



BUCKINGHAMSHIRE
NEW UNIVERSITY

EST. 1891

Accommodation Service Complaints Procedure

Introduction

- 1 This procedure is supplementary and complementary to the University Student Complaints Procedure and is designed to offer guidance on how accommodation-related complaints will be addressed.

Stage 1 - Informal

- 2 The majority of student concerns should be resolved informally and before pursuing a formal complaint, students are expected to attempt to resolve the matter through this route.
- 3 Anonymous complaints are normally ignored and will only exceptionally be progressed if sent through an intermediary such as the SU Advice Centre; in such cases, anonymity may impair the ability of the Accommodation Service to address the complaint effectively.
- 4 The student should raise their concerns as soon as possible, and in any case within 20 days of the issue arising. They should email accommodation@bnu.ac.uk with as much detailed information as possible, regarding their complaint, stating their full name, student ID number and room number, along with any evidence (such as photographs). Students may find it useful to seek initial, independent advice before proceeding with their complaint from Bucks Students' Union Advice Centre.
- 5 An acknowledgement of receipt of the complaint will be sent to the student within five working days and confirmation of the expected outcome date; however, this date can change depending on:
 - The circumstances of the complaint
 - The availability of resources
 - The availability of any members of staff or professional contractors.
- 6 An investigation of the matters raised in the complaint will be undertaken by the Deputy Accommodation Manager, or nominee. Depending on the nature of the complaint, they may request a meeting with the student to discuss the complaint in more detail.
- 7 Normally within 15 working days, a written response will be made to the student giving details of the outcome, with reasons, and including any actions to be taken as a result of the complaint.
- 8 The response will also include information about the next steps the student can take if they are dissatisfied.

Stage 2 - Formal

- 9 If there is no preliminary resolution, or the student remains unsatisfied with the outcome of the informal stage, within 10 working days of receiving the Deputy Accommodation Manager, the student should submit their formal complaint in writing by email or letter and send it for the attention of the Accommodation Manager. It is important to include as much information as possible and submit the form with supporting documentary evidence.
- 10 The Accommodation Manager will undertake a thorough investigation and compile a report setting out their findings and recommendations. The Accommodation Manager will aim to conclude their investigation within 15 working days of receiving the complaint, however this will depend on a number of factors, for example (this list is not exhaustive):
 - The nature and circumstances of the complaint
 - The availability of resources
 - The availability of any members of staff or students who need to be interviewed.
- 11 The Accommodation Manager will keep the student informed of when they expect to conclude the investigation.
- 12 The Accommodation Manager has absolute discretion to conduct the investigation in such a manner as he/she considers appropriate in light of the nature of the complaint and all the circumstances of the case.

- 13 In order to facilitate the investigation, the Accommodation Manager has the discretion to hold a meeting with the relevant parties including:
- The student.
 - Any employee or student involved in the case.
 - A note taker (provided by the Accommodation Manager).
- 14 The intention of holding a meeting is to give all parties a chance to air their views, and to clarify the salient points the student wishes to raise. The meeting should be conducted in as informal manner as possible. Although the student and respondent would always be encouraged to present their case in person, all parties can ask to be accompanied to the meeting by one other person for support; this may be a friend, colleague or representative from the SU Advice Centre. Neither party can be accompanied by legal representation. It should be made clear that if either the student or respondent choose not to attend the meeting it will not prejudice the investigation; however, the outcome will be reliant on the evidence available to the Accommodation Manager.
- 15 Meetings will follow the format:
- Introductions will be made.
 - The student (or their representative) will be asked to explain the issue and present any supporting evidence. Questions may be asked to clarify certain points.
 - Other parties to the complaint will be given an opportunity to respond to the complaint. Questions may be asked to clarify certain points.
- 16 Summary notes must be made of all discussion points during the meeting.
- 17 An agreement of the outcome may be made at the end of the meeting. In some circumstances the Accommodation Manager will wish to make further investigations, in which case, they will confirm to the student when they can expect to receive the outcome at a later date.
- 18 The Accommodation Manager will make a formal response to the student, by email which will detail how the investigation was conducted and whether it has found the complaint to be upheld or not, with reasons given.
- 19 The outcome letter will also include information about the next stage of the process. The student will be requested to confirm if they accept the proposed resolution and any related form of redress, within 10 working days of the date of the outcome letter.
- 20 The student may write to accept the position and the redress, in this case the formal complaints procedure is then closed. Alternatively, the student may decline to accept the proposed resolution and the redress. They must then decide whether to pursue the matter, or not. If not, no further action is required. If they do wish to progress to the next stage, they should go to Stage 3 – Request for Review – this must be done within 10 working days of receiving the outcome letter. If a response is not received from the student within 10 working days, it will be assumed that the student has accepted the outcome and a Completion of Procedures letter forwarded to them.
- 21 If the Accommodation Manager finds that a complaint is frivolous, malicious or vexatious, an allegation may be made against the student under the Student Disciplinary Procedures which will then govern the case.
- 22 The outcome letter is kept on the student's personal file and is treated in accordance with the Data Protection Act and the University's data retention policy. If a request for review (see below) is not received within 10 working days then the outcome letter constitutes the final stage of the University's procedures.

Stage 3 - Request for Review

- 23 A request for review does not necessarily constitute a new investigation, but in the first instance is intended to ensure procedures have been correctly followed. If the student is not happy with the outcome of the formal complaint, they can request a review of the case using the grounds detailed below, provided it meets the following criteria:
- It is made in writing and forwarded to the Director for Student Success (or their nominee) and received within 10 working days of the student receiving the outcome letter.

- It specifies the grounds of request for review as below.
 - It is accompanied by supporting evidence if any.
- 24 The valid grounds for Request for Review are (one or more may be used):
- Material procedural irregularity.
 - Disregard of material evidence.
 - Perversity of judgment in the face of the evidence presented.
 - Demonstrable bias or prejudice on the part of any person forming the judgment.
 - The redress is not proportionate to the complaint.
 - New evidence has become available which may have a material bearing on the outcome of the complaint.
- 25 If a Request for Review is received within 10 working days, and satisfies the above criteria, the Director for Student Success (or their nominee) will initiate an investigation into how the complaint was handled, and whether the outcome was fair.
- 26 The Director for Student Success (or their nominee) may wish to meet the student to discuss the case.
- 27 The Director for Student Success (or their nominee) will compile a report within 15 days confirming whether or not the request for review has been upheld and:
- Whether the complaint was dealt with correctly under the procedure.
 - Whether all the evidence was considered.
 - Whether the outcome was an appropriate response to the complaint.
 - Reasons for the decision.
- 28 A response will be sent to the student within 15 working days of receiving the Request for Review, including information about how the decision has been reached and any other relevant information. This letter constitutes the Completion of Procedures Letter and completes the University procedures. There is no further right of appeal after this stage.