

Student Complaints Procedure

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1. Introduction

- 1.1. The University is committed to providing a positive experience for its students and hopes that students will be satisfied with its provision. The University recognises however that there may be occasions when students are dissatisfied with an aspect of their experience at SOAS. This procedure is part of the University commitment to responding to student complaints.

2. Raising concerns

- 2.1 The University takes student concerns seriously and values their views in formal decision-making at all levels and expects that most concerns will be resolved satisfactorily on an informal basis at an early stage. Submitting a complaint is one option, but students are encouraged to consider all options, including other avenues to voice concerns. These include:

- Speaking directly to the relevant staff member/s
- Contacting academic advisors or supervisors
- By emailing the Student Experience team at studentfeedback@soas.ac.uk
- Completing the student evaluation module, end of year surveys and the national student survey (NSS) for final year UG students or the PGT/PGR experience surveys (PTES/PRES)
- Attending department feedback committees
- Participating in student experience forums
- Speaking to student representatives, or engaging with Student Voice, via Moodle
- Going to the all-student meeting with senior members of staff
- Talking to the Students' Union.

3. Principles

- 3.1 A complaint is a formal expression of dissatisfaction from one or more students about the provision of their course and/or standard of service provided by the University, or on its behalf.
- 3.2 The procedure does not apply to complaints concerning:
- The Students' Union, its events or the conduct of its officers, including sabbaticals. Students should utilise the SU complaints procedure in these cases.
 - Admission decisions
 - Academic appeals
 - A student's performance in any assessment, or other matters that involve academic judgement
 - Matters relating to querying the repayment of fees
 - Matters that are currently subject to criminal investigation or proceedings
 - Matters that ought to be more appropriately considered under another University procedure
 - Minor or occasional lapses of good manners
 - Disputes between students. These incidents normally fall under the Student Disciplinary Procedure
 - Complaints about the conduct of SOAS staff. Complaints of this kind will be referred to Human Resources for consideration under their procedures.
 - Concerns about University policies or the governance of the institution. Students should raise issues of these kind through the Students' Union, who have representation on SOAS committees including Senate, the Teaching, Learning and Student Experience Committee (TELSEC) and the Board of Trustees. Academic Departments can help with concerns about any local policies. Each SOAS policy has a policy owner on the first page – students can contact the owner directly to make comments, or alternatively by contacting governance@soas.ac.uk.
- 3.3 Complaints must be submitted as soon as possible, and **no later than 20 working days of the relevant event or circumstance**.
- 3.4 This procedure applies to all students who are:
- a) currently registered at the University
 - b) a student who has interrupted their studies
 - c) a past student but, subject to section 3.3, any complaint must be lodged no later than 20 working days after the relevant event or circumstance.
- 3.5 The aim of this complaints procedure is to enable effective resolution of complaints at the earliest possible stage and for the University to be able to resolve student concerns before

they escalate into formal complaints. Accordingly, great significance is placed on early and informal resolution where appropriate.

- 3.6 Complaints relating to harassment, sexual and gender-based violence (SGBV) or discrimination may be referred directly to stage 2 of this procedure or referred under another more appropriate policy.
- 3.7 When making a complaint or a request for a review under this procedure, it is for the student to show how the circumstances of which they have complained have affected them and their studies, with relevant evidence. The standard of proof applied by an investigator or reviewer under this procedure is that of the balance of probabilities - that it is more likely than not something was or was not the case.

4. Procedure

- 4.1 The procedure has the following stages:

- Stage 1: Informal Resolution
- Stage 2: Investigation and Determination
- Stage 3: Review

Stage 1: Informal Resolution

- 4.2 Students who have attempted unsuccessfully to resolve their concerns directly with the person(s) concerned, or for whom this is impractical, should engage in early resolution as soon as possible by making an informal concern in writing to the relevant service or department. Students are encouraged to state the basis of their concern in a clear, succinct and chronological order of events, appending any relevant evidence.
- 4.3 The Head of Department or their nominee will then allocate the matter to the correct department member of staff.
- 4.4 The Head of Department or nominee should notify and inform the Student Casework team via studentcomplaints@soas.ac.uk **within 2 working days of receiving the concern** for the matter to be logged.
- 4.5 The University aims to resolve issues as quickly and fully as possible. Students should receive a response in writing to their concern **no later than one calendar month** of the student contacting the member of staff. Only in exceptional circumstances should the staff member consider extending the time limit. The relevant member of staff must inform the student in writing of the outcome.
- 4.6 The student must be kept informed by the department of the progress of their concern. Students who are concerned about a lack of progress should contact the Student Casework

team on studentcomplaints@soas.ac.uk who will then follow the matter up with the relevant Head of Department or Director of Professional Services.

