

Complaints Policy and Procedure

Key Personnel:

- The Principal**
- The Senior Tutor**
- The Tutor for Graduates**
- The Director of the Visiting Student Programme**
- The Director of the Pastoral Studies Programme**
- The Director of Operations**
- The Director of Finance**
- Chair of Governing Body**

The following policies should also be consulted:

- General Principles Concerning the Use of College Policies**
- Harassment Policy, as appropriate**
- Disciplinary Policy, as appropriate**
- Policy on Staff/Student relationships, as appropriate**

Abbreviations used: CH: Case Handler

This policy is to be read in conjunction with the Regents Park College Safeguarding Policy. Safeguarding referrals will be made within 24 hours where the nature of a complaint gives rise to concerns about the safeguarding or protection of an affected party, or where concerns about the 'suitability' of an individual to work in a position of trust arise. Matters that suggest potential criminality will be referred to the Police. Where affected parties require external support services, beyond the skill or resources of the University, external referrals will be made promptly.

1. This document lays out procedures for students who wish the College to consider and, if necessary, respond to serious dissatisfaction with their tuition, or make a complaint against a member of staff or other aspects of College procedures. (Note: complaints against students are dealt with in other ways).
 1. Students may begin informally and then choose to transfer to the formal process or proceed directly to a formal complaint.
 2. Complainants may at any stage be accompanied by a friend or an adviser (e.g. an officer of the JCR or MCR).
 3. If the complainant does not wish to be identified, the initial approach may be made through another student (e.g. an officer of the JCR or MCR) or through a member of staff such as a Personal Tutor. However, it must be understood that certain kinds of complaint will not be easy to make or sustain anonymously, and formal complaints will never be permitted anonymously.
 4. Rumours or unattributed remarks or narratives will not be considered as part of the evidence in any complaint.
 5. Any initial approach to an Officer will be in confidence, and the complainant will be advised of how far further action will involve others knowing their identity.
2. The Appropriate College Officers who will handle complaints (the Case Handlers) are as follows:
 1. For academic complaints:

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1. For Undergraduates - the Senior Tutor;
 2. For Postgraduates – the Tutor for Graduates (Note: many academic complaints by Postgraduates will be investigated at Faculty level);
 3. For Visiting Students – the Director of the Visiting Student Programme
 4. For Ministerial Students – the Director of the Pastoral Studies Programme.
2. For issues involving academic-related staff: the Senior Tutor.
 3. For issues involving administrative and domestic College staff, catering or accommodation: the Director of Operations;
 4. For financial matters: the Director of Finance;
 5. For complaints about one of the College Officers listed in [2.1.1-2.1.4] above: the Principal or Acting Principal;
 6. For complaints about the Principal or Acting Principal, the Chair of Governing Body;
 7. Complaints by students about other students should be made to the Dean and will be dealt with under other processes.
3. Complaints, formal or informal, may be withdrawn; but in some circumstances the College Officer may still have to act upon the information received and conduct an investigation, or so that the College can be satisfied that nothing improper has occurred, or to allow someone complained about to clear their name.
 1. It is the duty of the Principal or other College Officer to ensure that if they consider that a complaint is withdrawn under pressure (and this is especially the case where the matter is serious) the matter is independently investigated under some other appropriate College procedure.
 2. Similarly, a student making a complaint should be assured that in the event a member of staff responds to the complaint in a way that may constitute bullying or harassment, such a response will also be investigated.
 4. The need to avoid unnecessary delay in the resolution of complaints is stressed. Normally the College will seek to resolve formal complaints within four weeks, though this may not always be possible.
 5. Informal Procedure:
 1. Complaints may be discussed with any senior member of staff (including Personal Tutors, the student's Director of Studies, the Women's Officer, the Chaplain, the Dean, the Senior Tutor, and a Harassment Officer) though it is also important to maintain proper confidentiality.
 2. It is very important that this stage is not protracted and the person approached sees their role as essentially advisory and conciliatory, and makes clear that they are not an arbitrator. But within these constraints, they may, with the permission of the complainant, speak to both sides to the complaint.
 6. Formal Procedure: stage one

