



Student Complaints Policy & Procedures 2018-2019

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Student Complaints Policy and Procedure

1 Purpose and scope of the procedure

1.1 In all cases the college will abide by the QAA Quality Code. The purpose of the complaints procedure is to ensure that, as far as possible, complaints are dealt with and resolved informally through discussion between the aggrieved student and staff. Complaints and concerns or problems raised by a student or students and may be made in writing or orally. (There is a separate procedure for student academic appeals.) Before using the complaints procedure, it is expected that a student will try to resolve the complaint informally. The formal stage of the procedure should only be used when the informal stage has failed to resolve the issue or is not making progress at reasonable speed. (Indicator -2, Chapter B9)

1.2 In appropriate cases the college may offer facilities for mediation.

1.3 This procedure applies to all students.

1.4 This procedure takes account of the ACAS code of practice on complaints procedures and will be reviewed periodically in line with developments in best practice. Indicator -1 & 7, Chapter B9)

2 Principles of the procedure

2.1 The procedure is based on the following principles:

- A student has the right to be accompanied by a colleague or friend at every stage of the formal procedure.
- Any complaints, to become formal, must be made in writing as soon as possible, it is only possible to hear complaints that are within the power of the college to remedy
- In all cases, reference to informal resolution in advance of formal complaint is recommended
- All proceedings, whether informal or formal, should, so far as is practicable, remain confidential
- A formal record of any hearing will be available to the student. The hearing will be recorded and a copy given to the student
- The timescales set out may be extended with the agreement of the parties where more than one student has lodged a complaint relating to the same, or substantially the same, issue, the complaints may be dealt with together in the interests of fair and consistent decision-making.

- Where a complaint concerns an apparently trivial issue the relevant staff member will discuss this informally with the student to determine whether there is a real need to pursue the matter through the complaints procedure.
- If the student and a member of staff are unable to agree, the student will be entitled to submit the complaint formally together with any further evidence or explanation that throws new light on it, and demonstrates that a substantive complaint is in fact being made
- If the student's complaint restates a complaint that the college is already dealing with, or that it has dealt with in the past, the student will be asked to explain how the new complaints differs from the previous one, and either what new incident has occurred or what new evidence has come to light. Where it is clear that there is nothing new being raised, the college can reject the complaint without a hearing or committee meeting.
- Deliberately false or malicious complaints will be treated as matters of misconduct and will be investigated in line with the Disciplinary policy and procedure complaints raised while a student is subject to disciplinary proceedings will be heard when the disciplinary process has been completed. If the complaint has any bearing on the disciplinary proceedings, it can be raised in the course of those proceedings. (Indicator -3, Chapter -9)

3 Informal stage

3.1 If a student has a complaint that involves another student or other students, they should first of all try to resolve the matter by direct approach to the student or students involved.

3.2 If the matter remains unresolved, the student may request a meeting with a relevant staff member or in a relevant college committee, and efforts made to resolve the issue. Any informal meeting with staff should be held within 10 working days of the submission of the request. Many student complaints are likely to take the form of suggestions for improvement (e.g. more library books, changed teaching hours) and can be dealt with informally or, more formally but without a complaints panel hearing, in a regular committee meeting of the College and using the normal and routine student voice and student representative processes of the College.

3.3 If, after any action to resolve the complaint taken by staff, the student is still dissatisfied, they may proceed to the formal stage of the procedure. (Indicator -2, Chapter -9)

4 Formal stage

4.1 If the complaint has not been resolved at the informal stage and the student wishes to proceed to the formal stage, the student may do so and the complaint will be heard by a panel or in a relevant college committee meeting (e.g. Academic Board, Senior Management Team meeting). The student must set out in writing the nature of their complaint and the reasons why they are dissatisfied with the outcome of the informal stage. The student should explain how they think it should be settled. This must be submitted to the Principal. Complaints raised against the Principal should be submitted to the company Board. In all cases a copy of the complaint should be sent to the Principal.

4.2 Should the complaint relate to a process or decision, the Principal will appoint another person as investigating officer who will be asked to provide a full written report together with any relevant documents. The investigation should be conducted as quickly as possible while allowing for all relevant information and evidence to be gathered. A timescale for this will be agreed between the student and the Principal.

4.3 Should the complaint be against a named individual or individuals, the Principal Will give them a copy of the complaint at the earliest opportunity. The individual will present their response at the hearing and it would not normally be necessary to conduct an investigation. Complaints about named individuals will not be dealt with in routine committee meetings of the college.

4.4 The panel will consist of two nominees of the Principal. Where possible, there should be a gender balance on panels. The college will make every attempt to ensure that the hearing will be held within 14 working days of receipt of the investigating officer's report, or within 14 working days of the complaint being received if it is against an individual. The student will be given five working days' notice that the hearing is to be held. The student may request an alternative date to allow up to an additional five working days if their representative is unavailable. If following a reasonable attempt to rearrange the hearing, the student is still unable to attend, they may send an authorised representative (the letter of authorisation should be received prior the meeting), or the hearing may be held in their absence. (Indicator -5, Chapter B9)

4.5 The complainant should ensure that they attend the meeting at the specified time. If they are unable to attend because of circumstances beyond their control, they should inform the Principal and/or the chair of the panel if the complaints are against staff, as soon as possible. If they fail to attend without explanation, or it appears that

they have not made sufficient attempts to attend, the hearing may take place in their absence

4.6 Any relevant written information or evidence must be made available to all parties at the earliest opportunity and, in any case, two working days before the hearing.

