

# BSU Support: guidance on complaints relating to Covid 19.

BSU Support are an independent source of academic advice at Brighton University. We provide free, confidential and impartial support to all students, including advice on making complaints.

Below we have provided some impartial guidance below for students who feel they need to complain.

The Office for the Independent Adjudicator (OIA) [FAQ's](#) have some really useful information about what to expect in 2020/21 and refunds for tuition fees.

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#### **How can BSU Support assist me with making a complaint?**

We can't complete a complaints form for you or provide a template. You must write any complaint yourself based on your own specific circumstances.

However, don't worry. We are here to advise on how to write complaints, what you may want to consider, and writing a complaint need not take long. We are happy to check drafts.

If you would like support from an Advisor email us with your draft complaint and we'll respond via email with some feedback.

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## **Our step by step guide for addressing your Covid 19 related complaints**

### 1. Measuring the impact

Before considering any action, such as making a complaint, it is very important to consider whether your issue can be resolved quickly and simply or whether it is going to be an issue through the year. Either way it is important to log how your studies have been affected and to what extent. If you do need to make a complaint then this will form part of your evidence.

We advise that you keep a short note of each time your studies have been affected. This could be on a piece of paper, in your phone, or a spreadsheet.

You should record:

- The date
- The nature of the problem (e.g. timetable alterations at short notice or teaching cancelled)
- What was affected (e.g. seminar, lecture, revision session, supervision session, personal tutoring, placement, etc.)
- A short note of any concerns you have about how this could affect your studies (e.g. material might arise on an exam, or in coursework, tutoring needed for professional placement, etc.)
- If there is a financial cost then keep evidence of this. This could be wasted travel costs when the lecture is cancelled at short notice, for example.
- If you want a return of your tuition fees, take a look at what the Office of the Independent Adjudicator (OIA) has said. Their [FAQ's](#) have some really useful information about what to expect in 2020/21 and refunds for tuition fees.

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### 2. Should you wait until the academic year is over before considering a complaint, or seeking advice from us?

This very much depends on the nature of your concerns. If you have an issue that can be resolved quickly and easily, for example, you may need specific software licences to engage in your course fully, then the easiest way to resolve this is to speak to your [School](#), your [Course Leader](#) or your [SSGT](#).

If your concerns cannot be resolved quickly and simply at school level, you may wish to wait until the end of the semester or when the academic year has finished, when you can be clear about the full extent of the impact or loss. Alternatively, you can complain now for an early resolution.

In the meanwhile, ensure you are following step 1.

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### 3. What to expect this academic year and who to talk to if you have concerns

The University have said:

*“Our blended learning approach is designed to support students to be able demonstrate all the learning outcomes required by each of the individual modules that make up their course and the course overall. It does so through a combination of on-campus and remote learning that is flexed to meet the requirements of the course as is appropriate to different subject disciplines.”*  
(<https://www.brighton.ac.uk/about-us/news-and-events/coronavirus/faqs-for-brighton-students.aspx>)

If you have not heard from your School about how blended learning is being delivered, then you should contact your Course leader or Programme Administrator to ask. If you are struggling with your wellbeing, thinking about changing your course, or leaving the university, you should speak to your [Student Support & Guidance Tutor](#) (SSGT) in the first instance.

You do need to be realistic about what the university can do. For example, on-line teaching or placements may be rescheduled, additional guided reading or recordings of classes.

If any alternative arrangements do not meet your needs (i.e. as a disabled student) then you should make this clear to the School and ask what adjustments can be put in place. We'd also recommend that you speak with the [Disability and Dyslexia](#) team and revisit your [Learning Support Plan](#).

If you are not satisfied with the response (or you receive no response within a reasonable timeframe) then you should consider making a complaint.

#### 4. Are you the only person affected?

If you have had lectures cancelled or your studies have been affected in some other way, you are unlikely to be the only one in your cohort to be affected.

If this is the case, you can approach your [Course Rep](#) and seek a resolution through your School. We can help and support you to come together to make a complaint collectively. This is known as a group complaint.

The university may be more likely to be able to respond quickly and consistently to student complaints where students affected in the same way set out their concerns together.

