

31 Students Complaint Policy and Procedure

Purpose

The purpose of this procedure is to provide a formal means through which students can channel any complaint they have against the services provided by the KCOL and through which the management of KCOL can resolve these complaints in a fair, open and timely manner.

Principles

The procedure is underpinned by the following principles:

- that all complaints are dealt with in a transparent and timely fashion
- that all parties act in good faith and with the object of coming to a mutually agreed resolution
- that the interests of both complainer and complained against are protected
- that all complaints are handled at the appropriate level for their degree of seriousness
- that at any stage resolution is possible via mediation and mutual agreement
- that the outcome should be demonstrably just and proportionate

Scope of the Procedure

This procedure is to be used for

- concerns about the provision and delivery of academic programmes and related services
- complaints over any aspect of students' experience at KCOL, including relationships with administrative or Student Services and other students
- complaints concerning discrimination in contravention of the KCOL equality and diversity policy

Informal Resolution

Many of the issues leading to complaints are simple misunderstandings, lack of proper communication, or administrative or process error, which only require swift action to resolve. Before any formal process begins, therefore, all parties should try to resolve the matter through informal discussion, mediation and problem-solving. Students finding themselves with issues to resolve or unhappy about any experience they have had at the KCOL should raise the matter at the earliest opportunity, either directly with those concerned or with their Head of Department or any member of the staff. They may also seek the help and advice of Student Welfare officer. Courses Tutors will normally be expected to resolve matters relating the students' programmes at this stage. For matters relating to inter-personal relationships, student might prefer to seek the mediation of Student Welfare Office. Only when such informal actions have not been sufficient to resolve the matter within a reasonable timescale should students invoke the formal procedure.

Formal Procedure

The formal procedure has two levels, 1st Level (Department) and 2nd Level (Management) Complaints against service departments are routed initially through the Faculty.

Most complaints should be resolvable through the Department level procedure and only progress to the Management level once the Department procedure has been exhausted without resolution. Complaints of a very grave nature, however, may be referred directly to the Management level.

Ownership of the Department process rests with the Head of the department; ownership of the Management process rests with the Head of College.

Department Level Procedure

Where students have not been able to resolve their difficulties through the informal route, they should write to their Head of Department, clearly stating the issue, describing their efforts to resolve this to date, and providing any evidence in support of their case.

The Head of the Department, or nominee¹, will review the case, speak to both the complainant, those complained about, and any other relevant person, and seek a fair resolution. This might be:

- Ruling in matters of dispute
- Acting to clarify and put right any misunderstandings
- Admitting proven errors and apologising or other action as appropriate.

The Head of the Department will then write to the student setting out the outcome of the complaint clearly, and explaining the next stage in the procedure, should the student wish to invoke it. If the case has been heard by a nominee, the Head of the Department must review and endorse the nominee's recommendations for them to be accepted.

The Head of the Department is responsible for ensuring that any actions agreed following his or her review are carried out expeditiously.

If the Head of Department, on reviewing the case, considers it to be of sufficient seriousness, he/she will refer it directly to the Head of College, to invoke the 2nd level Management stage.

If, for good reason, students remain unsatisfied with the outcome of this stage, they should move to the next.

Management Level Procedure

Students dissatisfied with the resolution offered at Departmental level should then write to the Head of College, re-stating the original complaint and setting out the reasons why they remain unsatisfied with the previous outcome.

¹ Nominees must be senior members of staff without any connection to the case; if such cannot be identified in the Department, the Head must take the case him/herself or seek a nominee from another department in the Faculty.

The Head of College will order a formal investigation into the complaint. This investigation will be undertaken by either one or two senior members of staff, depending upon the nature and seriousness of the complaint. The investigator(s) must be independent, and either from another department within the Faculty, or if this does not give sufficient distance in the specific case, from another Faculty or service department.

The investigator(s) will have the right to speak to all parties and to make other independent investigations of relevance to their enquiry before presenting a formal report to the Head of College, who will review the report, in conjunction with the Head of Department, to come to a judgement on the issue and agree any appropriate remedy where a complaint has been upheld.

