

**GENERAL REGULATIONS 2:  
STUDENT COMPLAINTS PROCEDURE**

**2011-2012**

## INDEX

<b>1. Introduction</b>	<b>3</b>
• Purpose	3
<b>2. Overview of the Student Complaints Procedure</b>	<b>3</b>
• Scope	3
• Disability and Specific Learning Differences	4
• Time Limit	4
• Representation/Accompaniment	4
• Fabricated or Malicious Complaints	4
• Mediation	4
• Multi issue complaints	5
<b>3. Local Resolution of Complaints</b>	<b>5</b>
<b>4. Stage 1 Complaint</b>	<b>5</b>
• Submission of a Stage 1 Complaint	5
• Outcome of the Stage 1 Investigation	6
<b>5. Stage 2 Complaint</b>	<b>6</b>
• Submission of a Stage 2 Complaint	6
• Stage 2 Review	7
• Outcome of a Stage 2 Review	8
<b>6. Stage 3 – Complaint Appeal Committee</b>	<b>8</b>
• Submission of Appeal	8
• Review of Appeal	9
• Complaint Appeal Committee	10
• Proceedings for the Complaint Appeal Committee	10
• Notification of Outcome	11
<b>7. Referral to the Office of the Independent Adjudicator (OIA)</b>	<b>11</b>
<b>Appendix A - Glossary of terms</b>	<b>12</b>
<b>Appendix B - Flowchart for Student Complaints Procedure</b>	<b>14</b>
<b>Appendix C - Flowchart of Stage 1 Process</b>	<b>15</b>
<b>Appendix D - Flowchart of Stage 2 Process</b>	<b>16</b>
<b>Appendix E - Flowchart of Appeal Process</b>	<b>17</b>
<b>Appendix F - Guidance for students – Making a complaint</b>	<b>18</b>
<b>Appendix G - Exclusions from the Student Complaints Procedure</b>	<b>23</b>
<b>Appendix H - Guidance for staff – Handling complaints</b>	<b>24</b>
<b>Appendix I - Guidance for staff – Stage 1 investigations</b>	<b>26</b>
<b>Appendix J - Guidance for staff – Stage 2 review</b>	<b>27</b>
<b>Appendix K - Good practice for investigations</b>	<b>28</b>
<b>Appendix L - Guidance for staff &amp; students – Appeal Committees</b>	<b>30</b>
<b>Appendix M - Support and guidance for investigators</b>	<b>31</b>
<b>Appendix N - Support and guidance for other staff involved in the Student Complaints Procedure</b>	<b>32</b>
<b>Appendix O - Faculty/Departmental Complaint Co-ordinators</b>	<b>33</b>

## **1. INTRODUCTION**

### **Purpose**

1.1 The Student Complaints Procedure provides a process for students to raise complaints about service provision and course delivery should there be a shortfall in the level of service advertised or communicated. It also provides a mechanism for students to raise complaints about the inappropriate conduct of staff members. This procedure has been established to consider legitimate complaints from students in a fair, efficient and timely manner.

1.2 Kingston University is committed to the fair and equal treatment of all individuals regardless of race, sex, disability, age, socio-economic category, sexual orientation, religion or belief. We wish to create a positive, inclusive and diverse working, learning and social environment, free from unfair discrimination, prejudice, intimidation and all forms of harassment (Single Equality Scheme 2010).

1.3 The Student Complaints Procedure constitutes a source of student feedback on the operation of services/facilities and application of procedures. This provides an important contribution to the enhancement of University procedures and services and improvement of the student experience.

1.4 Full guidance on the Student Complaints Procedure can be found in the Guidance Notes (see Appendices A-O). The relevant guidance notes must be read in conjunction with this procedure.

## **2. Overview of the Student Complaints Procedure**

2.1 The Student Complaints Procedure has three stages:

- Stage 1 – Faculty/Departmental investigation by a Complaint Co-ordinator or nominated manager
- Stage 2 – Student Affairs/Human Resources review
- Stage 3 – Complaint Appeal Committee

Students are expected and encouraged to raise complaints locally as soon as they arise (see 3) in order that an appropriate resolution can be found. If this does not resolve the complaint, students are expected to raise complaints at Stage 1.

### **Scope**

2.2 The following areas will be considered under this procedure:

- Complaints about the delivery of courses and related services if these are unable to be resolved by the relevant Staff and Student Consultative Committee;
- Complaints regarding service delivery of administrative or support services, including Halls of Residence;
- Failure to meet obligations including those outlined in course/student handbooks and other correspondence from the University;

- Misleading or incorrect information in prospectuses or promotional material and other university publications;
- Reporting of faults (e.g. University equipment) which have not been rectified by the department responsible within a reasonable time frame;
- Complaints concerning discrimination, victimisation, harassment and bullying;
- Complaints about staff conduct (as articulated in the relevant Human Resources procedures).

2.3 A list of issues not covered under this procedure can be found at appendix G.

### **Disability and Specific Learning Differences**

2.4 Students with a disability or specific learning difference can request reasonable adjustments at any stage of the Student Complaints Procedure to assist them in making a complaint.

### **Time Limit**

2.5 Stage 1 complaints must normally be made ***within 20 working days*** of the incident which has caused the student(s) to complain. Complaints will only be considered after this timescale in exceptional circumstances.

### **Representation/Accompaniment (see Glossary at Appendix A)**

2.6 A student may wish to seek advice from KUSU when making a complaint and may be accompanied by a friend, family member, staff member of the Students' Union or Trade Union representative at meetings relating to his/her complaint.

2.7 As the Student Complaints Procedure is an internal process for raising and resolving complaints, representation by a third party is not considered appropriate. Representation by a friend or family member will only be permitted where there is a valid reason (e.g. ill-health and disability) and advice may be sought from the Disability and Dyslexia Support Service. In such circumstances where representation has been requested and agreed by the person responsible for the complaint investigation at that stage (i.e. Complaint Co-ordinator, Nominated Manager, Student Affairs, Human Resources), the student must provide his/her signed written consent to this effect before any investigation can commence. Legal representation or accompaniment will not be permitted under any circumstances. Should a student wish to take legal action, any complaint investigation will be suspended. Any legal correspondence should be addressed to the University's Legal Advisor.

### **Fabricated or Malicious Complaints**

2.8 Any student(s) suspected of submitting a fabricated or malicious complaint will be subject to an investigation under the University's Student Disciplinary Procedure.

### **Mediation**

2.9 Mediation can be requested by either the student complainant, a staff member or it can be suggested by the Student Affairs Office or Human Resources (HR) at

any stage of the Student Complaints Procedure or as part of a local resolution suggested by a Faculty or Department. As it is a voluntary process, all parties must be willing to participate in mediation. A request for mediation by a student should be made to the Student Affairs Office. Requests for mediation by staff members should be directed to HR. If mediation is agreed to, all parties are expected to make themselves available within a reasonable timescale and normally within 2 weeks. If any of the parties are not available to participate in mediation within this time frame, it may be necessary to revert to the Student Complaints Procedure. The Student Complaints Procedure should normally be suspended whilst mediation is underway. Should mediation not be successful in resolving the complaint within a reasonable timescale then the relevant stage of the Student Complaints Procedure shall be activated. Further information on the Mediation Scheme can be found on StudentSpace.

### **Multi issue complaints (see appendix F)**

2.10 In circumstances where a student's complaint covers issues that fall within the remit of other procedures such as the Academic Appeals Procedure or where the complaint covers issues of service delivery as well as the conduct of an individual member of staff, investigations will normally be conducted collaboratively by the respective departments where possible.

## **3. Local resolution of complaints (see appendix H)**

3.1 Complaints and concerns will often be raised locally in the first instance. Complaints can be raised verbally or in writing at this stage. Wherever possible, local resolution should be sought by relevant staff as soon as issues arise. Students are advised to raise concerns with the person directly responsible for the delivery of a service or with the line manager if the complaint is about the conduct of a member of staff. While local resolution is being sought, staff are expected to acknowledge receipt of the complaint in writing and provide an anticipated time frame for a response. This should be reasonable and the student should be kept updated on progress.

3.2 Upon receipt of a complaint staff will make enquiries about the issue and respond to the student as quickly as possible. If the staff member becomes aware at this stage that a full investigation may be required due to the complexity or seriousness of the issues raised, the student may be advised to submit a Stage 1 complaint.

