

Ordinance XXXVIII

IMPORTANT: This is an archived version of this ordinance, and parts of it may not apply to current practice.

Student Grievance Procedures

(Version effective from 27 March 1996 to 3 October 2004)

Purpose

1. The aim of this Ordinance is to settle or redress individual grievances promptly, fairly and so far as may be, within the relevant department, section or other area of the University by methods acceptable to all parties.

Application

2. The grievances to which this Ordinance applies are ones by students of the University concerning services provided by the University, including grievances concerning information provided by the University in its prospectus, where those grievances relate:
 - (a) to matters affecting themselves as individuals; or
 - (b) to matters affecting their personal dealings or relationships with staff or other students of the University,

not being matters for which express provision is made elsewhere in the Statutes, Ordinances or Regulations of the University.

Exclusions and Informal Procedures

- 3.(i) If other remedies within the relevant department, section or other area have been exhausted the student may raise the matter with the Head of the relevant department, section or other area.
- 3.(ii) If the student is dissatisfied with the result of an approach under sub-paragraph (i), or if the grievance directly concerns the Head of the relevant department, section or other area, the student may apply in writing, normally within three months of the matter affecting him or her, to the Dean of the Faculty within which the department is located or, in the case of central University services, to the Registrar for redress of the grievance.
- 3.(iii) If it appears to the Dean or the Registrar that the grievance is trivial or invalid, he/she may dismiss it summarily, or take no action upon it. If it so appears to the Dean or the Registrar he/she shall inform the student in writing accordingly.

- 3.(iv) If the Dean or the Registrar does not reject the complaint under sub-paragraph (iii), he/she shall cause the matter to be investigated and decide whether it would be appropriate, having regard to the interests of justice and fairness, for him/her to seek to dispose of it informally. If he/she so decides, he/she shall notify the student in writing and proceed accordingly.

Student Grievance Committee Procedure

4. If the grievance has not been disposed of informally under paragraph 3(iv), the Dean or the Registrar shall refer the matter to the Student Grievance Committee for consideration and inform the student in writing of this course of action.
5. The Student Grievance Committee to be appointed by the Council shall comprise:
- (a)
a Chair, who shall be a member of the Council;
 - (b)
one member of the Council not being a person employed by the University;
 - (c)
one member of the academic staff nominated by the Senate;
 - (d)
a member of the academic-related staff nominated by the Vice-Chancellor;
 - (e)
a student member of the University elected by the Loughborough Students' Union Council.

Procedure in connection with Determinations; and Right to Representation

6. The procedure in connection with the consideration and determination of student grievances shall be determined in Ordinances in such a way as to ensure that the aggrieved person and any person against whom the grievance lies shall have the right to be heard at a hearing and to be accompanied by a member of the University or an employee of Loughborough Students' Union.

Notification of Decisions

7. The Student Grievance Committee shall decide whether the grievance is or is not well-founded and if it is well-founded shall make arrangements for the redress of the grievance as it sees fit. The decision of the Committee shall be final. The Committee

shall report on its findings to the Council.

(remade March 1996)

ANNEX to Ordinance XXXVIII

Procedure for the Consideration and Determination of matters raised under Ordinance XXXVIII (Student Grievance Procedures)

1.

A Student Grievance Committee to consider and determine grievances raised by students of the University shall be appointed by Council and shall comprise:

(a)

a Chair, who shall be a member of the Council;

(b)

one member of the Council not being a person employed by the University;

(c)

one member of the academic staff nominated by the Senate;

(d)

one member of the academic-related staff nominated by the Vice-Chancellor;

(e)

one student member of the University elected by the Loughborough Students' Union Council.

Members of the Student Grievance Committee shall be appointed annually and shall be eligible for re-appointment. Council shall appoint one alternate of each member of the Student Grievance Committee. Alternates shall hear grievances if a member of the Student Grievance Committee has been directly connected with the case in question.

2.

When a matter has been referred to the Student Grievance Committee by a Dean or the Registrar, the student who raised the grievance shall supply a written statement of the grievance to the Dean or the Registrar as the case may be.

3.

The Dean or the Registrar shall send copies of the written statement to any person against whom the grievance lies, and/or in the case of a complaint concerning services to the Head of the department, section or other area responsible for providing those services, and shall invite a written response within a period of 10 working days.

4.

Once the time limit in 3 above has elapsed the Dean or the Registrar shall send copies of the grievance statement and any response to the Student Grievance Committee and to the student who raised the grievance. The Student Grievance Committee will meet no earlier than 10 working days after these statements are sent.

5.

When the Student Grievance Committee meets, the student who raised the grievance shall have the right to be heard at the hearing and to be accompanied by a member of the University or an employee of Loughborough Students' Union. Any person against whom the grievance lies, and/or in the case of a complaint concerning services the Head of the department, section or other areas responsible for providing those services, shall also have the right to attend and be heard at any meeting of the Student Grievance Committee and to be accompanied by another member of the University. If the student fails to attend on the appointed day at the appointed time, the Student Grievance Committee may proceed to deal with the case in the student's absence.

6.

The Student Grievance Committee shall be able to suspend its hearing to seek additional information and shall give all parties at least 5 working days notice of its further sittings. All parties to the grievance shall be entitled to attend any meetings of the Committee at which witnesses are present or evidence heard.

7.

The Student Grievance Committee shall at its absolute discretion decide on all matters of procedure and evidence, and shall give such rulings and direction as are necessary for the efficient and effective conduct of the hearing.

8.

A member of the administrative staff of the University, not having had previous involvement with the case in question nor being part of the department, section or area involved, shall be appointed by the Registrar to attend each meeting to provide secretarial and administrative support. A record of the proceedings will be kept and made available to all parties.

9.

Upon the conclusion of its hearings the Student Grievance Committee shall meet in private to reach an outcome. A majority opinion will be conclusive.

10.

The Student Grievance Committee shall decide whether the grievance is or is not well-found and if it is well-found shall make arrangements for the redress of the grievance as it sees fit. The decision of the Committee shall be final and shall be notified to all parties to the grievance in writing within 5 working days of the completion of the hearings. The Committee shall report on its findings to the Council.

(remade March 1996)