- 4.7 If the informal resolution stage has not been completed within one calendar month, the Student Casework team will escalate the matter to the relevant Dean of College or Director of Professional Services.
- 4.8 Should the student be dissatisfied with the departmental response to their concern, they should consider making a formal complaint under stage 2 of this procedure.

Stage 2 - Investigation and Determination

- 4.9 Students who have not been able to resolve their concerns at stage 1, or where informal resolution is not appropriate, can submit a formal complaint at stage 2. The Student Casework team will complete a review and confirm the appropriate stage for the matter to be progressed under.
- 4.10 Formal complaints must be put in writing using the student complaints form via the Student Information Desk (SID) **within 20 working days** of the written stage 1 response or, if the matter is escalated directly to stage 2, **20 working days** of the event or circumstance giving rise to it. Formal complaints that are not submitted on the relevant form will not be considered.
- 4.11 In all complaints directly lodged at stage 2, the Student Casework team shall have discretion to refer the case back to stage 1 for informal resolution, where appropriate.
- 4.12 Students are encouraged to state their complaint in a clear, succinct and chronological order of events. All relevant evidence in support of the complaint, and the informal steps taken to resolve the matter, must be included.
- 4.13 On receipt of the complaint form, the Student Casework team will assess whether the complaint satisfies the conditions for a valid complaint and has been submitted by the correct deadlines. An acknowledgement will be sent by email **within 2 working days**.
- 4.14 The Student Casework team will normally only consider a complaint that has been lodged out of time if there is demonstrable and compelling evidence from the student that they were unable to submit the complaint within the correct deadlines.
- 4.15 The student will be notified in writing if a complaint is not accepted for any reason. The student will receive a 'completion of procedures' letter explaining the decision.
- 4.16 If deemed valid, the Student Casework team will allocate an investigator with no conflict of interest. This can be a member of the Student Casework team.

- 4.17 The investigator shall have discretion on how they conduct the investigation, subject to following the relevant guidance and this procedure. The complaints procedure is primarily paper based and the investigator has the discretion to decide whether a meeting with the student is necessary.
- 4.18 In line with section 7, a student may be accompanied to any meeting by a representative. A representative is present in a purely supportive capacity, and may not present evidence on behalf of the student, unless to allow them to do so would constitute a reasonable adjustment under the Equality Act 2010.
- 4.19 Where, after reasonable attempts, it proves impossible to schedule an arranged meeting with the student in attendance, the investigator may decide to continue in their absence.
- 4.20 Advice can be sought from the Student Casework team at any stage in the procedure by any party regarding the investigation process or any aspect of the procedure. Prior to deciding on a proposed resolution, the investigator must seek advice and guidance from the Student Casework team.
- 4.21 The investigator will normally complete the investigation and provide their determination in writing **within 25 working days** of the receipt of the stage 2 complaint to the Student Casework team. The decision will usually be within a report outlining how they carried out the investigation, what evidence they have considered, and whether they uphold, partly uphold or reject the matters raised in the complaint.
- 4.22 The Student Casework team will provide the student with an outcome letter detailing the premise of the decision normally **within 5 working days** of the receipt of the decision of the investigator.

Stage 3 - Review

- 4.23 A student dissatisfied with the outcome of the stage 2 investigation may request a review of the decision.
- 4.24 The grounds for a review are as follows:
- There was a failure to follow procedures at stages 1 or 2 or both, and this would have changed the result of the investigation
 - The stage 2 formal decision was clearly unreasonable, meaning that the decision could not have been reached by a rational person based on the evidence
 - New evidence which the student was unable, for valid reasons, to provide earlier in the process. The student will need to provide evidence of exceptional circumstances that prevented earlier disclosure.
- 4.25 A request for review must be made in writing using the stage 3 student complaint request for review form via the [Student Information Desk \(SID\)](#), with the student

stating under which of the above grounds they are requesting the review.