## **4. STAGE 1 (see appendices C, F, I, K)**

### **Submission of a Stage 1 Complaint**

4.1 If a complaint has not been resolved to the student's satisfaction via the local channels or mediation, a written Stage 1 complaint should be submitted. Complaints concerning service delivery should be submitted to the relevant Faculty/Department Complaint Co-ordinator. Complaints concerning the conduct of a member of staff should be submitted to the Dean of the Faculty or Head of Department who will appoint a nominated manager to investigate. Complaints must normally be submitted **within 20 working days** (see 2.5 above). All relevant supporting documentation

should be submitted at this stage. If the complaint is about the Dean or Head of Department, the complaint should be submitted to the Vice-Chancellor who will nominate a member of Executive Board to conduct the investigation.

4.2 If the complaint has been submitted out of time and no acceptable grounds for the late submission have been presented, the complaint will be dismissed as out of time. A Completion of Procedures letter will be issued to the student by the Complaint Co-ordinator or Dean/Head of Department as appropriate.

4.3 If the Stage 1 complaint is accepted, the Complaint Co-ordinator or nominated manager will normally complete the investigation *within 15 working days* of receipt of the complaint.

### **Outcome of a Stage 1 Investigation**

4.4 Following the completion of the investigation, the Complaint Co-ordinator or nominated manager may decide to uphold the complaint in part, in full or to dismiss it. As part of the resolution, the Complaint Co-ordinator or nominated manager may recommend one or more of the following courses of action in addition to any other resolution considered appropriate:

- An apology to the student;
- Payment/refund of any costs incurred by the student;
- An ex-gratia payment to take account of any inconvenience;
- Request that the relevant policy/procedure is revised.

4.5 The relevant Faculty/Department will implement recommendations (including payments/refunds) arising from this Stage. The Faculty/Department will maintain a record of the investigation and outcome to be included in the Annual Report on Student Complaints. Any payments due to the student will normally be paid within 20 working days of acceptance of the offer.

4.6 Outcomes of complaint investigations concerning staff conduct will be copied to the Dean/Director of Department. If any disciplinary or remedial action is required, this will be conducted in accordance with the appropriate staff procedures in consultation with Human Resources.

## **5. STAGE 2 (see appendices D, F, J, K)**

### **Submission of a Stage 2 Complaint**

5.1 A Stage 2 complaint may be submitted if a student has reason to believe that the Stage 1 response is unreasonable or that there has been some failure in the Stage 1 investigation. A Stage 2 complaint should be made in writing to the Student Affairs Office if the complaint relates to the delivery of a service and to Human Resources if the complaint relates to staff conduct.

5.2 Stage 2 of the Student Complaints Procedure is intended to act as a review of the investigation conducted at Stage 1 and it should not be necessary to re-investigate all aspects of the Stage 1 complaint.

5.3 The following documentation must be submitted at Stage 2:

- The Stage 1 complaint letter (including all supporting documentation submitted at Stage 1);
- The Stage 1 outcome from the Faculty/department;
- A letter outlining why the student considers the Stage 1 outcome to be unreasonable or why they consider that there was a failure in the Stage 1 investigation and the suggested outcome for resolving the complaint.

5.4 It should not be necessary to submit any new supporting documentation at this stage. If additional documentation is required at Stage 2, this will be requested by the staff member responsible for reviewing the complaint.

5.5 The documentation above should be submitted as soon as possible and normally *within 10 working days* of the date of the Stage 1 outcome.

5.6 The Student Affairs Office/Human Resources will acknowledge receipt of the complaint in writing normally *within 5 working days*.

5.7 Complaints submitted after the time period above will not normally be considered. The decision of the Student Affairs Office or Human Resources is final. A Completion of Procedures letter will be issued at Stage 2 if the complaint is considered to be out of time.

5.8 Should the complaint be about the Student Affairs Office then the Director of Student Services and Administration, or his/her nominee, will carry out the investigation. If the Director of Student Services and Administration is the subject of the complaint then the matter should be referred to the Vice-Chancellor requesting that another senior manager be appointed to investigate.

## **Stage 2 Review**

5.9 Upon receipt of a Stage 2 complaint, the complaint and previous documentation will be reviewed. For complaints about service delivery this will be undertaken by the Student Affairs Office. For complaints about staff conduct it will be undertaken by Human Resources who will appoint an independent investigator if the complaint is accepted at Stage 2.

5.10 Should the Student Affairs Office/Human Resources determine that a complaint has not been addressed at Stage 1, written notification will be sent to the student and the complaint will be forwarded to the appropriate Complaint Co-ordinator, Dean or Head of Department.

5.11 If it is determined that the complaint falls within Stage 2 of this procedure the Student Affairs Office/Human Resources investigator will liaise with the Faculty/Department during the Stage 2 review and seek clarification from the student and staff as required.

5.12 Where a review at Stage 2 reveals that the Stage 1 response may have been unreasonable and there is evidence to support this, further investigation at Stage 2 may be required.

5.13 Faculties/Departments are expected to comply with the timescales stipulated by the Student Affairs Office/Human Resources investigator for receipt of information and documentation relating to the complaint. The timescales will be those necessary to ensure that the review can be completed within 20 working days. If a Faculty/Department can demonstrate valid reasons why it is unable to meet the stipulated deadline then a revised timescale may be agreed.

### **Outcome of a Stage 2 Review**

5.14 Upon completion of the review the Student Affairs Office/Human Resources investigator will issue a report of its findings. This will normally be *within 20 working days* of receipt of the complaint. Where a longer time scale is required, the student will be advised accordingly.

5.15 The Student Affairs Office/Human Resources investigator may uphold the complaint in part, in full or may dismiss the complaint. An upheld complaint may result in one or more of the following outcomes or any other resolution considered appropriate:

- An apology to the student;
- Payment/refund of any costs incurred by the student;
- An ex-gratia payment to take account of any inconvenience;
- Request that the relevant Faculty/Department revise a policy/procedure.

5.16 Outcomes of Stage 2 reviews concerning staff conduct will be copied to the Dean/Director of Department. If any disciplinary or remedial action is required, this will be conducted in accordance with the appropriate staff procedures in consultation with Human Resources.

5.17 Faculties/Departments will comply with the findings of the review and implement any recommendations made. Instances of non-compliance will be reported via the Deputy Director of Student Services and Administration for service delivery complaints or via Human Resources for staff conduct complaints to the Dean of the Faculty and/or Departmental head.

5.18 Any payments due will normally be paid within 20 working days of acceptance of the offer.

## **6. STAGE 3 - COMPLAINT APPEAL COMMITTEE (see appendices E, L)**

### **Submission of Appeal**

6.1 A student may only appeal against a Stage 2 outcome if one or more of the following grounds are met:

- There were procedural irregularities in the Stage 2 review;

- Based on the available evidence at the time, the outcome is perverse (i.e. the outcome is grossly inconsistent with the evidence presented);
- New information that the University Secretary's Department considers relevant and that could not have been made available earlier. This may result in a referral back to Stage 2 of the process for further consideration.

6.2 Dissatisfaction with the outcome of Stage 2 does not constitute grounds for appeal. If the appeal does not relate to one or more of the stated grounds then it shall be dismissed by the University Secretary's Department.

6.3 Any appeal against a Stage 2 outcome should be made in writing and submitted to the University Secretary at River House, Kingston University, 53-57 High St, Kingston-upon-Thames, KT1 1LQ

6.4 Completed documentation must be submitted *within 10 working days* of the date of the Stage 2 outcome. Appeals submitted after this time period will not normally be considered. Any request for an extension must be made to the University Secretary.

6.5 The following information must be submitted with an appeal:

- A letter of appeal citing the grounds for appeal and the reasons they are relevant;
- The preferred outcome in resolution of the complaint;
- A copy of the Stage 2 outcome.

6.6 Additional documentation will only be considered at the appeal stage if it has been submitted as new evidence which could not have been submitted at an earlier stage (see 6.1). Additional documentation or evidence that could have been submitted at an earlier stage will not be considered.

### **Review of Appeal**

6.7 On receipt of the letter of appeal, the University Secretary shall determine whether the appeal relates to one or more grounds for appeal. His/her decision on such matters is final.

6.8 If the University Secretary considers that the complaint warrants further consideration at Stage 2 the matter will be referred back to Student Affairs or Human Resources with details of the areas requiring further consideration.

6.9 Written notification of the University Secretary's review should normally be given *within 10 working days* of receipt of the letter of appeal.

