 5.1. Stage 1: Early Resolution

- Initially, a student should seek to deal with his/her complaint at the level at which the event leading to the complaint occurred. This could be either at programme level, or within the relevant service department.
- A student should, if at all possible, address his/her complaint to the person most directly involved in the event leading to the complaint, in order to give that person, the opportunity to address his/her concerns. All efforts should be made to resolve the complaint.

### 5.2. Stage 1: Complaint

- If for any reason the student does not feel that this is possible, or if the resolution is not to the satisfaction of the student, s/he can raise the complaint with the Quality Office by filling in the Stage 1 Complaints form. This will then be forwarded to the CPC or the Manager of staff against whom the complaint is raised. The receipt of the complaint form will normally be acknowledged within 7 working days. If necessary, an Investigating Officer will be nominated to deal with the student's complaint.
- If the complaint is against a CPC or Manager of a service department, the complaint will be forwarded to the Deputy Director.
- Every effort will be made by the Investigating Officer to enable the clear articulation of the issue and to resolve the complaint simply and quickly. The Investigating Officer may invite the student to a meeting to discuss the matter in an attempt to reach a resolution.
- Stage 1 complaints will be dealt with in a timely fashion. Those involved in investigating the complaint will establish appropriate timescales based on its nature and complexity. These timescales should be communicated to the student and the student kept informed

of any changes. Where possible, the investigation should be completed within 28 working days.

- v. At the end of Stage 1, the complainant will be provided with a written response to his/her complaint, by the Campus Programme Coordinator or Manager of the service department, copied to the Deputy Director & Quality Office, which will either:
  - a. Detail the proposed resolution; OR
  - b. If no resolution has been proposed, explain why resolution has not been considered to be possible.

### 5.3. Stage 2: Appeal

- i. If a student is not satisfied with the outcome of Stage 1, s/he may choose to proceed to Stage 2 by completing the Stage 2 Appeals Form. This should be done within 21 working days of the release of the written response to Stage 1. A Stage 2 appeal will normally only be considered following the completion of Stage 1.
- ii. A student wishing to submit a Stage 2 Appeals form should do so to the Quality Office. The appeal will be forwarded to the appropriate Campus Programme Coordinators or Managers of Professional Services departments and request a written response within a maximum of 21 working days.
- iii. If the Campus Programme Coordinator or Manager of the service department was involved in the case at Stage 1, s/he will nominate an appropriate alternative individual to consider the case. If no appropriate individual can be found within the programme team or service department, s/he shall refer it to the Deputy Director, who will then assign the case to an appropriate individual.
- iv. The receipt of the appeal form will normally be acknowledged within 7 working days.
- v. The Campus Programme Coordinator or Manager of the service department or their nominees will consider the case appropriately. This will normally involve discussions with the student and/or the subject of the complaint.
- vi. Appeals will be dealt with in a timely fashion. The Campus Programme Coordinator or Manager of the service department will establish appropriate timescales based on the nature and complexity of the appeal. These timescales should be communicated to the student and the student kept informed of any changes. Where possible, appeals should normally take no more than 21 working days to investigate from the acknowledgement being sent.
- vii. The outcome of the investigation will be reported in writing to the Quality Office by the Campus Programme Coordinator or Manager of the service department or their nominees.
- viii. At the end of Stage 2, the complainant will be provided with a written response to his/her complaint, copied to the Deputy Director, which will either:
  - a. Detail the proposed resolution; OR
  - b. If no resolution has been proposed, explain why resolution has not been considered to be possible

### 5.4. Stage 3: University-level review

- i. If a student considers that:

- a. there has been a procedural irregularity in the conduct of the Stage 2 investigation;  
or
  - b. new information has come to light, which the student was unable to disclose previously and which would have had a material impact upon the investigation previously undertaken
  - c. the decision reached was unreasonable based on the information that had been available to the University when the case was considered
- s/he can request a review of the outcome of the Stage 2 investigation. A student wishing to request a review must do so within 21 working days of the written response to Stage 2. The review request must be submitted to the Quality Office, addressed to the Director, Middlesex University Dubai, using the University Level Review Form (ULR).
- ii. This is not a reopening of the original complaint. Dissatisfaction with the outcome of the appeal is not alone a valid reason for requesting a review.
  - iii. The receipt of a review request will normally be acknowledged within 7 working days.
  - iv. The review will be carried out by the Director or a panel of senior staff members. The review will consider whether the outcome of Stage 2 was reasonable rather than reconsider the original case and its evidence.
  - v. Further discussions may be held with the student and/or subject of the complaint and with members of staff involved at Stage 1 and/or Stage 2.
  - vi. Where possible, reviews should normally take no more than 21 working days to investigate from the acknowledgement being sent. The Director or a panel of senior staff members undertaking the review will establish appropriate timescales based on the nature and complexity of the case. These timescales should be communicated to the student and the student kept informed of any changes.
  - vii. The Director or a panel of senior staff members will inform the complainant in writing, of the outcome of the investigation.
  - viii. An annual report of student complaints will be prepared by the Deputy Director.

## 6. NOTES

- 6.1. These complaints procedures and any decisions made under them are not intended to give rise to legal rights, or obligations on the University to pay compensation either in respect of a decision made pursuant to the procedures or for a breach of these procedures. Anonymous complaints will not normally be considered.
- 6.2. The University will hear and consider a complaint only if lodged by a student or group of students themselves and will not deal with third parties, even with the permission of the student(s), unless in exceptional circumstances which prevent a student representing themselves (selves). The student(s) is(are) entitled, however, to be supported in any complaint hearing by an individual who will be a staff or student member of the University. Legal representation is not allowed at meetings other than in exceptional circumstances and with the express permission of the investigating officer not less than 24 hours prior to the meeting.

6.3. The Deputy Director is responsible for interpreting these procedures and his/her decision shall be final except in cases where the interpretation involves a complaint against the Deputy Director in which case interpretation of the procedures shall be the responsibility of the Director.

6.4. 'Working day' refers to a day on which the University is normally open; it does not include Fridays and Saturday, Public Holidays, or other designated periods of closure outlined in the Academic Calendar or otherwise publicised by the University.

6.5. Record keeping

- Records of complaints resolved at Stage 1 must be maintained securely by the Quality Office for a period of one (1) year from the date of resolution of the complaint.
- All records relating to resolution of complaints through Stage 2, should be maintained securely by the Quality Office, for a period of three (3) years from the date of resolution of the complaint.

All records pertaining to Stage 3 should be maintained securely by the Deputy Director's office for a period of three (3) years from the date of resolution of the complaint.