4.7 All parties involved will be allowed to attend and make representations at the meeting. Witnesses may be called.

4.8 Refusal of either party to attend shall not invalidate the proceedings.

4.9 The panel, in seeking to resolve the complaint, may adjourn the meeting or defer a decision if more information is required.

4.10 The decision of the panel, the reasons for that decision and any redress will be communicated to the student who has made the complaint. Where the complaint is against an individual, both parties will be given a copy of the decision. This will be handed to the student whenever possible or posted directly by recorded delivery to the student within ten working days of the hearing and to the student representative, where applicable.

4.11 Failure to meet the requirements of redress, set out by the panel will result in the invocation of the Disciplinary policy and procedure, unless an appeal has been lodged.

4.12 The formal stage should be completed within 30 calendar days and the student is provided with the written outcome of the formal stage. (Indicator -4 & 5, Chapter – B9)

5 Right of appeal

5.1 Should the complainant wish to appeal against the decision of the panel they must do so, in writing, to the Principal (or to the Chair of the Board if the complaint was heard by Board members) within five working days of being informed of the decision.

5.2 A request for an appeal must specify the grounds of the appeal, preferably under one or more of the following headings: .

- The nature of any redress
- The finding of the hearing on a point of fact which is pertinent to the decision of the hearing
- A failure to adhere to the published procedure.
- If the material evidence was not provided for valid reasons during the formal stage

5.3 The appeal will be considered within 14 working days and the Completion of Procedure Letter and related correspondence will be issued confirming the summary

of the complaint procedure and outcomes. If the settlement is offered, the Completion of Procedures Letter will be issued confirming the settlement. If the student rejects the offer, the Completion of procedures letter will be issued showing a summary of proposals.

5.4. The formal “Completion of Procedures Letter” is issued to the student within 21 calendar days after the final decision is made. If the student is still dissatisfied with the outcome, he/ she may apply for a review of the complaint to the Office of the Independent adjudicator (OIA) for higher education. (Indicator -4 & 5, Chapter –B9) The complaint should be received by the Office of the Independent adjudicator (OIA) (www.oiahe.org.uk) within twelve months of the date of the “Completion of Procedures Letter”



Annex 1: Format of the formal complaints / complaints appeal hearing (Indicator -3, Chapter B9)

1.1 The panel shall be responsible for the proper conduct of the hearing, which shall be conducted on a formal basis.

1.2 The chair of the panel will conduct the introductions of those present and confirm the names of any witnesses who may be called. The chair of the panel will ensure that all parties understand the nature of the complaint and ask the student who is bringing the complaint to say how they think it should be settled.

1.3 The panel shall order the proceedings as follows:

- Ask the student to present their case allowing the investigating officer or respondent to ask questions after the presentation has been completed.
- The student may call witnesses or refer to documents previously circulated and necessary for the hearing
- While the complainant will be given every opportunity to explain their case fully, they should confine their explanation to matters that are directly relevant to the complaint. The chair of the panel will intervene if he/she thinks that the discussion is straying too far from the key issue.
- The chair may also intervene to ensure that the meeting can be completed within a reasonable timeframe, depending on the nature and the complexity of the complaint
- Ask the investigating officer or respondent to respond to the case, allowing the student to ask questions after the presentation has been completed.
- The investigating officer or respondent may call witnesses or refer to documents previously circulated and necessary for the hearing.
- The panel may ask questions on points of clarification at any time and may call witnesses. Questions shall be put to each party after it has presented its case.

If either party wishes to present evidence not previously circulated the hearing may be adjourned to allow the other side to consider it.

Allow the student and then the investigating officer or respondent the opportunity to sum up their cases. Neither party may introduce new matters in their summing up.

1.4 The panel adjourns to consider its decision, which shall be given as soon as possible after the hearing, but in any case within three working days of the hearing.

1.5 At the same time the student shall be advised of their right to appeal against the decision.

Indicator -7, Chapter –B9:

The policy is reviewed and approved by Academic/ Quality Assurance Board annually for enhancement purpose.

The logo for Mont Rose College of Management & Sciences (MRC) is centered on the page. It features a circular emblem with a blue background. Inside the circle, there is a white silhouette of an open book with a laurel wreath above it. The letters 'MRC' are prominently displayed in white, bold, sans-serif font across the middle of the book. The emblem is surrounded by a faint, light blue circular border with decorative elements.

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Annex 2: Guidance for appeal documentation

Grounds of appeal.

Response to grounds of appeal

Case statement, which should

Include as appropriate:

An introduction explaining the reasons for appealing

Summary of course

The outcome sought

Appendices

2 Case statement, which should include as appropriate:

Introduction, background to the case, the process followed on calling the original hearing, how the decision was arrived at

Summary of course

Recommendations

Appendices

2.1 If papers are presented in this way it should be possible for the appeal hearing only to hear any specific comments or particular aspects of the case, rather than a repetition of the original hearing.