



MORLEY COLLEGE

STUDENT COMPLAINTS PROCEDURE

13 April 2010

STUDENT COMPLAINTS POLICY AND PROCEDURE

Policy

1. Introduction

- 1.1 The College is committed to providing a high quality service to all its students. There may be occasions when a student feels the College has failed to do this. The Student Complaints Procedure sets out how a student who is dissatisfied with an aspect of the College's service may seek redress.
- 1.2 The College Student Charter provides the framework for the learning experience of students, stating what they can expect from the College (and what the College expects from them). Student complaints should be based on the undertakings of the Charter or the College's associated policy statements on equality and harassment and bullying. The Charter is provided to enrolled students in the Student Handbook. It is also available from the Library, the Reception Desk and on the College's website; College policies are available from the Library and on the website.
- 1.3 The College expects students to use the procedure in a positive spirit, as it will itself. The College reserves the right not to proceed with a complaint where the complaint does not directly concern the complainant or where initial investigation shows that there is insufficient evidence to justify further action.
- 1.4 It is expected that the majority of complaints will be resolved as part of normal, informal communication.
- 1.5 Students are reminded that members of the Student Executive Committee (SEC) are available to help with these procedures, if required. Contact details for the SEC are available in the Student Handbook, on SEC notice-boards and on the college website.
- 1.6 This procedure takes effect for complaints lodged after 13th April 2010 and supersedes all previous procedures.

2. Principles

- 2.1 The Student Complaints Procedure is for the exclusive use of students on official College courses and activities. It applies to all services received by such students.
- 2.2 Complaints will be handled sensitively and with due consideration to confidentiality for both students and staff. Anyone named in a complaint will be informed of the substance of the

complaint and will have the right to reply to the complaint. Information contained within the complaint will be made available to those members of staff involved in its resolution. The relevant line managers will also be informed. Beyond this complaints are confidential.

- 2.3 It is expected that, except in exceptional and fully documented circumstances, a student who wishes to make a complaint will do so within two calendar months of the incident which is the cause for complaint.
- 2.4 No student bringing any complaint, other than vexatious or malicious complaints, whether successfully or otherwise, will be treated less favourably as a result of complaining.
- 2.5 There are separate procedures which exist for the following:
- 2.5.1 Appeals regarding assessment outcomes are covered by the college's Assessment Policy and Procedure.
 - 2.5.2 Disciplinary issues are covered by the Student Disciplinary Code and the Staff Disciplinary Policy.

3. **Definition**

- 3.1 A complaint is defined as an oral or written expression of dissatisfaction with an aspect of the College service.

4. **Different Types of Complaint and How They Are Handled**

4.1 Anonymous Complaints

Complaints require investigation to enable resolution; where a complaint is made anonymously, it will not be possible to undertake such an investigation. For practical reasons, therefore, no action will normally be taken in the event of complaints made anonymously. There may, however, be exceptional circumstances where the College judges it appropriate to investigate a complaint received from an anonymous complainant, but this is at the discretion of the College.

4.2 Group Complaints

Where a complaint is brought by a group of students, one person should be prepared to identify him/herself as spokesperson and correspondent for the purposes of the Formal Procedure, and each member of the group must be able to demonstrate that he/she has been personally affected by the matter which is the subject of the complaint.

4.3 Third Party Complaints

No investigation of a complaint made on behalf of a student will be undertaken without that student's written agreement to the concerns raised and written consent for an investigation to be carried out. This includes complaints made by a carer or relative of the student concerned.

4.4 Vexatious or Malicious Complaints

The College may consider invoking the disciplinary procedures under the Student Disciplinary Procedure and Code of Conduct in those cases where complaints are found to be vexatious or malicious. A vexatious complaint is defined as a complaint which is clearly unsustainable. A malicious complaint is defined as an attempt to defame the name or character of someone connected with the College or the College as a whole.

4.5 Complaints to the Governing Body

Should a complaint be received by the Governing Body it will be acknowledged and referred to the Quality Officer who will ensure that it enters the procedure at the appropriate point.

4.6 Access to Information

Students pursuing a complaint through the Student Complaints Procedure will be entitled to apply for access to personal data in accordance with the policies and procedures of the College under the provisions of the Data Protection Act 1998 and other legislation. Applications should be made in writing to the Deputy Principal – Curriculum and Quality. The College will not normally charge the complainant for providing this information.

Procedure

5. Informal Procedure

5.1 Informal complaints should be made to the member of the College's staff who is directly responsible for the problem. This may be the course leader, Curriculum Area Manager or head of service. It is always the responsibility of the person to whom the complaint has been made to deal with the situation promptly and, if the complaint is justified, to try to put things right as soon as is reasonably practicable. Resolution should not extend beyond one calendar month.