6.10 A Completion of Procedures letter will be issued if the appeal will not be considered due to its not falling within the acceptable grounds for appeal.

## **Complaint Appeal Committee**

6.11 A Complaint Appeal Committee will be convened for valid appeals. The Committee will normally meet within *30 working days* of receipt of the appeal. The University Secretary will act as Clerk to the Committee advising on procedural matters. The following documentation will be considered by the Appeal Committee:

- Stage 1 complaint, including any supporting evidence;
- Stage 1 outcome;
- Stage 2 complaint;
- Stage 2 outcome;
- Letter of appeal;
- Written response to appeal from Student Affairs/Human Resources investigator.

6.12 All documentation to be considered will be circulated to the Complaint Appeal Committee, the student and Student Affairs/Human Resources by the University Secretary's Department not less than 5 working days before the Committee meets.

6.13 The Complaint Appeal Committee will consist of three neutral persons who will have had no previous exposure to the facts of the case and will be from a different Faculty/Department from the student and/or where the complaint originated:

- A Senior member of Staff (as Chair);
- A representative of the Students' Union;
- A member of academic staff of senior grade or a manager of professional grade, who may also be a Complaint Co-ordinator.

## **Proceedings for the Complaint Appeal Committee**

6.14 The Complaint Appeal Committee will consider the grounds for appeal and will seek further clarification from the student and Student Affairs/Human Resources investigator as appropriate. If a party to the appeal does not attend the Committee meeting and has not notified the Clerk of their absence, the Committee may proceed to consider the appeal. The decision of the Committee to proceed will be final.

6.15 The Complaint Appeal Committee may seek clarification regarding the desired outcome as per the student's letter of appeal and may seek clarification of the rationale for the outcome at Stage 2 with the Student Affairs Office/Human Resources.

6.16 The Complaint Appeal Committee will consider its recommendations in private. At the end of the deliberations, the Committee can make the following recommendations to the Vice-Chancellor:

- Uphold the appeal in full or in part and, if appropriate, make recommendations to the Vice-Chancellor regarding resolution of the complaint. This may include remedies to prevent a recurrence of such events;
- Dismiss the appeal;

## **Notification of Outcome**

6.17 The student will be sent written notification of the Vice-Chancellor's decision normally within *10 working days* of receipt of the Committee recommendations. If the appeal has been dismissed, a Completion of Procedures letter will be included.

6.18 Faculties/Departments will be expected to comply with any approved action to resolve the complaint. This may include the requirement to submit an action plan to the University Secretary's Department outlining its response to the complaint resolution.

6.19 Any failure to comply shall be referred to the Pro-Vice Chancellor by the University Secretary.

6.20 Payment due to the student should be paid by the relevant Faculty/Department normally *within 20 working days* of the offer being accepted by the student.

6.21 If a student rejects an offer made in resolution of their complaint, or has not responded within the stipulated time scale, a Completion of Procedures letter will be issued stating whether or not the University is willing to keep the offer open in the event that the complaint is referred to the Office of the Independent Adjudicator (OIA) for consideration.

## **7. REFERRAL TO THE OFFICE OF THE INDEPENDENT ADJUDICATOR (OIA)**

7.1 A student will be provided with a Completion of Procedures letter when all relevant stages of this procedure have been exhausted. The Completion of Procedures letter will normally be issued by the University Secretary's Department following submission of an appeal. In respect of complaints that have been submitted out of time under this procedure, the Completion of Procedures letter will be issued by the department responsible for considering the complaint at stage 1 or stage 2 as appropriate.

7.2 Any referral to the OIA needs to be made *within three months* of the date of the Completion of Procedures letter and must be accompanied by a copy of the letter. Further information on the process for referring a complaint to the OIA is available from the Student Affairs Office, the University Secretary's department or the OIA website, [www.oiahe.org.uk](http://www.oiahe.org.uk).

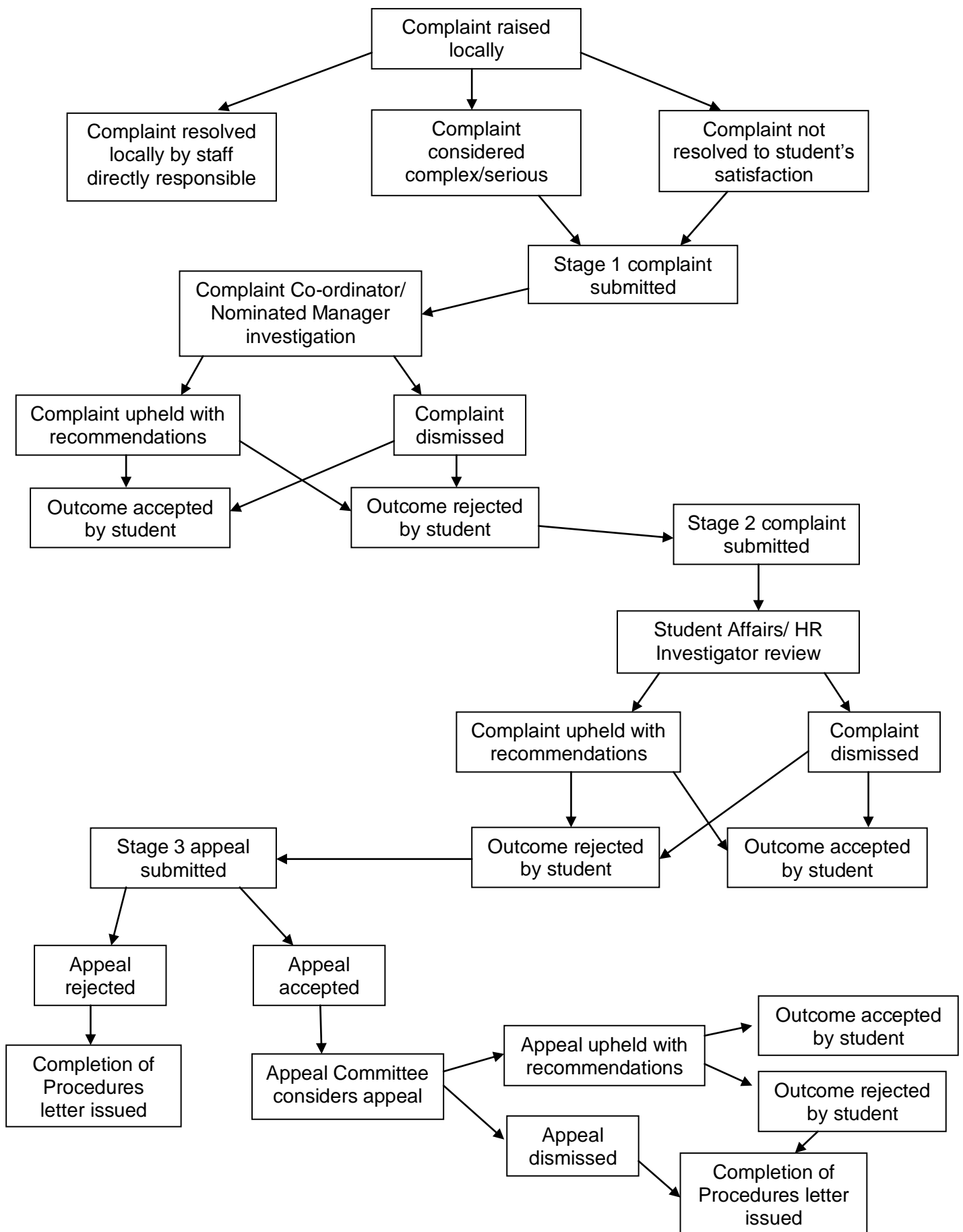
## Appendix A – Glossary of Terms

For the purposes of the Student Complaints Procedure, the following expressions have the meanings indicated

