

Policy Identifier: Student Complaints Procedure

Policy Title:	Student Complaints Procedure
Description:	The purpose of this procedure is to ensure that legitimate student complaints are investigated and resolved in a transparent, fair and timely manner.
Author (Position):	Vice President (Academic Affairs) and Registrar
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Student Complaints Procedure

1 Context

Marino Institute of Education ('The Institute', MIE) is committed to excellence in teaching, research and service provision. The Institute aims for the highest standards of quality in all its activities. It takes legitimate student complaints seriously and aims to resolve them in a clear, fair and timely manner.

2 Purpose

The purpose of the formal Student Complaints Procedure is to ensure that legitimate student complaints are investigated in a transparent, fair and timely manner with a view to reaching a resolution in a clear, fair and timely manner.

3 Scope

The complaints procedure spans many aspects of the student experience: for example, teaching and academic facilities, academic services, student accommodation administered by the Institute, student support services, administrative services, alleged actions or inaction by the Institute or a member of its staff. It should be noted that the traditional principles of academic freedom of staff shall not be restricted or impinged as a result of a complaint.

3.1 A student may raise a formal complaint relating, but not limited, to the following perceived issues:

- 3.1.1 The quality or standard of any services or failure to provide a service by the Institute or a member of its staff;
- 3.1.2 The quality of facilities or learning resources;
- 3.1.3 The failure to follow an appropriate administrative process
- 3.1.4 Perceived unfair treatment or inappropriate behaviour by a staff member towards a student which would not be covered by the [Dignity and Respect Policy](#);
- 3.1.5 An alleged action or inaction by the Institute or a member of its staff.

3.2 The procedure applies only to matters which are the responsibility of the Institute and therefore does not include, for example, issues relating to the Students' Union, student clubs and societies, services provided by the designated medical centre, and providers of internships and placement, which are their sole responsibility.

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- 3.3 Students may contact the [Registrar's Office](#) to seek guidance on how best to progress a complaint that may arise due to a relationship between the Institute and an external entity.
- 3.4 This procedure does not apply to decisions relating to academic performance or progression.
- 3.5 The [Registrar's Office](#) Moodle page is the primary source for regulations and procedures. In the case of conflict between guidelines set out there or elsewhere, those of the [Registrar's Office](#) will prevail. Examples of existing processes in place which preclude the opportunity to invoke the formal Student Complaints Procedure include the following:
- 3.5.1 Appealing the results of all assessed/examined work and the decisions of the Courts of Examiners¹: see [Re-check/Re-Mark of Assessments Procedure](#), Court of Appeal² for undergraduate students and postgraduate students;
 - 3.5.2 Complaints made about the adequacy of postgraduate thesis supervision should normally be made first to the relevant Course Leader²;
 - 3.5.3 Complaints of harassment, including sexual harassment and bullying, are dealt with under the [Dignity and Respect Policy](#);
 - 3.5.4 A complaint relating to an alleged clinical error by staff from the [Disability Service](#) or [Student Counselling Service](#) may be raised with the appropriate professional or statutory body if it has not been resolved locally;
 - 3.5.5 In the event that a complaint gives rise to an allegation of staff misconduct, this element will be dealt with separately, at the discretion of the Institute, through the agreed disciplinary and grievance procedures;
 - 3.5.6 The Registrar has a responsibility to enquire into and otherwise deal with an alleged disciplinary offence by a student.
- 3.6 Complainants
- 3.6.1 The procedure applies to complaints from:
 - i. Any registered student of the Institute;

¹ See [Academic Assessment and Academic Progression](#) Policy

² See [Appeals Policy \(Academic Progression\)](#), [Court of First Appeal Process](#), [Court of Second Appeal Process](#), [Postgraduate Appeals Process](#) and [Guidelines on Evidence in Support of an Ad Misericordiam Appeal](#)

- ii. Undergraduate and Postgraduate students within three months of the publication of their results;
- iii. Those interacting with the Institute in activities such as Admissions;
- iv. Students approved as 'off-books' for a defined period;
- v. A complaint may be made by a student, by a group of students or be channelled through an elected student representative e.g. class representative.