**You do not have to complain collectively, you can also complain as individuals.**

All you have to do is speak to your classmates. If you agree that you would like to make a complaint together, nominate one person to act as the “lead complainant”. This person would:

1. Help collate any concerns and evidence from the group (see above)
2. Submit the complaint

3. Act as the main point of contact between the University, the group, and your SU Advisor, if you have one.
4. Follow the complaint through Stages 2, 3 and to the OIA if necessary (see below).

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#### 5. Raise a Stage 1 complaint - Early Resolution stage

**Former students are not required to use the Early Resolution stage and must submit their Stage 2 Formal Complaint within 60 calendar days of their withdrawal or last day of attendance at university.**

[You can find more information about the Complaints Policy here.](#)

The first step is to use the Early Resolution stage. This should normally be as soon as you become aware of the issue you wish to complain about. This can be the last event in a chain of events, and is not necessarily the first issue to arise.

For example, it is possible that you don't feel that you have been affected until a missed session is not rescheduled, or you receive your results or feedback.

This complaint should be written to your School Complaints Officer (SCO) and can take the form of an email. You should include:

- An explanation of your concerns.
- Your list of information as per step 1 above.
- How you feel your studies have been affected.
- Concerns about whether your assessments have been, or will be, affected. List your concerns and explain what has happened. For example, were deadlines made clear or extended sufficiently?
- Was any feedback not provided on time or yet to be provided?
- Were you not able to meet or contact supervisors?
- If there is any teaching or content set out in the course prospectus that will no longer be delivered you may wish to express your dissatisfaction at not receiving this if it was a significant factor in choosing your programme.
- If you are not happy with your school's attempt to mitigate the impact on your studies you could also mention this and explain why you think the steps they have taken are not enough.
- Refer to any evidence such as emails received from your school about cancellations of lessons or changes that have had to be made without notice.
- If you have any other evidence that relates to the impact or inconveniences caused, you should mention them. These may or may not include:
  - not feeling comfortable about safety measures.
  - Late cancellation or re-scheduling of teaching after travelling to university and incurring travel costs/inconvenience.
- You should clearly and realistically outline what you believe the School can do to resolve this issue.

Don't forget to attach any supporting evidence you have to your email.

If you want advice on your draft then we are happy to provide this. You would need to send a copy of the draft to [bsusupport@brighton.ac.uk](mailto:bsusupport@brighton.ac.uk)  
Please bear in mind that our normal response time is up to two working days. This can be longer during busy periods.

### What happens next?

The School Complaints Officer will work with you to resolve the matter. Where early resolution is not appropriate or possible within a timescale of 14 calendar days, you will be advised in writing to complete the Stage 2 Formal Student Complaint Form. You should submit the Stage 2 Formal Student Complaint Form as soon as possible and no later than 14 calendar days of the outcome of the Early resolution.

Once you have your outcome, if you remain dissatisfied or wish to seek compensation, then you will need to escalate the matter to Stage 2 of the process.

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## 6. Raising a Formal Complaint - Stage 2

If it has not been possible to reach an acceptable informal resolution during Stage 1, it is possible to begin a more formal process.

This allows for further and more structured investigation, and is described under Stage 2 of the Student Complaints Procedure.

In order for a complaint to be considered at Stage 2, you would need to complete the [Stage 2 Complaint Form](#). The [Complaints Guide for Students](#) includes information about where to send your stage 2 form as well as Who's Who.

This complaint form should be submitted within 14 days from the last correspondence which has left you dissatisfied.

The University will consider any requests for refunds of tuition fees, however, you will need to clearly demonstrate why the School's initial response is not satisfactory and/or the ongoing detriment to your studies.

Most students do not study at higher education providers purely to gain a qualification. Other things are important to them too, such as attending lectures and seminars led by academics.

You may wish to complain if a considerable amount of teaching time has been cancelled and:

- The learning outcomes modules are not or cannot be delivered in full
- Key elements of the Programme as promised before you started the course are not delivered

- Key elements of the course, or modules are not delivered to expected standards

In these instances, you may wish to request compensation. You would need to provide clear evidence of the above, similar to the informal stage of complaint.