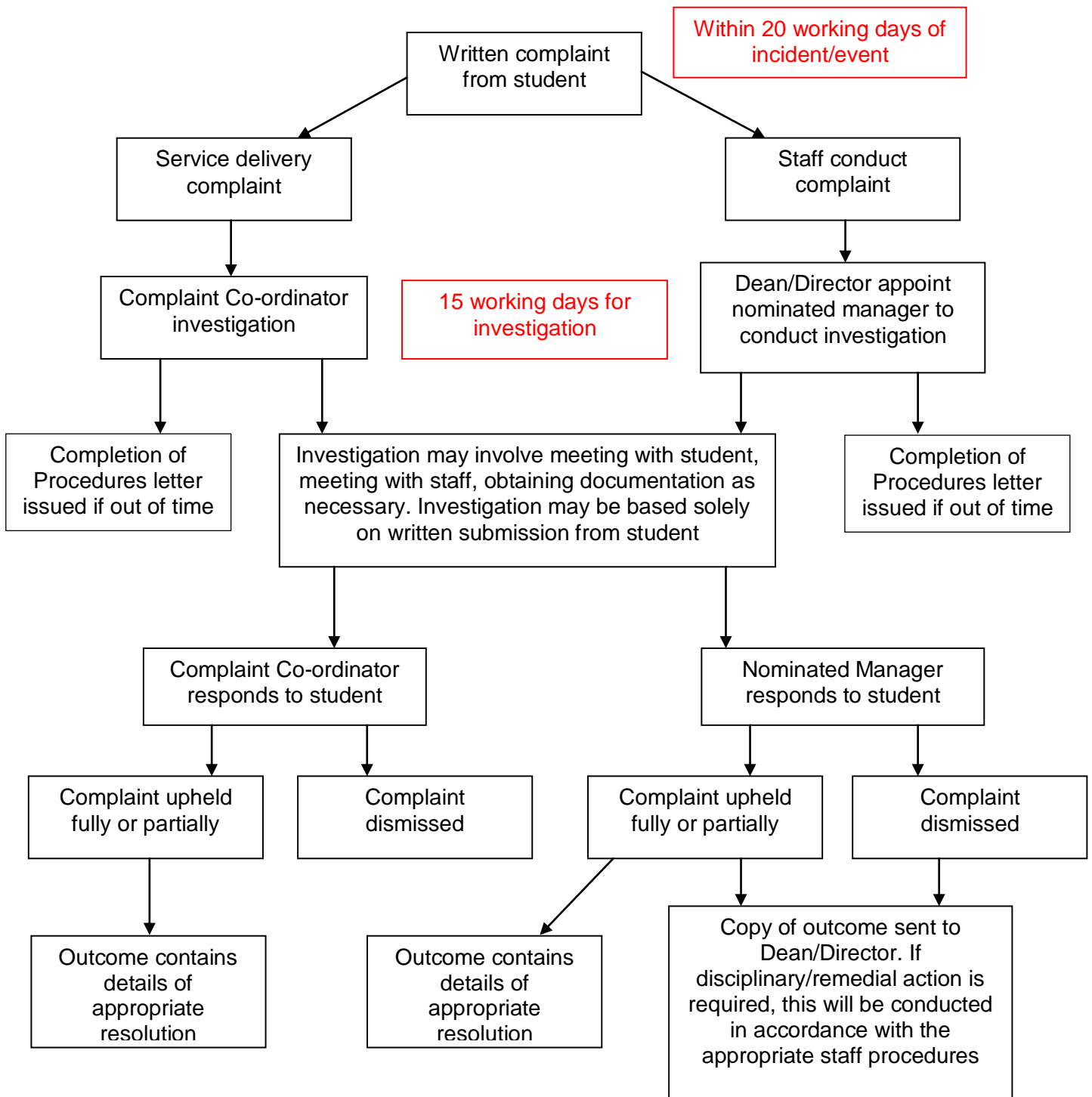
<b>EXPRESSION</b>	<b>MEANING</b>
<b>Workings Days</b>	University working days (Monday – Friday)
<b>Staff</b>	Members of staff including staff of the Kingston University Service Company (KUSCO) or any other wholly owned subsidiary company of the University
<b>Vice-Chancellor</b>	Vice-Chancellor or such other person designated to act on his/her behalf by the Vice-Chancellor
<b>University Secretary</b>	University Secretary or any person designated by him/her in fulfilling the role and responsibilities assigned to the post in this procedure
<b>Student Affairs Office</b>	The Head of Student Affairs Office, the Student Affairs Advisor or any other member of staff as may be designated by the Deputy Director of Student Services and Administration
<b>Representative of the Students' Union</b>	President of Kingston University Students' Union (KUSU) or other student officer of KUSU as may be designated by the President of KUSU
<b>Human Resources</b>	The designated Human Resources (HR) representative for the Faculty/Department or other Human Resources representative as nominated by the Director of Human Resources
<b>Complaint Co-ordinator</b>	Faculty or Department nominated representative to respond to complaints or the nominated Deputy
<b>KUSU support and advice</b>	Support provided by a staff member of KUSU who can accompany a student at meetings
<b>Trade Unions and professional associations</b>	University and College Union (UCU), Royal College of Nursing (RCN), Royal College of Midwives (RCM) and UNISON
<b>Friend/Family member</b>	A person who accompanies a student to provide support. The person will not act as advocate for the student and would not normally be expected to speak on their behalf. A legal representative is not permitted to attend as a friend or family member
<b>Accompaniment</b>	Students have the right to be accompanied by a friend, family member or KUSU staff member. The accompanying person can address the hearing, confer with the individual and ask but not answer questions on behalf of the individual unless agreed by the chair of the meeting
<b>Representation</b>	Someone formally nominated by the student to make their case on their behalf. Normally only agreed in exceptional circumstances when there is valid reason why the student cannot represent themselves

<b>Mediation</b>	An alternative form of conflict resolution designed to find a constructive solution to a situation without apportioning blame. Useful for restoring effective and professional working relationships. Involves trained impartial individuals bringing the two or more conflicting parties together and facilitating a constructive dialogue between those parties
<b>Discrimination</b>	Direct discrimination is defined as treating one person less favourably than another person because of their actual or perceived age, sex, race, disability, religion or belief or sexual orientation
<b>Victimisation</b>	Occurs when a person is treated less favourably because they have made a complaint, have supported someone who has made a complaint or are believed to have made a complaint. Victimisation is also unlawful after the relationship between the student and University has ended
<b>Harassment</b>	Unwanted conduct (intentional or unintentional) which has the effect of violating a person's dignity. It may be related to age, sex, race, disability, religion, sexual orientation, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as humiliating, degrading and unacceptable to the recipient and can create a hostile and intimidating environment
<b>Bullying</b>	Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. It may happen in public or in private
<b>Office of the Independent Adjudicator (OIA)</b>	The OIA is an independent body set up to review student complaints which is free to students
<b>Completion of Procedures</b>	A Completion of Procedures letter is issued when the relevant University procedures have been completed and is required in order to submit a complaint to the OIA
<b>Fabricated/Malicious complaints</b>	Elements of a complaint which have been invented or concocted. Malicious complaints will have the intention to cause harm or distress to those named in the complaint
<b>Partner Institution</b>	The institution which is jointly or wholly responsible for delivery of a Kingston University award