If the investigator recommends that the complaint is either wholly or substantially up-held, and the Head of Academics review upholds the recommendations, the exercise may be paper-based. If the recommendation is that the complaint is only partially upheld, or not upheld at all, then the Head of Academics must convene a meeting of all parties (including the co-adjudicator) to review the evidence before coming to a final decision.

The Head of College will then write to the student(s) setting out the judgement, the reasons which led to its being made, and any resulting action. He/she will also explain the next stage of the procedure, should the student(s) wish to invoke it.

The Head of College is responsible for ensuring any actions agreed through the judgement are carried out expeditiously.

The Conduct of the Complaints Procedure

The KCOL presumes that the complaints procedure will be conducted according to the principles of natural justice and expects that the following will apply in all cases:

- complaints will be made as soon as possible, and will not be raised a long time after the event[s] to which they refer²
- complaints will remain as originally set out; and will not accrete further complaints as proceedings develop
- students will provide independent evidence to support their complaint
- the investigation of the complaint at either Department or Management-level will be full and rigorous
- complaints will not be investigated by anyone who has a material interest in the outcome
- investigations will be conducted with due regard for the privacy of all parties, and will disclose the issue only to those immediately involved and/or those whose participation is necessary for a resolution
- staff will not seek to hide any matter of relevance to the complaint

² **Complaints against the standard of tutoring etc. must be made before the results of examination board deliberations, and cannot be used to lever an appeal against the judgement of the Committee.**

- staff and students who are subject to a complaint, or who are responsible for a service complained about, will be informed of this and invited to comment at the earliest opportunity
- staff and students who are subject to a complaint will have the right to know who is making the complaint
- all parties will be allowed reasonable time to take advice before any meeting which forms part of the process
- students and staff concerned will have a right to see the investigatory report and the Management reviewer's report, subject to normal rules of confidentiality
- all parties will recognise that complaints may or may not be upheld
- students will not wilfully refuse to be satisfied with the resolution offered
- staff will readily acknowledge errors which have occurred

At each stage, a complaint will be reviewed to establish whether it should be taken forward or referred back to the earlier stage for further consideration. Complaints will normally only be referred back to an earlier stage once, to avoid their becoming trapped in a circular process.

32. Student Complaint flow chart

Please find separate (see the forms folder)

33. Advice, Guidance and Support

Before making a complaint, students should seek advice and guidance from a trusted source; this could be a known academic tutor or Students Welfare Officer. The Head of College provides authoritative, formal guidance on the applicability and operation of the procedure. Students making a complaint have the right, in all discussions, meetings and hearings, to be accompanied by a friend, Student Welfare Officer or a legal advisor, who may speak on the students' behalf if they wish.

33.1 Anonymous and Third Party Complaints

Students are responsible for making their concerns known themselves: anonymous or third-party complaints will only be admitted in exceptional circumstances. A complaint made anonymously or by a third party must be referred to the Head of College; the standing advisory panel will then consider:

- the gravity of the issues
- the credibility of the concern
- the likelihood of confirmation from attributable sources

The panel will then rule about its admissibility. If admitted, the panel will refer the complaint to either the Department Level or the Management Level as appropriate.

33.2 Monitoring, Evaluation and Review

Monitoring and evaluation of these procedures is the responsibility of the Management of KCOL. The Management will meet annually to review complaints submitted during the previous academic year.

The review will include:

- the number and range of complaints submitted
- the timeliness and security of their resolution
- the operation of the procedures
- year-on-year comparisons

The review will be informed by annual reports from the Head of College's office. These reports should include all complaints submitted through the formal procedures, and any recurring issue settled by informal intervention before the formal procedures are invoked.

If as a result of the annual review, any area of KCOL is found to be a cause for concern, for example, by the number of complaints attracted, or a lack of timeliness in response, the Registrar will, on behalf of the review panel, write to the senior member of staff responsible for that area to alert him/her to these concerns.

The panel will submit an annual report to the Director, together with any recommendations for amendment to the procedures, or other action.