3.6.2 Anonymous complaints will not be considered.

4 Principles

4.1 The guiding principles are:

- i. To provide students with a clear framework in which to raise complaints;
- ii. To respect all the individuals involved in a complaint;
- iii. To comply with legal and statutory frameworks;
- iv. To support improvement through regular reporting and review of issues raised.

5 Definitions

For the purpose of this procedure, a complaint is considered to be: An expression of significant or sustained dissatisfaction where a student seeks a specific action to address the issue.

6 Procedure

6.1 Generally, complaints are resolved easily and effectively at an early stage and by those who have direct influence on the situation. In the first instance, students should seek the advice of their tutor³ and use existing informal mechanisms to resolve differences – for example, discussing with individual lecturers or support staff, engaging with student representatives or through staff-student meetings. The formal student complaints procedure is available when informal approaches have not produced a satisfactory resolution within a reasonable timeframe or when the seriousness of the complaint merits it.

6.2 The formal complaint process

³ See [Tutor System Policy](#) and [Tutor System Procedure](#)

- 6.2.1 Students should understand that when they make a formal complaint, certain procedures will follow and complainants must be clear on the grounds for their complaint. They are required to provide full and accurate information and to cooperate with any investigation, including providing any additional information requested.
- 6.2.2 Where a complaint is deemed to be malicious or vexatious or where false information is submitted, disciplinary action may be taken against the complainant⁴.
- 6.2.3 The Institute seeks to handle all complaints with discretion. It is important that all parties involved take care to ensure that confidentiality is respected. As far as is practicable, confidentiality will be preserved at all stages in the procedure, in the interests of both the student making the complaint and the other party/parties involved. The Institute will never seek records or information relating to confidential consultations between the complainant and the [Health Centre](#), [Disability](#) or [Counselling Service](#), or any other external health professional without the explicit written consent of the complainant and only in cases where there is a risk associated with the complainant or the Institute.
- 6.2.4 A student making a complaint will not be discriminated against or suffer any recrimination as a result of making a legitimate complaint⁵.
- 6.2.5 Where a complaint involves an individual member of staff, that member of staff has a right to respond as part of the investigation.
- 6.2.6 A member of staff who is the subject of an alleged complaint will not be discriminated against or suffer any recrimination as a result of any unsubstantiated complaint being made.
- 6.2.7 All information received and considered as part of the investigation of a complaint will be retained for record purposes in keeping with the Institute's Records Management and Data Protection Policies⁶.

6.3 Stage 1 of the Process

⁴ See [Disciplinary Procedures in Respect of Students](#)

⁵ See [Dignity and Respect Policy](#)

⁶ See Record Management Policy, [MIE Records Retention Schedule](#) and [Data Protection Policy](#)

- 6.3.1 The [Student Complaints form](#) is available to download from the [Quality](#) section of the MIE website together with instructions for submission.
- Formal complaints should be normally made within one month of the last related incident occurring.
- 6.3.2 The complaint will first be assessed by the Registrar & Vice President of Academic Affairs to confirm that it falls within the remit of the Student Complaints Procedure and check that local informal processes have been exhausted before the formal complaint process is initiated.
- 6.3.3 The student will receive an acknowledgement of receipt of the complaint and be informed of the next steps and, where appropriate, the timescales (see below).
- 6.3.4 If the complaint is to be investigated, it will be forwarded to the relevant Department Head. They may explore the complaint or designate an investigator to carry out an investigation into the issues raised. The investigator will be an experienced member of staff from the area who is not implicated in any way in the complaint and does not have any close relationship with any of the parties involved or an external trained investigator. Should the complaint refer to an individual, that person should be informed at this stage of the complaint. The appointed investigator will examine the issues raised in the complaint and will seek to establish:
- i. The nature and circumstances of the complaint;
 - ii. Whether the complaint has a merit;
 - iii. What actions (if any) are needed to resolve the issue.
- 6.3.5 As part of this investigation the investigator may conduct individual interviews with the complainant, those against which the complaint is made and any relevant third party.
- 6.3.6 The student complainant may be accompanied by their tutor⁷ or a member of the [MIE Students' Union](#).
- 6.3.7 A staff member may be accompanied by a staff representative of their choice.
- 6.3.8 On this basis, the investigator will provide a written report recommending measures to be taken to resolve the complaint to the parties concerned. Once approved by the Department Head, a copy of the report will be sent to the

⁷ See [Tutor System Policy](#) and [Tutor System Procedure](#)

complainant by the Registrar. This will set out the outcome of the investigation and ask the student to respond to the outcome of the investigation within 15 working days.