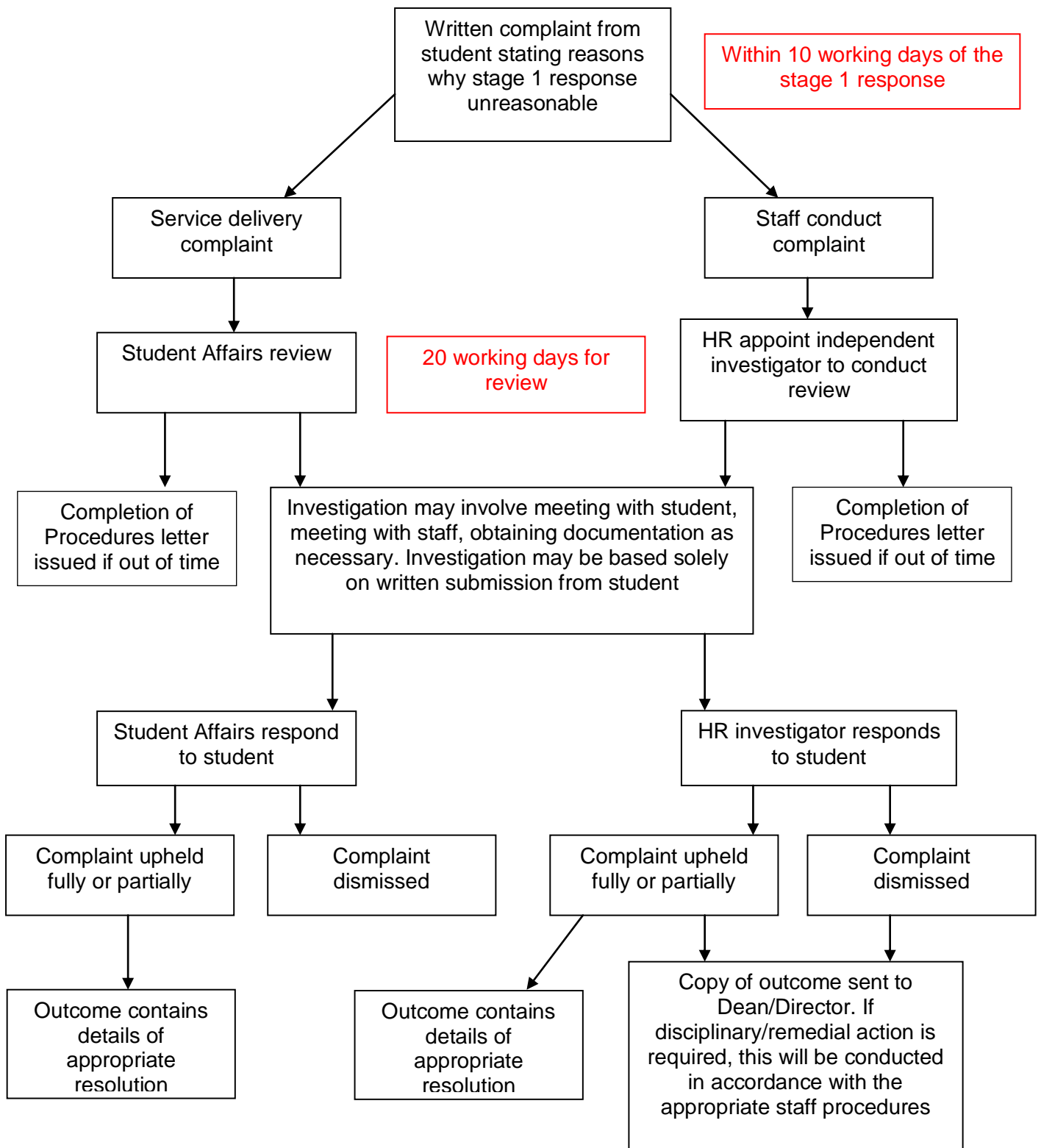
## Appendix B – Flowchart for Student Complaints Procedure



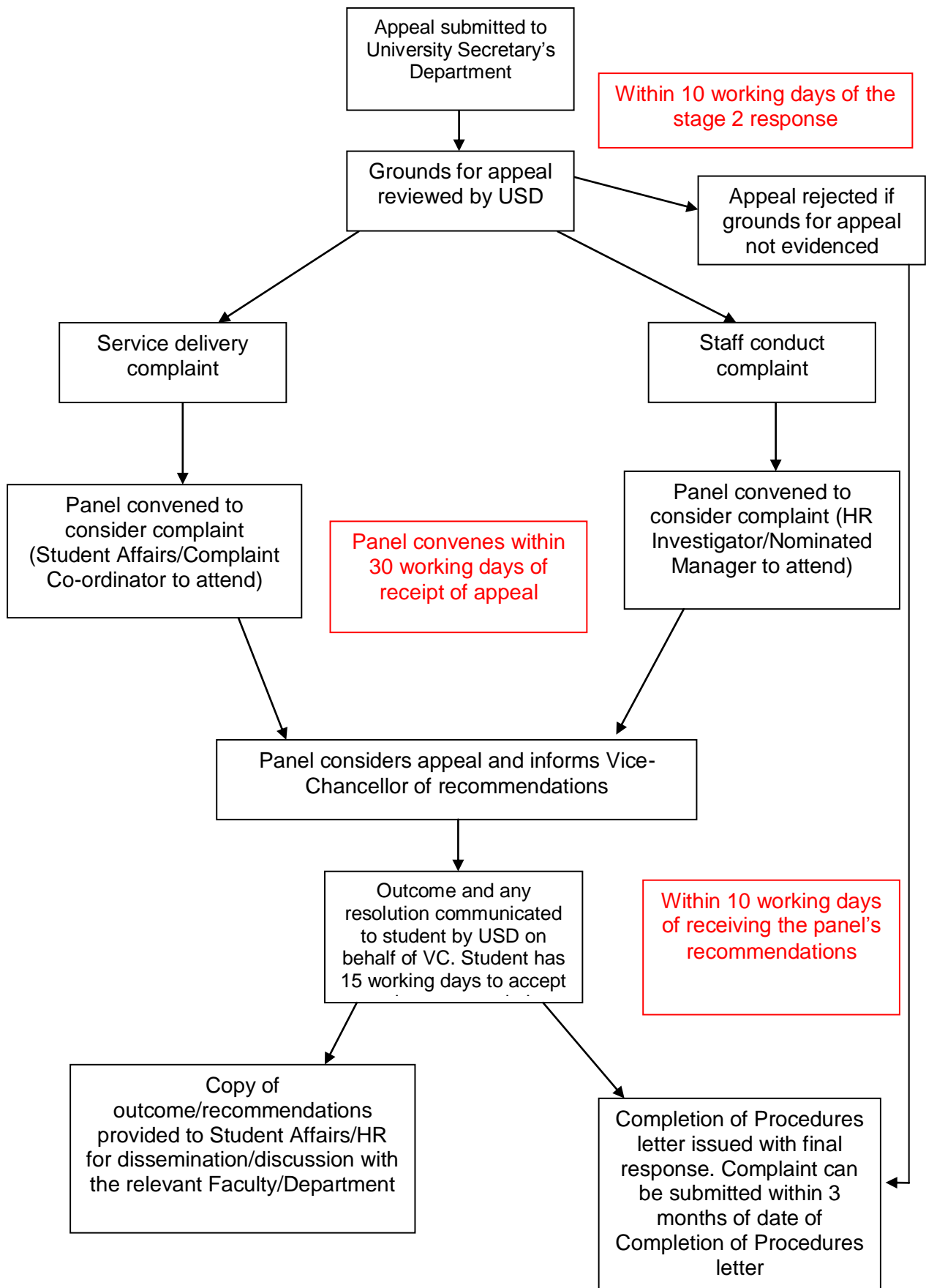
## Appendix C – Flowchart of stage 1 process



## Appendix D – Flowchart of stage 2 process



## Appendix E – Flowchart of stage 3 appeal process



## **Appendix F**

### **Guidance for students - Making a complaint**

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Unfortunately, there may be occasions when you are dissatisfied with an aspect of your University experience. If this happens, you should raise your concerns immediately with the person responsible for that area. At this stage, complaints can be raised verbally or in writing, although you may find it useful to follow up any verbal complaint in writing so that you have a record. Staff will look at your complaint and provide you with a response as quickly as possible. If you have raised a complaint and have not received a response or acknowledgement that the issue is being looked into within a few days, you should follow this up with the member of staff. You may be advised to submit a Stage 1 complaint if the staff member believes that the issues being raised are serious or complex and would benefit from a Stage 1 investigation.

It is your responsibility to ensure that you have raised a complaint as quickly as possible and within the acceptable time frame. Stage 1 complaints must be raised within 20 working days of the incident and will only be considered after this in exceptional circumstances, which might include on-going attempts to resolve an issue directly with the relevant Faculty or Department. You will be required to provide documentary evidence to support your claim that attempts to resolve an issue have been on-going. It is therefore advisable to follow up any verbal communication with an email. Any lapses in communication or correspondence on your part will result in the decision that this is not on-going communication. You are expected to raise a Stage 1 complaint within 20 working days of the last correspondence you had regarding the matter.

The University recognises that students have the right to raise complaints if they are unhappy with an aspect of their experience. You will not be disadvantaged or victimised as a result of making a complaint. Complaints provide the University with invaluable feedback which can be used to improve our policies and services. Please note that if you submit a complaint under the Student Complaints Procedure you are expected to engage and co-operate with the procedures in a timely manner. This includes making yourself available for any meetings considered necessary by those investigating your complaint.

#### **Complaints raised under the Student Complaints Procedure**

The Student Complaints Procedure can be used to raise complaints about the delivery of a service or concerns about how you have been treated by a member of staff (see 2.2). The remit of the Student Complaints Procedure does not include complaints about non-delivery of a service that was not offered to you or that you could not reasonably expect. You also cannot complain about the correct application of a University procedure or policy. An example of this would be a complaint about liability for tuition fees following your withdrawal after the agreed cut-off date. If the withdrawal cut-off date has been applied in accordance with our procedures, it is not possible to waive your liability. If you feel that the personal circumstances connected to your withdrawal warrant further consideration, you should discuss this with your Faculty/Credit Control as appropriate.

