

Complaints Procedure for Applicants: Guidance for Completing the Complaint Form

This guidance should be read in conjunction with the Complaints Procedure for Applicants available at: www.dur.ac.uk/undergraduate/apply/policy/complaints/

1. Personal Details

The complaints procedure expects applicants to raise matters of complaint on their own behalf and the decision whether to make a complaint rests with you. Third party complaints will only be investigated in exceptional circumstances, and we will require your written consent. Please be assured that by submitting a complaint to the University applicants will not be discriminated against in any further or future application. Your complaint will be dealt with in confidence. However, the University will need to make appropriate internal enquiries to investigate the matters that are the subject of the complaint on a need-to-know-basis. If your complaint is about a specified member of staff, that member of staff has the right to be supplied with a copy of the complaint and, if necessary, to provide a response to your complaint.

2. Contact Information

Please let us know if you prefer the University to communicate with you by hard copy in the mail or electronically by email. However, in some instances, the University may need to communicate with you using the alternative contact information you provide. For security purposes the contact details you provide should be the same as those provided in your application. If this is not possible please contact the [Head of University Admissions](#) for advice (or in their absence the Director of Student Recruitment and Admissions).

3. Complaint Summary

This is the most critical section of the complaint form as any investigation will focus on the main issues raised here. The 500-word limit of this section is in place to encourage you to think carefully and critically about what your complaint is about and the main issues and areas of dissatisfaction you wish to address. A concise and clear summary of your complaint assists in ensuring that the investigation will focus on the main issues of your complaint and that timescales are met. It is helpful to provide the dates of key events and if appropriate the name, title or responsibility of staff members involved in your complaint. If you do not raise issues in this section they may not be responded to as part of an outcome to any investigation. Where your complaint summary exceeds 500 words or it is unclear what your complaint is about, we may not be able to start an investigation. In these cases you would be signposted to sources of advice and guidance available to you and required to amend and resubmit the form by a specified deadline. Section 6 of the complaint form is available

for you to provide additional relevant details of the main issues of your complaints summarised in this section.

4. Informal Complaint Action (Stage 1)

Please provide details of actions you have taken informally to approach and discuss the issues summarised in section 3 with the source of your dissatisfaction or other members of staff. It is important to provide details of what issues you raised and when as this will assist to confirm that you have taken appropriate and reasonable action to resolve this informally and have submitted your complaint within the 3 month timescales. If informal discussions are taking too long (more than a few weeks) or there is particular urgency in your case, you should make that clear in this section as a reason for not completing the informal stage. Where a proposal to resolve your dissatisfaction informally was made please provide your reasons for why it was not acceptable. Occasionally applicants believe that their case is not suitable for informal resolution and proceed directly to the formal stage by submitting a complaint form. If you believe informal resolution is not appropriate in your case you will need to provide reasons why. However, the University may decide that prior to considering a complaint formally at Stage 2 it should be dealt with informally in the first instance. You would be provided with advice and assistance on how to do so.

Notes for consideration about informal complaints: You should raise matters of dissatisfaction as soon as possible, and as close as possible to the source of your dissatisfaction, as complaints that are dealt with informally at an early stage have the best chance of being resolved effectively. The University is committed to resolving matters of student dissatisfaction informally as this enables a prompt investigation and resolution. You should not delay expressing your dissatisfaction to a staff member. By raising a matter with a staff member you will not be disadvantaged, and action will not be taken against you (except in the rare case where misconduct may be uncovered in the course of looking into your complaint or where issues arise in relation to the Code of Practice on Behaviour in Admissions Complaints).

5. Resolution

You should use this section to describe the outcomes you would like to see implemented should parts of your complaint be upheld. Any outcomes stated by you should be carefully considered, reasonable in scope and within the University's ability to fulfil.

Some potential or frequently cited outcomes made in the past are listed below:

- Formal apology from the University
- Reconsideration of an academic decision in light of new evidence
- Changes to admissions procedures or policies
- Additional training for members of staff in one or more areas of admissions responsibility
- Enhancements to the information, advice and guidance provided for applicants.

