

4.2 Student Complaints Procedure

Required by Ordinance 26

The College is committed to a high quality of educational and other provision for students, and encourages students to say where there is cause for concern in individual or general matters. It undertakes to take such representation seriously. In raising possible issues of complaint students will themselves be aware of and have observed their obligations as members of the College.

The College aims to handle complaints in a way which is sympathetic, fair, and efficient, which encourages informal conciliation, facilitates early resolution, maintains individual privacy and confidentiality, and permits useful feedback.

This procedure is for all College members *in statu pupillari*.

A complaint will normally be about a problem encountered by a student in connection with educational or other activities or services provided by the College. It will not necessarily be *against* anybody, whether a person or the College, although some complaints may be against individuals or the College. Complaints principally arising about matters covered by other specific procedures (such as the University complaints procedure, University procedures for the review of graduate or undergraduate examination results, disciplinary procedure or codes of practice about equal opportunities or sexual harassment) should be raised under those procedures.

Because the purpose of the complaints procedure is, if possible, to resolve problems, a complaint should be made promptly, in an attempt to resolve such problems quickly and informally. The procedure, therefore, has three stages, and the College hopes that most problems will be solved in the first two stages of discussion and advice, and by informal process. The three stages are:

- (i) Discussion and Advice
- (ii) Informal Process
- (iii) Formal Process

Each stage is described in a later section.

Formal Appeal will be as given in Section 5 below.

Some general points about the procedure

The student is entitled to fair and independent consideration of a complaint. The rights of the student and the rights of any person complained against are both important and must be kept in balance. Every effort will be made to ensure that both are treated with fairness and dignity. Complaints will not be treated as though lodged against the College unless that is stated to be the case. There will be separation between the provision for advice and provision for dealing with or adjudicating on a complaint. The student should not suffer retaliation for making a complaint in good faith and a student who believes that he or she has suffered a reprisal should raise the matter. If a complaint which is not upheld is found to have been made maliciously, the student may be subject to disciplinary procedure.

The student may withdraw a complaint or stop the process at any time in Stage 1 and 2 and, in Stage 3, with the consent of the chair of the panel (identified below). Personal privacy will be respected. Confidential information will not be communicated without the consent of the student, other than in exceptional circumstances (for example in reporting an alleged criminal offence to the Police). The student has a free choice of adviser and representative, who need not be the same person. Normally this would be a College Tutor, but students are free to go to someone else if they prefer.

Complaints will be dealt with promptly to ensure that delay does not hinder fair resolution. Minor complaints will normally be resolved at an early stage.

A complaint can only be brought by a student affected, although several affected students may act together. A particular complaint cannot normally be pursued under both College and University procedures.

If a complaint is upheld there should be a satisfactory remedy or outcome, which may include:

- a full explanation;
- an apology (which is not an admission of liability);
- rectification of the matter if possible;
- financial recompense (for example if the student has paid for something which he or she did not receive);
- disciplinary action.

Written records will be kept of complaints using a procedure compliant with data protection requirements. The student will have access to the documents submitted about his or her case, and those taking part in the complaint will be informed that this is so. Otherwise the records will be confidential. An annual report will be made to Council, in which references to individual cases will be anonymised.

4.2.1 Stage 1: Discussion and Advice

4.2.1.1. It is very important to get early advice about problems. Often, this can resolve the matter quickly and informally.

4.2.1.2. Normally, a student would seek the advice of a College officer such as a Tutor, or Director of Studies.

Other possibilities include:

- other relevant members of the academic staff of the College;
- the University Counselling Service;
- the Disability Resource Centre;
- officers of HUS or CUSU (or NUS) (e.g. the welfare officer, the academic affairs officer, or the women's officer).

4.2.1.3. The student can expect to be given advice on how to proceed and on an appropriate course of action, advice about what would constitute an appropriate remedy, and an opportunity to consider whether there is indeed a complaint to be addressed. The student will then be in a position to decide whether to proceed further, and how.

4.2.2 Stage 2: Informal Process

- 4.2.2.1. It is in the interest of the students that a complaint to be dealt with informally should be raised at the appropriate level as soon as possible. If there has been a delay the student should explain the reason. The student should, if possible, record the complaint in writing (the advice about a written statement in Stage 3 may be helpful).
- 4.2.2.2. The student should if possible raise the complaint directly with the person responsible for the matter. It may not always be easy to do this if the complaint is about the conduct of this person: if for some reason the student cannot go direct to the person alone, he or she should ask for someone else to be present, or should raise the matter with another person in the department concerned (the Senior Tutor, the Head of Department, the College Accountant or the Estates Manager).
- 4.2.2.3 If possible a suitable solution will be agreed and implemented, to solve the problem.
- 4.2.2.4 If the student is dissatisfied with the outcome of such an informal process, he or she may consider whether to raise the matter formally through Stage 3.

4.2.3 Stage 3: Formal Process

- 4.2.3.1. Students must exhaust informal routes before making a formal complaint, or give a good reason for not doing so. A good reason might be that the problem is particularly serious, or that when it was raised informally there was refusal to deal with it. Informal processes are suitable for dealing with many problems, but if a complaint includes very serious allegations, and especially where a person complained against must have an opportunity to give his or her side of the matter, it may be necessary to refer straight to Stage 3. If informal routes seem not to have been exhausted a formal complaint may be referred to informal resolution.
- 4.2.3.2. A student wishing to make a formal complaint must do so in writing. The written statement initiates the formal process and must include a description of what has happened to give rise to the complaint including dates, times, and other details. It is necessary to show that something has gone wrong in the discharge of a duty towards the student, and that the student has suffered as a result. The statement should include:
 - the name of the person or department against whom/which the complaint is made (but a complaint need not necessarily be against a person or department);
 - the name of any witnesses who will corroborate the complaint, including a written statement from each to say that they have given their consent;
 - documentary evidence, together with a list of contents and numbered pages;
 - an outline of what action a student would like to be taken or what remedy he or she is seeking;
 - if desired, the name of the person who has agreed to accompany, support, or represent the student at any meeting or hearing.

It would almost always be sensible for the student to discuss the written statement of the complaint with an appropriate adviser (for example those named in paragraph 1.2). The complaint should be addressed to the Senior Tutor, Homerton College.