## **How to complain**

### **Stage 1**

If your complaint has not been satisfactorily resolved by the person directly responsible for the service or staff member, you should submit a written complaint. This is a Stage 1 complaint. Stage 1 complaints must be submitted within 20 working days of the incident arising or you trying to resolve it. Complaints about service delivery should be submitted to the Complaint Co-ordinator for the Faculty or Department (see appendix O). Complaints about the conduct of a member of staff should be submitted to the Dean of the Faculty or Director of the Department. You should include the following information in your written complaint:

- Your name and contact details;
- Any reasonable adjustments that you require as a result of disability or specific learning difference;
- Clear details of what you are complaining about;
- Details of any discussions or previous attempts to resolve the complaint (if applicable);
- Any supporting documentary or other evidence that you wish the investigator to consider. Please note that all supporting evidence should be submitted at this stage;
- Details of the outcome you are seeking in resolution of your complaint.

Please note that the details of your complaint and your letter will only be disclosed to staff who are required to provide responses or be involved in resolution of your complaint. This may include staff members who are the subject of the complaint.

Please refer to the main procedure (section 4) or the flow chart for the timeframes for a Stage 1 investigation.

Complainants who have not raised their complaint at Stage 1 will normally be directed to the appropriate Stage 1 contact.

### **Stage 2**

If you have reason to believe that the Stage 1 response is unreasonable or that a fair and thorough investigation has not been completed, you should submit a written complaint to the Student Affairs Office for complaints about service delivery or to Human Resources for complaints about staff conduct. You should include the following information at stage 2:

- Your name and contact details;
- Any reasonable adjustments that you require as a result of disability or specific learning difference;
- A copy of your Stage 1 complaint;
- A copy of the Stage 1 outcome;
- A letter clearly explaining which elements of the Stage 1 response are unreasonable and why. Please note that it should not be necessary to submit any additional documentation at this stage;
- Confirmation of the outcome you are seeking in resolution of your complaint.

Please note that the details of your complaint and your letter will only be disclosed to staff who are required to provide responses or be involved in the resolution of your complaint. This may include staff members who are the subject of the complaint.

Please refer to the main procedure (section 5) or the flow charts for the timeframes at Stage 2.

### **Stage 3 Appeal**

You may appeal against the outcome at Stage 2 only on certain grounds. See the main procedure (section 6) for details. When submitting an appeal you must include details to support the grounds for appeal. If you do not provide details to support your appeal, your appeal will be rejected.

### **Outcomes and resolutions**

The letter you receive in response to your complaint will provide an explanation and response to all the issues you have raised. If an investigation concludes that your complaint should be fully or partially upheld, you will be provided with details of which aspects of the complaint are being upheld and details of any recommendations made in resolution of your complaint. Recommendations made in resolution of your complaint will seek to mitigate any disadvantage you may have experienced.

If you are offered any form of compensation or a financial offer as a gesture of good will, you will be sent an Acceptance Form to indicate whether or not you wish to accept the offer. You should accept or reject this offer within 15 working days. Please note that such offers are usually stipulated as being in full and final settlement of your complaint. This means that if you accept the offer you would not be able to make a further complaint or appeal about the same issues under the Student Complaints Procedure or via any external route.

### **How to raise different types of complaints**

**Collective complaints** – Students submitting a joint complaint are expected to demonstrate how they have been personally affected by the situation. All students raising a complaint are expected to engage with the complaint investigation.

**Collective course-related complaints** – Any complaints affecting a course and its delivery as a whole should normally be raised with the Course Team immediately they arise, this could include a Module Leader, Level Tutor or Course Director. If the issues are not satisfactorily resolved, the issues should be raised through the relevant Staff-Student Consultative Committees or its equivalent.

**Students in partner institutions** – Students enrolled on Kingston University courses who attend a partner institution are expected to raise complaints about the course directly with the course team at the partner institution. Stage 1 of the Student Complaints Procedure will involve the partner institution and the relevant Faculty undertaking a joint investigation. If the complaint is not resolved at Stage 1, the student may submit a Stage 2 complaint to the Student Affairs Office.

**Accommodation complaints** – Complaints related to Halls of Residence should be raised directly with the Hall Manager in the first instance. If the complaint is not resolved at this stage, the student may submit a Stage 1 complaint to Accommodation Services.

**Disability and Dyslexia complaints** – Complaints relating to the provision of support for a disability or dyslexia should be discussed with the Disability and Dyslexia Support Service in the first instance to ensure that appropriate support arrangements are in place. Stage 1 complaints about disability and dyslexia support will be considered by:

- the Disability and Dyslexia Support Service if the complaint relates to the support that has been agreed;
- the Faculty/Department Complaint Co-ordinator if the complaint relates to a failure to deliver agreed support arrangements.

### **Multi issue complaints**

Please be aware that where your complaint raises issues which fall within the remit of other procedures such as the Academic Appeals Procedure or were the complaint covers issues of service delivery as well as the conduct of an individual member of staff, investigations will be conducted collaboratively by the respective departments where possible. Please note that this approach is flexible to ensure that all aspects of your complaint can be fully considered. Complaints covering multiple issues of your experience that fall within the remit of different processes are often more complex to investigate and resolve. The collaborative approach is intended to ensure that you receive a full and co-ordinated response.

### **Advice, guidance and support**

Advice and guidance for students wishing to make a complaint under the Student Complaints Procedure can be obtained from the Students' Union, the Student Affairs Office, Complaint Co-ordinators in Faculties and Departments and Faculty Student Support Officers. The Students' Union are particularly able to provide advice and support with submitting a complaint and can accompany you to any meetings you may need to attend. Please note that you will normally be expected to present your own case, particularly at any formal meetings such as an appeal committee. However, you can be assisted to do this by the person who accompanies you to the meeting.

Students are free to seek advice and guidance from external sources, however, the Student Complaints Procedure is not intended to be a legal process and representation or accompaniment by a solicitor is not permitted.

Further information regarding legal services can be obtained from the Law Society web pages ([www.lawsociety.org.uk](http://www.lawsociety.org.uk)).

### **Harassment, bullying, victimisation and discrimination**

The University recognises that allegations of harassment, bullying, victimisation and discrimination can be stressful and upsetting for all involved. Advice and support for students experiencing difficulties of this nature is available from the following sources:

- Harassment contacts (see StudentSpace)
- Occupational Health
- Students' Union
- Student Support Officer
- Health and Counselling

Harassment or bullying are not necessarily face to face, and may be by written communications, visual images (for example pictures of a sexual nature or embarrassing photographs), electronic email (so called 'flame-mail') or phone.

## Appendix G

### Exclusions from the Student Complaints Procedure

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- Any matter relating to assessment and examination procedures or academic appeals – see the Academic Appeals Procedure;
- Any matter relating to the quality of academic feedback on work – such issues should be discussed with the Course team;
- Outcomes of the Student Disciplinary Procedure – see appeals process within the Student Disciplinary Procedure;
- Decisions relating to Notice to Quits – see Notice to Quit appeal procedure;
- Kingston University Students' Union (KUSU) – contact the General Manager of KUSU on [studentsunion@kingston.ac.uk](mailto:studentsunion@kingston.ac.uk);
- Intellectual Property Rights - see Intellectual Property Rights Procedure;
- Admissions - including complaints regarding application to the University as part of the admissions process – see the Admissions Complaints Procedure;
- Appeals regarding fee status decision – contact Applicant Services on [feestatus@kingston.ac.uk](mailto:feestatus@kingston.ac.uk);
- Student Funding decisions - contact Student Funding for details of the appeals process;
- Complaints about additional cleaning charges and charges for inappropriate activation of fire alarms within Halls of Residence – see appeal process for charges applied by the Hall Manager;
- Complaints concerning disagreement or dissatisfaction with an existing and agreed University policy or procedure (e.g. withdrawal policy/Tuition Fee Policy/Debt-Recovery process). Complaints concerning these issues will only be considered if evidence is presented that the appropriate procedure has not been correctly followed - concerns about existing policies should be communicated to the Students' Union;
- Complaints about staff employed by other organisations, including staff employed at partner institutions and by placement organisations. Such complaints should be raised directly with the organisation;
- Complaints about student conduct and behaviour – see the Student Disciplinary Procedure;
- Anonymous complaints will not be investigated.