Outcomes that cannot be considered:

- **Academic Judgement:** It is not possible for a complaint considered under this procedure to reach a decision that interferes with the normal operation of academic judgments made by admissions staff with authority to make admissions decisions delegated by Senate. As entry to our programmes is competitive the University will make academic judgements that applicants may not agree with. This is not grounds for complaint. An academic decision is only reviewed if there is evidence that the policy or procedures of the University have not been followed and that this has had a material and negative impact on the outcome of an application.
- **Breaches of Law:** It is not possible for a complaint considered under this procedure to reach a decision that a member of staff should be disciplined or removed from post as this decision would need to be made in accordance with University Human Resources policies, UK Law and EU Directives. Likewise, it is not possible for a complaint outcome to determine whether the University breached any UK Law or EU Directive as these decisions are reserved for the courts. A complaint will only be able to determine whether or not, in light of the matters raised in the complaint, the University provided a service to an applicant which was in accordance with its own internal policies and procedures.
- **Financial Compensation:** If you are requesting financial compensation, please note that the complaint process will not normally consider refunds of payments previously made to the University or other organisations as part of the admissions process. Other forms of compensation such as compensation for future loss of earnings or other expenses that you may have encountered as the result of accepting a place for study at the University will not normally be part of an outcome to the complaint process. If you are offered a refund as part of a complaint outcome, you would be required to verify by signature that you accept the refund or compensation in full and final settlement of your complaints. Additional terms may also be applied as necessary with respect to an individual case. You would therefore not be entitled to make further use of the University's internal complaints procedure. This may affect your rights to pursue any legal action against the University.

6. Additional Complaint Information

If necessary, you should use this section to briefly provide additional factual information to support your complaints summarised in section 3. It is not necessary to describe any events complained about in great detail but, when completing this section, it is helpful if you were able to relay any events described in order of the date/time they occurred. You should not expect that the complaint report will specifically comment on the events mentioned by you in this section; however they may be referred to in a more general way. A balance of probabilities is the test that is applied in determining the outcome of the complaint where factual information may be disputed.

7. Supporting Information

In addition to copies of supporting information, you should provide a descriptive list of the information you are submitting in support of your complaint. By providing a list of information you help the University (and yourself) to ensure that it has received all the documentation. You should specifically refer to information submitted and how it supports your complaints in the appropriate sections. Where you do not refer to information specifically, we may not be able to make a link between it and your complaint. In other words, information not specifically referred to may not be considered relevant to your complaints. If you are not able to submit information to support your complaint, you should provide an explanation for why it was not possible in the circumstances. There are valid situations where it is not possible to provide supporting information. Your complaint would not normally be refused on this basis alone but it may limit the ability of the University to investigate your complaint or support an outcome in your favour. In some cases you may be asked to submit original documents for review but these will be returned to you by registered post. Do not send original documents unless specifically requested; a photocopy or scan will suffice in the first instance. You should retain a copy of any supporting information you submit.

8. Declaration and complaint submission

It is very important that you have read and understood the Complaints Procedure for Applicants prior to signing the complaint form and submitting it. If you have questions about any part of the procedure you should request assistance prior to submission from the [Head of University Admissions](#) (or in their absence the Director of Student Recruitment and Admissions). The University will not be able to investigate a complaint where you wish to remain anonymous or where you refuse to permit your complaint to be provided to appropriate members of staff for investigation. In order to properly investigate a complaint it is necessary for staff members who may be the subject of the complaint, or are responsible for responding to the substance of the complaint, to know the identity of the complainant. Please refer to the guidance in section 1 of this document. You may submit the form electronically or by post. If you have more than a few pages of additional supporting information, it may be necessary for you to send this information by hard copy in the post. When submitting a hard copy complaint by mail you should do so by some form of registered post. An acknowledgement of receipt will be sent to you a few days later. You should retain copies of the complaint form and any supporting information for your own records.

(Last update on 6 October 2015)