6.4 Table 1: Stage 1 of Process

<p>6.4.1 Maximum Timescale: Six weeks from receipt of complaint to provision of written report with a progress report being issued to the complainant within three weeks.</p> <p>6.4.2 Possible Outcomes</p> <ol style="list-style-type: none">i. A mutually acceptable outcome is reached;ii. A mutually acceptable outcome is not reached but the Department Head considers that the complaint has been heard fairly and that appropriate actions have been taken;iii. The student appeals the outcome to Stage 2 on one of the relevant grounds (see 6.5.1).

6.5 Stage 2: Appeal⁸ by the Student and Examination of Stage 1 Process

- 6.5.1 A student may appeal the outcome of stage 1 if they have reason to believe that:
- i. The written report does not address the substantive areas of complaint;
 - ii. There is a procedural irregularity in connection with the conduction of the investigation.
- 6.5.2 The Registrar & Vice President of Academic Affairs will chair a small group comprised of individuals with relevant expertise and of senior Institute officers as appropriate such as the Deans of Education, a senior lecturer (or nominees of any Officer is involved in the complaint) to consider the appeal.
- 6.5.3 The group will be provided with a written report outlining the handling of the investigation to date, appeal documentation from the student and will gather other evidence as may be necessary. It may interview the student and others involved if necessary. The student complainant may be accompanied by their tutor⁹ or a member of the [Students' Union](#). A staff member may be accompanied by a staff representative. The role of the group is to judge whether the Department has correctly and properly addressed the substantive areas of the complaint, followed correct procedures and examined all the evidence.

⁸ See [Appeals Policy \(Academic Progression\)](#), [Court of First Appeal Process](#), [Court of Second Appeal Process](#), [Postgraduate Appeals Process](#) and [Guidelines on Evidence in Support of an Ad Misericordiam Appeal](#)

⁹ See [Tutor System Policy](#) and [Tutor System Procedure](#)

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- 6.5.4 The student will be provided with the report of the group within three weeks of requesting an appeal and will be asked to respond within 15 working days.

6.6 Table 2: Stage 2 Process

- 6.6.1 **Maximum Timescale:** Three weeks from receipt of request for review

6.7 Possible Outcomes

- 6.7.1 The complaint is deemed to have been handled appropriately. No further action is necessary;
- 6.7.2 The complaint is referred back to the relevant Department for further action and/or investigation which results in a mutually acceptable outcome and the problem resolved;
- 6.7.3 The complainant or Department Head against which the complaint has been made is not satisfied and may complain to the President or to the Office of the Ombudsman, as appropriate.

6.8 Reporting

- 6.8.1 An important objective of the formal Student Complaints Procedure is to support improvement through regular reporting of issues raised. Accordingly, the MIE Quality Working Group will be provided with regular reports on the number of student complaints received under this policy, the speed in which they have been dealt with, the areas they cover and what actions have been taken to resolve the complaints and ensure that they do not reoccur.

7 Responsibility

The Registrar & Vice President of Academic Affairs is responsible for the oversight of this Procedure.

8 Related Documents

- 8.1 [Students Complaints Form](#)
- 8.2 [Dignity and Respect Policy](#)
- 8.3 [Appeals Policy \(Academic Progression\)](#)
- 8.4 [Court of First Appeal Process](#)
- 8.5 [Court of Second Appeal Process](#)

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- 8.6 [Guidelines on Evidence in Support of an Ad Misericordiam Appeal](#)
- 8.7 [Postgraduate Appeals Process](#)
- 8.8 [Disciplinary Procedures in Respect of Students](#)
- 8.9 [Re-check/Re-Mark of Assessments Procedure](#)
- 8.10 [Academic Assessment and Academic Progression](#)
- 8.11 [Record Management Policy](#)
- 8.12 [MIE Records Retention Schedule](#)
- 8.13 [Data Protection Policy](#)
- 8.14 [Tutor System Policy](#)
- 8.15 [Tutor System Procedure](#)