5.2 It is hoped that most complaints will be resolved informally.

5.3 If a complaint concerns discriminatory behaviour, harassment, or matters of a sensitive nature which the student feels she or he could not raise with the member of the College's staff concerned, the matter should be treated as a formal complaint.

6. **Formal Procedure - Complaint to Quality Officer**

- 6.1 If the student is not satisfied with the steps taken to resolve the problem informally, or if 5.3 applies, or if the student feels that the matter of the complaint is for other reasons too grave to be dealt with informally, a formal complaint should be made.
- 6.2 A formal complaint must be written down, preferably by the complainant but if not with the assistance of a member of College staff. Formal complaints can be made by email, letter or by completing a Complaints Form which can be obtained from the Reception Desk, the Library or any Academic Departmental Secretary.
- 6.3 The complaint should explain the problem that has arisen and set out what the student wishes the College to do to correct the situation.
- 6.4 The complaint should be sent to the Quality Officer.
- 6.5 It is anticipated that Stage 1 of the Formal Procedure would normally be completed, with a response in writing from the Quality Officer, within twenty working days of the receipt of the complaint. This timescale may be extended during College holidays. When resolution is not possible within 20 working days, the complainant will be kept informed of progress.
- 6.6 Responsibility for the investigation of complaints lies with the department whose service has been complained of. The Quality Officer will inform the department of the complaint and the head of department, the CAM or a Section Head, as appropriate, should investigate the complaint thoroughly and report the findings to the Quality Officer, who will assist them in drawing up a response. The Quality Officer will check that the reply is fair and consistent with College policy. The Deputy or Vice Principal will be copied into the reply as appropriate.
- 6.7 If the student's complaint is upheld, the reply will contain a formal apology and indicate the actions the College intends to take to prevent a recurrence, together with an appropriate timescale for such action.

7. **Appeal to the Principal**

- 7.1 If the reply to the complaint following completion of Stage 1 is not considered satisfactory by the student, he/she may appeal in writing to the Principal. This appeal must be made within

ten working days of receiving the College's original reply. The Principal will acknowledge the complaint within five working days of receipt of the appeal.

- 7.2 In the event of the complaint being against the Principal, all the procedures outlined shall apply. The Principal's role shall be taken by the Chair of the Governors or his/her nominated deputy.
- 7.3 In order for the appeal to be considered, the student must provide new evidence which was not available to be considered during Stage 1 and/or be able to demonstrate that the investigation was not carried out in accordance with this procedure or the commitments of the Student Charter.
- 7.4 If the Principal decides to receive the appeal, s/he may adjudicate the appeal or convene a Complaint Hearing to investigate the matter further. The Chair of the Complaint Hearing will be a head of department (academic or support) not involved with the complaint. The other members of the Hearing panel will be a member of the College staff, similarly from a department not involved in the complaint but also from a different department from the Chair, and a member of the Student Executive Committee. A member of the College's Senior Management and also not involved in the complaint will act as clerk to the panel.
- 7.5 The Complaint Hearing will normally take place within one calendar month (excluding College holidays) of receipt of the complainant's appeal.
- 7.6 The complainant, if he/she wishes, may be accompanied at the Complaint Hearing by a friend for the purposes of support. Except where the conditions of 4.3 have been met, the friend may not put forward the complainant's case. In the event that the complainant is unable to attend, the Complaint Hearing will be rescheduled.
- 7.7 The Chair of the Hearing panel will report the findings of the panel to the Principal. The Principal will then decide upon a resolution of the complaint. The resolution will be communicated in writing to the complainant and the head of the department concerned within one calendar month of the Hearing (excluding College holidays). The Principal's letter will set out the reasons for the resolution. If the student's complaint is upheld, the Principal's letter will contain a formal apology and indicate how the College intends to prevent a recurrence.
- 7.8 A report on each case for which a Complaints Hearing is called, will be prepared by the Quality Officer for the College Leadership Team, to assist in monitoring the effectiveness of the Student Complaints Procedure and to identify relevant quality issues.
- 7.9 The Principal's resolution will be final. There are no further rights of appeal under this Procedure.

8. Monitoring and Evaluation

- 8.1 The Quality Officer will oversee the tracking of complaints and will ensure that records show the nature of the complaint, how it was dealt with, the time taken for a resolution to be reached and the outcome.
- 8.2 The Student Complaints Procedure is one aspect of the College's quality assurance system and complaints are considered an important source of feedback on the quality of the College's service. Where appropriate, complaints will be used to improve services and facilities. Termly complaints reports will be made to the Quality and Curriculum Group and the Quality and Standards Committee.

Student Complaints Procedure - Flow Chart