## **Appendix H**

### **Guidance for staff - Handling complaints**

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There may be occasions when students will be dissatisfied with an aspect of their University experience. The University recognises that students have the right to raise complaints if they are dissatisfied and the University will investigate these concerns and respond to the student.

All staff are responsible for addressing complaints from students. The following guidance notes are intended to provide some suggestions for dealing with complaints should they arise.

#### **Local resolution of complaints**

If a student raises a concern with you or reports a fault and you are the person responsible for that service area or staff member, then you should make the necessary enquiries to allow you to respond to the concern. It is expected that the majority of complaints will be addressed at this level without the need for the student to raise it via the Student Complaints Procedure.

At this stage, complaints or concerns can be raised verbally or in writing, although it is very helpful to follow up verbal communication in writing so that a record is kept of any actions taken. It is important to make clear that students have the right to raise concerns and complaints without the fear of being victimised. Students should be asked whether they require any reasonable adjustments and consideration should be given to part-time students and students with caring responsibilities in respect of their attendance at any meetings.

If it becomes apparent that something has gone wrong for the student and you are able to put that right then you should do so. Putting things right may involve providing explanations for actions that have been taken by the University, taking steps to address administrative errors and correcting records, i.e. module records, resolving access issues to StudySpace etc., or facilitating a dialogue between a student and a member of staff if communication has broken down. Keep a record of any steps taken to resolve a complaint locally as these will be useful if the complaint is considered under the Student Complaints Procedure. See appendix M for sources of support to discuss proposed resolutions.

You may reach a point where it becomes apparent that you cannot resolve the complaint locally. This can sometimes occur very early in the process if you believe that the allegations or complaints being raised are particularly complex or serious or it could be after a number of attempts to resolve an issue. If you believe that a complaint is particularly complex or serious, you should seek advice from Student Affairs for service delivery complaints or Human Resources for staff conduct complaints as soon as possible. There are occasions when it is appropriate to request that the student submit a written complaint in order that the complaint can be investigated in accordance with Stage 1. See appendix M for sources of support to discuss complaints.

At this point the student should be advised of the action being taken. This will either be that you have done all you can to resolve the concerns and that if they are

dissatisfied with the action taken, they should submit a Stage 1 complaint for investigation under the Student Complaints Procedure or that due to the serious nature of the complaint it is appropriate that the student submit a Stage 1 complaint. Advise the student of the Student Complaints Procedure and that it is available on StudentSpace.

It is important to remember that escalation to Stage 1 does not indicate an assumption that the student has a valid complaint or that there is any failing or fault on the part of the University. Such action will be taken only on the basis that the allegations appear to be of a serious nature and that an investigation is considered to be in the best interest of all parties.

If you receive a complaint that it is not appropriate for you to respond to, you should direct the student to the person responsible for the service area or staff member. If you are unsure who the appropriate member of staff is, advice can be sought from the following places:

- Complaints about service delivery - Student Affairs Office, the Faculty or Department Complaint Co-ordinator.
- Complaints about staff conduct - Human Resources, Dean or Head of Department

You should be aware which issues are dealt with through the Student Complaints Procedure and which may be dealt with via another procedure. Please see appendix G of the Student Complaints Procedure for guidance. If you would like to discuss a complaint or issue that has been raised by a student, please contact the Complaint Co-ordinator in your Faculty or Department, the Student Affairs Office or Human Resources.

## **Appendix I**

### **Guidance for staff - Stage 1 investigations**

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Stage 1 investigations are the first stage of the Student Complaints Procedure. Investigations at this level are conducted by staff within the Faculty or Department where the issue has arisen. Depending on the nature of the complaint, Stage 1 investigations will be conducted by a Complaint Co-ordinator or nominated manager.

#### **On receipt of the complaint**

Stage 1 complaints should be submitted in writing. If the nature of the complaint is not clear or there is no evidence to support the complaint, seek clarification from the student. This can be done in writing by asking the student to provide further detail or supporting evidence or can be done by meeting with the student to discuss the details. Students should be asked whether they require any reasonable adjustments and consideration should be given to part-time students and students with caring responsibilities in respect of their attendance at any meetings.

If it is apparent that the student has made no attempt to discuss the situation with the relevant staff member with a view to resolving the complaint locally, the student can be directed to do this prior to you accepting the complaint. However, it is sometimes the case that by the time a written complaint has been made relationships may have deteriorated to the extent that this option is not appropriate. If the complaint appears to be particularly complex or serious in nature, the student does not have to be referred back for local resolution.

#### **What should a Stage 1 complaint contain to enable an investigation?**

- Contact details;
- Details of any reasonable adjustments required as a result of disability or specific learning difference;
- Details of what has gone wrong/the failing in service with sufficient detail, i.e. the student will be required to provide specific examples of things that they believe have gone wrong or that they are dissatisfied with, it is not sufficient to make generic statements as these cannot be investigated;
- Details of inappropriate conduct by a staff member with sufficient detail, i.e. the student will be required to provide specific examples of inappropriate behaviour for you to investigate, if a student has stated that a staff member was rude to them, ask them to provide details of any incidents;
- Details of the preferred resolution/outcome, i.e. apology, compensation, further explanation etc.

See appendix K for guidance on conducting investigations

## **Appendix J**

### **Guidance for staff - Stage 2 review**

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Stage 2 reviews will focus on the aspects of the Stage 1 response which the student has stated are unreasonable or the areas where they have presented evidence of a failing in the Stage 1 investigation.

The review will consider the reasonableness of the outcome at Stage 1 based on the available evidence presented by the student and by staff members involved in the complaint investigation.

Stage 2 reviews will normally be conducted by Student Affairs or an HR appointed investigator.

#### **On receipt of the complaint**

Stage 2 complaints should be submitted in writing. Students should submit the following documentation:

- Stage 1 complaint;
- Stage 1 outcome;
- Stage 2 complaint which explains why they consider the Stage 1 outcome to be unreasonable. Students are not expected to submit additional evidence at this stage as any evidence should have been submitted at Stage 1.

If the student has not explained why they consider the Stage 1 response to be unreasonable or has not submitted the documentation detailed above, they should be asked to do so prior to any review. This can be done in writing by asking the student to provide further detail or can be done by meeting with the student. Students should be asked whether they require any reasonable adjustments and consideration should be given to part-time students and students with caring responsibilities in respect of their attendance at any meetings.

See appendix K for guidance on conducting investigations.

## **Appendix K**

### **Good practice for investigations**

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#### **Investigations and Reviews**

Stage 1 investigations and Stage 2 reviews need to be sufficiently robust to ensure that any conclusions drawn from the investigation and the resulting outcomes can be justified as reasonable.

The following guidelines are considered to be good practice during investigations.

#### **Dissemination of information**

The letter of complaint should be circulated only to those staff required to provide a response to the allegations or complaint. You can choose to send a copy of the complaint to relevant staff or ask a series of questions to allow you to respond, or a combination of both. It may be appropriate to copy only relevant sections to some staff. Always mark this correspondence as confidential.

A Stage 1 investigation or Stage 2 review can involve any of the following; it does not have to include all of these steps if you do not consider them necessary or appropriate:

- Meeting with the student (if the student requests a meeting, it would probably be beneficial to meet even if you do not consider that it is necessary);
- Meeting with the relevant members of staff;
- Reviewing documentation such as handbooks, leaflets, web pages;
- Requesting a written response to questions from the student and relevant staff members.

The Student Complaints Procedure has timeframes within which investigations and reviews should be conducted. If you cannot complete the investigation or review within this timeframe, keep the student informed and agree a revised timeframe.

If, during the investigation, you have reason to believe that the complaint may be particularly serious, further advice and guidance should be sought immediately from Student Affairs and/or Human Resources.

#### **Outcome and Resolution**

The written response to the student at Stages 1 and 2 should respond to all of the issues raised in the letter of complaint. The investigation and review process should be sufficient to allow you to make a judgement about whether the complaint should be fully or partially upheld or dismissed.

The outcome should include details of the next stage of the Student Complaints Procedure whether or not the complaint is upheld or dismissed.

Any issues or concerns arising from the investigation that are not directly related to the students complaint should be addressed separately with the Faculty or Department concerned. Any feedback on the Student Complaints Procedure or other issues arising from the investigation should be addressed separately with Student Affairs and/or Human Resources.