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1. When it is decided that a formal complaint is to be made, a formal complaint should be made in writing to the appropriate College Officer (see 2.1.1 – 2.1.4 above).
 2. The Officer will (a) seek to offer sympathetic and confidential advice; and/or (b) try to find a remedy, or a reconciliation (in cases where relations have broken down between individuals, and the complainant does not object to this course).
 3. If the College Officer approached is unable to resolve the problem to the satisfaction of the complainant, the complainant may write to the Principal or Acting Principal (or for a complaint that involves the Principal, the Chair of Governing Body).
7. Formal Procedure: stage two
1. On such a reference the Principal or Acting Principal (or for a complaint that involves the Principal, the Chair of Governing Body) will consider whether a *prima facie* case has been made to take the matter further.
 2. If the Principal decides that a *prima facie* case has been made they will appoint a member of staff to investigate the complaint. The investigator will be, so far as is possible, someone who has not previously been involved in the case.
 3. The investigator may meet with the student and / or request a written statement from them making the complaint in order to clarify it.
 4. The investigator will keep a written record of their meeting (or ask a colleague to attend in order to do this) which the student will see and have the opportunity to comment upon.
 5. The investigator will then inform the member of staff against whom the complaint has been made – giving them a copy of the complaint before or at a meeting with them.
 6. The investigator will keep a written record of their meeting (or ask a colleague to attend in order to do this), which the staff member will see and have the opportunity to comment upon.
 7. The investigator may interview others as relevant and appropriate.
 8. The investigator will then report to the Principal recommending a course of action, which may include one or more of the following:
 - i) A formal or informal warning to the member of staff;
 - ii) Further disciplinary action against the member of staff;
 - iii) Measures to be adopted by the member of staff or the College to avoid a recurrence of the circumstances of the complaint, e.g. a course of training;
 - iv) Dismissal of the complaint.
8. The Principal will then act upon the investigator's report as they deem appropriate; in certain cases the Principal may refer the investigator's report to the Governing Body, and / or determine that the member of staff should be subject to disciplinary proceedings according to the appropriate College policy.
9. When this stage is completed the Principal will write to the complainant stating, insofar as it is possible to do so, the action taken and indicating that the complaints procedure has been completed. In the event that the member of staff is subject to disciplinary proceedings in

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consequence of the complaint, the Principal will not write to the complainant until such proceedings are completed when they will inform the complainant that all internal procedures are now exhausted.

10. If at the termination of stage two of the Formal procedure above, the investigator concludes that the complaint was malicious or vexatious, s/he shall so report to the Principal who shall take such steps as are appropriate.
11. At the end of complaints, appeals, or internal procedures covered by the College policies, a Completion of Procedures letter will normally be sent to the person who is the subject of an internal procedure, and (if appropriate) to the person who has made the complaint.
12. Record Keeping.
 1. Each College Officer listed at [2.1.1 – 2.1.4] will keep a register of formal complaints made in an academic year, and a summary of numbers and outcomes will be collected by the Principal and submitted to Governing Body and the Equality Committee.
 2. The registers will indicate how many formal complaints have been registered, and what stage they reached (stage one, stage two, still unresolved, withdrawn).
13. Appeal
 1. If the student remains dissatisfied by the conclusion of the complaint process at paragraph 8 they has the right to appeal to the Chair of Governing Body (or, if the complaint has been handled by the Chair of Governing Body, to the Deputy Chair) who will ask two independent members of Governing Body to form a panel with the Chair (or Deputy Chair) to consider the matter and determine an outcome.
 2. If the student remains dissatisfied after an appeal to the Chair (or Deputy Chair of Governing Body), and their complaint falls within the rules for complaints published by the OIA,¹ they may appeal to the Office of the Independent Adjudicator.
 - i. Details of the OIA's procedures and rules may be found here:
<http://www.oiahe.org.uk/rules-and-the-complaints-process.aspx>.
 - ii. If the complaint falls within the scope and jurisdiction of the OIA, a Reviewer is appointed. The OIA states that: 'In deciding whether a complaint is justified the Reviewer may consider whether or not the [College] properly applied its regulations and followed its procedures and whether or not a decision made by the [College] was reasonable in all the circumstances.'

*25 February 2017
Revised November 2020*

¹ The Conference of College Appeal Tribunal 'can only deal with appeals against "disciplinary decisions imposing a substantial penalty" upon students, and therefore its scope and jurisdiction does not extend to complaints by students against members of staff or the College and its processes.