Filling in the form:

**Details.** This is self-explanatory complete list all your details.

**Complaint summary.** You can submit your complaint as an individual or as a group complaint. If you are complaining on behalf of your cohort or programme you need to make clear it is a group complaint. When summarising your complaint you only need a brief description making clear what you are complaining about.

This is where you explain what happened and why you believe there has been a detrimental impact on your studies.

Stick to the point but include important information and any evidence.

If there are any other aspects of your student experience that have been affected due to the pandemic you would also mention this here.

**Previous Actions** – You should briefly summarise what you have done so far to try and resolve this complaint. This includes any informal efforts, such as correspondence with academic staff as well as your Stage 1 complaint.

**Your Preferred Outcome.** This is where you ask for exactly what you want. You should consider:

- If asking for additional or other learning opportunities, state clearly what you want. For example, do you want to be able to be offered the chance to receive key course content/opportunities from your module/programme that you missed? Are their equivalent learning opportunities you feel should be offered later? If so, make this clear and list any relevant module content.
- Do you want financial compensation or extra/different learning opportunities to make up for teaching lost and/or other contact that was lost?
- If asking for financial compensation, a good starting point could be to work out from the fees paid for the term, how much you may have paid for the module(s) affected etc. You could then factor in any measures taken by your department to reduce the impact before deciding what amount you consider to be appropriate compensation. You may also wish to consider if you have evidence of any unexpected additional costs incurred and/or the measures taken by the university to reduce the impact.
- For any amount you request, you should consider then reducing this number by 50% to take into account that higher education providers have to provide and maintain buildings, IT and library facilities, wellbeing and other student support and administration. This is the approach taken by the OIA when awarding compensation/fee refunds for industrial action.

**Student Declaration and Checklist.** This section is self-explanatory.

**Submitting the Complaints Form.** The complaints form along with any accompanying evidence should to be submitted to [complaints@brighton.ac.uk](mailto:complaints@brighton.ac.uk).

**What happens next.** Your complaint should be acknowledged and you can expect an outcome within 90 days of submission of your stage 2 complaint form. If you do not receive a response within this timeframe you may wish to email to ask for an update on your complaint.

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### 7. University level review (Stage 3)

If you receive a response and remain dissatisfied, then there is a further stage. You would need to demonstrate that either:

- a. proper procedures were not followed
- b. the outcome was unreasonable
- c. new material evidence has come to light which you were unable for valid reason to provide earlier in the process

If you require advice about this, you would need to contact us.

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### The Office for the Independent Adjudicator (OIA)

After Stage 3 your complaint will have “exhausted” the internal complaints procedure at Brighton University.

If you remain dissatisfied with the university’s response, you can, at this stage, take the matter to the Higher Education ombudsman, the Office for the Independent Adjudicator (OIA). You would have 12 months to do so.

The OIA have their own [Complaint Form](#) which you can find on their website. You can complaint to the OIA as a group.

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### I want a refund of my tuition fees/compensation

You can submit a complaint to request a refund of fees, or for compensation. However, you should bear in mind that the university have taken steps to mitigate the effects to your studies.

It is unlikely that students will receive a refund of their tuition fees where adequate and reasonable steps have been taken to provide blended learning opportunities. If this has not happened, if you are still not receiving the tuition, contact time, learning opportunities or resources you were promised, then you will need to follow the process we have outlined in our step by step guide above.

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## **My School are rearranging teaching, but the rearrangements are not accessible to me as a disabled student**

If any alternative arrangements do not meet your needs as a disabled student then you should make this clear to the School as soon as possible and ask what adjustments can be put in place to make your learning successful.

If you are not satisfied with the outcome or feel you have been disproportionately impacted then consider raising a complaint following the above guidance.

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## **Useful sources of information**

BSU Support's FAQ and information on [No Detriment can be found here.](#)

Office of the Independent Adjudicator for Higher Education (OIA) – Briefing note on Complaints arising from Coronavirus can be found [Briefing note on Complaints arising from Coronavirus can be found here.](#)

Office for Students Guidance on [Consumer Protection during the pandemic can be found here.](#)

We hope you will have found this guide useful and we welcome your comments - please [email us](#) your feedback.