If the investigation concludes that a complaint should be fully or partially upheld, it is important to document which aspects of the complaint are being upheld and which aspects any resolution relates to. Any recommendations to resolve the complaint should be clearly stated with time frames for action where appropriate. Any staff who are responsible for acting on the action points should have this brought to their attention when the final outcome is circulated.

If you are offering any form of compensation or a financial offer as a gesture of good will, please use the Acceptance Form available on the Complaint Co-ordinator's Sharepoint site. Please note that such offers are usually stipulated as being in full and final settlement of the student's complaint. This means that if a student accepts the offer they would not be able to make a further complaint or appeal about the same issues under the Student Complaints Procedure or via any external route, including the civil courts. Students are advised to accept any offer within 15 working days.

## **Appendix L**

### **Guidance for staff and students - Complaint Appeal Committees**

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The remit of a Complaint Appeal Committee is to consider the student's appeal. The Appeal Committee is not intended to be a re-hearing of the investigations previously conducted.

#### **Outline of Complaint Appeal Committee Proceedings**

The Committee will commence with introductions. The Chair of the Appeal Committee will summarise the grounds for appeal as stated by the student in their appeal documentation. The committee will then take the format of a question and answer session.

The Appeal Committee will take each ground for appeal and the related issues under that ground in turn. The Committee members will have read the paperwork which will be circulated in advance of the appeal and will have noted any questions. The Committee members will ask questions of the student and the University representative as necessary to clarify their understanding of the issues in order to reach a decision as to whether to uphold that element of the appeal.

After each response the student or University representative will be asked if they wish to add any further detail or clarification. Students will be expected to respond to any questions asked but may be assisted and/or prompted by the person accompanying them.

At the end of the question and answer session, the student will be provided with an opportunity to raise any issues included in their appeal that they do not feel have been addressed during the appeal. The Chair should ensure that any issues raised strictly relate to the appeal and that other issues, either new or those previously addressed, are not raised during the appeal.

The University representative will also be provided with an opportunity to raise any issues arising from the investigations which they do not feel have been addressed during the appeal.

The Committee will deliberate in private.

#### **Outcome/Resolution following Complaint Appeal Committees**

Complaint Appeal Committees are able to uphold an appeal in full or in part or they are able to dismiss the appeal. Complaint Appeal Committees are not expected to make recommendations which fall outside of the relevant University regulations and procedures. Should a Committee decide that there are appropriate grounds to make recommendations which fall outside of the University regulations and procedures, these recommendations will be reported to the relevant senior management committee by the University Secretary's Department to ensure that any necessary changes to University regulations and procedures can be considered and implemented.

## **Appendix M**

### **Support and guidance for investigators**

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Further support and guidance for those involved in investigating or reviewing complaints can be sought from the following sources:

**Faculty and departmental Complaint Co-ordinators** – Complaint Co-ordinators are able to share experiences and good practice of resolving complaints and advice can be sought from colleagues outside of your department or Faculty.

**Student Affairs** – Student Affairs can provide generic advice and guidance as well as procedural advice on investigating complaints and various resolutions. Student Affairs are able to provide advice particularly in relation to service delivery complaints. We cannot advise you whether the outcome or resolution is appropriate as the complaint may need to be considered at Stage 2.

**Human Resources** – Human Resources can provide generic advice and guidance as well as procedural advice on investigating complaints and various resolutions. Human Resources are able to provide advice particularly in relation to complaints about staff conduct.

**Equality and Diversity** – Equality and Diversity can provide advice and guidance to Student Affairs and Human Resources

## **Appendix N**

### **Support and guidance for other staff involved in the Student Complaints Procedure**

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There will be occasions when staff other than the formal investigator will be involved in the Student Complaints Procedure. This may be at the local level when you are trying to resolve a complaint, as a member of staff responsible for the delivery of a service, as a member of staff who is the subject of a complaint, as a line manager or the Dean of a Faculty or Head of Department.

The following sources of support may be useful for staff:

**Human Resources** – for advice on staffing matters and procedural guidance relating to complaints about staff conduct;

**Student Affairs** – for procedural advice and guidance in relation to service delivery complaints;

**Occupational health** – for advice on supporting staff who are the subject of a complaint or to directly support staff who are the subject of a complaint;

**Employee Assistance Programme (Care First)** – Information can be accessed using the following link: <http://www.care-first.co.uk> or by calling freephone 0800 174 319. Care First are contactable 24 hours a day, 365 days a year;

**The College & University Support Network (in collaboration with UCU)** – Information can be accessed using the following link: <http://www.cusn.info/> or by calling 0800 32 99 52.

**Trade Unions and relevant staff professional associations** – see Glossary

## **Appendix O- Faculty/Departmental Complaint Co-ordinators**

### **Business & Law**

Co-ordinator: Paula Quinn - [P.Quinn@kingston.ac.uk](mailto:P.Quinn@kingston.ac.uk) (020) 8417 5454

Deputy: Rebecca Collins - [R.Collins@kingston.ac.uk](mailto:R.Collins@kingston.ac.uk) (020) 8417 5219

### **FADA**

Co-ordinator: Trevor Keeble - [T.Keeble@kingston.ac.uk](mailto:T.Keeble@kingston.ac.uk) (020) 8417 4114

Deputy: Lynne Jones - [Lynne.Jones@kingston.ac.uk](mailto:Lynne.Jones@kingston.ac.uk) (020) 8417 4062

### **FASS**

Co-ordinator: Christopher Barker - [C.Barker@kingston.ac.uk](mailto:C.Barker@kingston.ac.uk) (020) 8417 2362

Deputy: Clarissa Wilks - [C.Wilks@kingston.ac.uk](mailto:C.Wilks@kingston.ac.uk) (020) 8417 2313

### **Health & Social Care Sciences**

Co-ordinator: Nancy Richards - [N.Richards@sgul.kingston.ac.uk](mailto:N.Richards@sgul.kingston.ac.uk) (020) 8417 5753

Deputy: Amanda Ashley - [A.Ashley@kingston.ac.uk](mailto:A.Ashley@kingston.ac.uk)

### **Science Engineering Computing (SEC)**

Co-ordinator: Kerry Denholm-Price - [K.Denholm-Price@kingston.ac.uk](mailto:K.Denholm-Price@kingston.ac.uk) ext 62905

### **Accommodation**

Co-ordinator: Kristian Drane - [K.Drane@kingston.ac.uk](mailto:K.Drane@kingston.ac.uk) (020) 8417 3501

### **Applicant Services**

Co-ordinator: Nick Bhugeloo - [N.Bhugeloo@kingston.ac.uk](mailto:N.Bhugeloo@kingston.ac.uk) (020) 8417 3555

### **Careers**

Co-ordinator: Head of Careers- [careers@kingston.ac.uk](mailto:careers@kingston.ac.uk)

**Chaplaincy**

Co-ordinator: Stan Brown - [stanbrown@kingston.ac.uk](mailto:stanbrown@kingston.ac.uk) (020) 8417 2940

**Disability and Dyslexia Support Service**

Co-ordinator: Tracy Rollins – [T.Rollins@kingston.ac.uk](mailto:T.Rollins@kingston.ac.uk) (020) 8417 4058

**Health and Counselling**

Co-ordinator: Gill Deane - [G.Deane@kingston.ac.uk](mailto:G.Deane@kingston.ac.uk) (020) 8417 2206

**Sport and Recreation**

Co-ordinator: Phil Muschamp – [P.Muschamp@kingston.ac.uk](mailto:P.Muschamp@kingston.ac.uk) (020) 8417 2413

**Student Funding**

Co-ordinator: Keith Houghton – [K.Houghton@kingston.ac.uk](mailto:K.Houghton@kingston.ac.uk) (020) 8417 3560

**SSSD**

Co-ordinator: Sarah Kenyon – [Ss.Williams@kingston.ac.uk](mailto:Ss.Williams@kingston.ac.uk) (020) 8417 2754

**Nursery**

Co-ordinator: Suzanne McDiarmid – [S.Mcdiarmid@kingston.ac.uk](mailto:S.Mcdiarmid@kingston.ac.uk) (020) 8417 4022

**Credit Control**

Co-ordinator: Hope Merris – [H.Merris@kingston.ac.uk](mailto:H.Merris@kingston.ac.uk) (020) 8417 3582

**LRC**

Co-ordinator: Sue Robertson – [suerobertson@kingston.ac.uk](mailto:suerobertson@kingston.ac.uk) (020) 8417 2552