- 4.26 The request for review must be received by the Student Casework team **within 7 working days** of the student being sent the response to their complaint at stage 2.
- 4.27 On receiving the request, the Student Casework team will decide whether the review is valid, and has been submitted by the correct deadlines. An acknowledgement will be sent by email **within 2 working days**.
- 4.28 If the request is not deemed to be valid, the student will receive a 'completion of procedures' letter explaining the decision.
- 4.29 If, in the assessment of the Student Casework team, one or more grounds for review apply to the case, and the review has been submitted in time, a reviewer who has not previously been involved in stages 1 or 2 of the complaint will be appointed.
- 4.30 The purpose of conducting a stage 3 review is to consider whether the ground(s) relied on by the student has merit. Stage 3 will not normally involve a fresh, full investigation of the matters complained about.
- 4.31 The review may:
- Uphold the original stage 2 complaint investigation outcome i.e. dismiss the review
 - Propose an amendment to the resolution of the stage 2 investigation based on new evidence provided and/or after reviewing the case
 - Consider a full reinvestigation if it is deemed that serious procedural errors had occurred during the stage 2 investigation.
- 4.32 Following the review, the reviewer will draft a report of their conclusions and any recommendations. The report shall normally be provided to the student **within 20 working days** of submitting the review request.

5. Office of the Independent Adjudicator for Higher Education (OIA)

- 5.1 After the stage 3 outcome, the University's internal procedures are complete. The student has the right, if they so wish, to submit a request for the University's decision to be reviewed by the Office of the Independent Adjudicator for Higher Education (OIA). The OIA is an independent body that provides a scheme for the review of student complaints. In order to lodge a case with the OIA, the student should request a 'completion of procedures' letter from the University.

6. Support for students

- 6.1 The University recognises that raising a complaint can be stressful. Students who wish to do so can seek assistance from the Students' Union who can provide independent advice,

guidance and representation. The Student Advice and Wellbeing team is also available via studentadviceandwellbeing@soas.ac.uk to students who require its services, or signposting to external bodies.

7. Representation

- 7.1 A student may appoint another person to represent them in their complaint, for example, a Students' Union representative, a fellow student or a member of the SOAS wellbeing team.
- 7.2 The student should provide consent in writing to studentcomplaints@soas.ac.uk with the name and email address of the representative.
- 7.3 The student must ensure that their representative knows enough about their complaint, understands their wishes, can act in their best interests, and will endeavour to keep them fully informed throughout the process.
- 7.4 Students can amend and revoke their consent at any time. Where this is the case, it is the responsibility of the student to update the Student Casework team.
- 7.5 Legal representation is not required and will not be permitted.
- 7.6 The University reserves the right to unappoint a representative in exceptional circumstances where it deems that the representative is in breach of University policies, or is not acting in the student's best interests. In such a scenario, the University will advise the student of their right to appoint a fresh representative.

8. Group concerns or complaints

- 8.1 Where the issues raised in a complaint affect a number of students in a similar way, those students can submit a complaint as a 'group complaint'. The members of the group should nominate one student to act on their behalf as the group representative.
- 8.2 The University will normally deal with the representative only and expects the representative to liaise with the other students in the group.
- 8.3 The representative must provide the Student Casework team with:
 - Express written consent for the representative to deal with the complaint on their behalf
 - Evidence to demonstrate how each member of the group has been affected by the matter that is the subject of the complaint.
- 8.4 All evidence submitted to support the complaint must be agreed between the group representative and the members of the group and submitted at the outset, with the complaint form. The complaint form must be signed by the nominated representative and

submitted with a sheet (attached to the complaint form) which contains the names and signatures of all the complainants in the group. The University reserves the right to refuse to accept or to progress group complaints where it concludes that there is insufficient common ground between the members of the group (because, for example, the facts do not apply to all members of the group) and the complaint cannot reasonably be investigated collectively, or that the remedy sought is not appropriate for all members of the group. In these circumstances, separate complaints may be submitted and considered in respect of the relevant individuals.

- 8.5 Students who have not joined in the concern or complaint when it was raised will not normally be permitted to do so later.

9. Anonymous complaints

- 9.1 Normally, anonymous complaints will not be considered under this procedure. In exceptional circumstances, an anonymous complaint may be considered when the University concludes that there is a compelling case, supported by evidence, for the matter to be investigated and the investigation is not compromised by the anonymity of the complainant.

10. Confidentiality

- 10.1 Complaints will be handled with confidentiality and relevant information will be disclosed only to those who need it for the purposes of investigating/responding to the complaint or in terms of outcomes and recommendations issuing from the complaint.
- 10.2 A student making a complaint is expected to maintain confidentiality and to not disclose information concerning the complaint, or correspondence with the University, into the public domain, including on social media. Breaches of confidentiality by staff or students may lead to disciplinary action being taken.
- 10.3 Anonymised complaints data and themes will be collated each semester and analysed by relevant University committees to make enhancements in identified areas of the student experience.

11. Communication

- 11.1 Communication will be via SOAS email addresses (@soas.ac.uk) unless otherwise specified. The student should therefore ensure that they check their email account regularly during the consideration of their complaint.
- 11.2 Failure to engage with the student complaints process without good reason may result in the complaint being closed.

12. Disciplinary proceedings take precedence

- 12.1 Where disciplinary procedures have been commenced against the student or a member of staff which relate to the same or similar issues as those affecting the complaining student(s), the disciplinary procedure will take precedence over the Student Complaints Procedure. The student will be informed that their complaint will be dealt with via an alternative procedure.
- 12.2 The University expects all parties to the proceedings to lodge complaints or make representations in good faith and integrity, and to conduct themselves in a reasonable and fair manner towards other members. Students should act in accordance with the SOAS Code of Conduct.

13. Frivolous or vexatious complaints

- 13.1 No student will suffer any disadvantage or recrimination as the result of making a complaint in good faith. However, complaints that are found to be mischievous, malicious or vexatious may result in the student becoming subject to the Student Disciplinary Procedure. An allegation might be considered malicious if it were made publicly outside the proper channels set out in this procedure.
- 13.2 If the Student Casework team deem that the complaint is frivolous or vexatious, the University reserves the right to terminate its investigation. A complaint can be deemed vexatious or frivolous if it is:
- obsessive, harassing or repetitive
 - insistent on pursuing a non-meritorious complaint and/or seeking unrealistic, unreasonable outcomes
 - insistent on pursuing what may be a meritorious complaint in an unreasonable manner
 - designed to cause disruption or annoyance
 - demanding redress which lacks any serious purpose or value.

14. Equality and diversity

- 14.1 In operating this procedure, the University is committed to fulfilling its responsibilities under the Equality Act 2010. In order to ensure that students with disabilities are treated no less favourably than other students within this process, the University shall take positive steps including reasonable adjustments. Such adjustments can include permitting representatives to speak on behalf of the student or extending timescales for submitting complaints/requests for review. The decision to approve such adjustments shall be proportionate, and subject to approval by the Head of Student Casework.

15. Deadlines

- 15.1 The University endeavours to meet the timescales within the procedure. However, on occasions it reserves the right to vary the process it follows in the interests of fairness or to extend these deadlines in particularly busy periods or when there are circumstances beyond the University's control that inhibit it from investigating the allegation within the stated timescales.
- 15.2 The University will strive to complete the complaints process within 90 calendar days of the commencement of the formal stage (i.e. stage 2). Meeting the 90 calendar day timeframe requires students to engage with the procedure, meet University deadlines for the submission of materials, and/or attend meetings (where required) at each stage of the procedure.

16. Mediation

- 16.1 At any stage of the procedure, the University may recommend mediation to seek resolution, if appropriate. With both parties' agreement, this will take place and the complaints procedure will be suspended until the mediation is concluded. During the period of mediation, complaint time limits will be suspended. If the mediation fails to result in an acceptable resolution for all parties concerned, the complaints procedure will resume from the point reached when mediation was agreed.

17. Settlement of complaints

- 17.1 A settlement of a complaint can be reached at any stage of the procedure. If a student agrees a full and final settlement of the matters complained about, the complaint may not be escalated to any later stage of the procedure.