



Regent's Park College

Student Complaints Policy and Procedure

Section A: Introduction and General Principles

A1. The Student Complaints Policy and Procedure (SCP) 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.

A2. The College is committed to creating an inclusive and supportive learning environment that provides an opportunity for all students to engage fully with all aspects of College and University life.

A3. This policy is to be read in conjunction with the Regent's 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.

A4. The College welcomes feedback and takes complaints seriously. Students will not suffer any disadvantage as a result of making a complaint in good faith. However, making a complaint which is frivolous, vexatious or malicious is likely to be a breach of a student's obligations to the College and may result in disciplinary action being taken against that student under the College's Non-Academic Disciplinary Policy and Procedure.

A5. The College is mindful of its obligations under the Equality Act 2010 and will adjust these Procedures on a case-by-case basis where the College feels it is necessary to implement reasonable adjustments for any individual concerned.

Section B: When does the procedure apply

B1. A Complaint is an objection to the College's academic, pastoral, or domestic provision, the behaviour of its senior members (Fellows) or employees, or any other aspect of College life, where what is objected to is alleged to have had a special individual impact upon the student making the Complaint. The procedures in this SCP are those that apply to Complaints.



Regent's Park College

Student Complaints Policy and Procedure

B2. This SCP does not apply to:

- a) Complaints about another junior member of the College (these are dealt with under the College's separate Non-Academic Disciplinary Policy and Procedure).
- b) Complaints that a member or employee of the College has committed an act of bullying or harassment (including sexual or racial harassment), as these are dealt with under the College's Harassment & Bullying Policy.
- c) Complaints falling within the reach of any other more specific procedures that may be established from time to time by the College.
- d) Private disputes between students and members or employees of the College, meaning those that do not arise out of the conduct of those members or employees acting or holding themselves out as acting in their capacity as members or employees of the College.
- e) Complaints about people who are not members or employees of the College.
- f) Rumours or unattributed remarks or narratives, which will not be considered as part of the evidence in any Complaint.

Section C: Who can complain

C1. Those eligible to make a Complaint under this SCP are current students of the College, students temporarily suspended from the College for disciplinary, medical, pastoral or voluntary reasons (whether or not a condition attaches to their return), and former students of the College whose Complaint relates to a matter that arose while they were current students or temporarily suspended students.

C2. 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 very little action, if any, can be taken in response to anonymous complaints, and formal complaints will never be permitted anonymously.

C3. Any initial approach to the Principal or other College Officer will be in confidence, and the complainant will be advised of how far further action will involve others knowing their identity.

C4. Complainants may at any stage be accompanied by

- a student representative (JCR, MCR or OUSU), or a fellow student;



Regent's Park College

Student Complaints Policy and Procedure

- another supporter or adviser, as appropriate, including those able to support students with a disability.

C5. 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, either so that the College can be satisfied that nothing improper has occurred, or to allow someone complained about to clear their name.

C6. 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.

C7. Similarly, a student making a complaint should be assured that in the event that a member of staff responds to the complaint in a way that may constitute bullying or harassment, such a response will also be investigated.

Section D: Summary of Procedure

D1. Before making a Complaint, a Student can seek the advice of the Head of Welfare, Welfare Lead or Personal Tutor (or any senior member of the College who seems appropriate and is prepared to be consulted) and discuss confidentially whether there is a Complaint to be addressed and, if so, how to proceed.

D2. There are four stages to follow when making a Complaint. Subject to the exception in F1 below, the Student should start at Stage One and follow the stages only in the sequence set out below:

- a) Stage 1: Informal Stage
- b) Stage 2: Formal Stage
- c) Stage 3: Appeal/Review of the Handling of Stage 2
- d) Stage 4: Complaint to the Office of the Independent Adjudicator under the national Student Complaints Scheme



Regent's Park College

Student Complaints Policy and Procedure

Section E: Stage 1: Informal Stage

E1. The Student should raise the Complaint informally as soon as possible after the problem arises. If there has been a delay, the Student should explain why. The College will not normally consider Complaints which are made more than three months after the problem originally arose or (in the case of a gradually emerging problem) more than three months after the actions or events that, according to the Student, brought the problem to a head.

E2. Complaints may be discussed with any College Officer (including Personal Tutors, the student's Director of Studies, the Chaplain, the Dean, the Senior Tutor, and a Harassment Adviser) though it is also important to maintain proper confidentiality.

E3. 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.

E4. If the Complaint is about a particular person, the College Officer handling the Complaint will normally expect to be at liberty to inform that person that the Complaint has been made, and may decline to proceed further with Stage One of this SCP if the Student's consent to inform that person is not given.

Section F: Stage 2: Formal Stage

F1. The Student must exhaust Stage 1 above before registering the Complaint formally, or give a good reason for not doing so. A good reason might be that the problem is particularly grave, or that when the Student raised the matter informally there was a refusal to deal with it.

F2. If it appears that the informal procedure under Stage 1 has not been exhausted, and the Student has not given a good reason under F1 above, a Complaint taken to Stage 2 may be referred back by the College for informal resolution under Stage 1.

F3. If the Student decides to pursue the Complaint to Stage 2, they should do so within one month of the outcome of Stage 1.



Regent's Park College

Student Complaints Policy and Procedure

F4. 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:

- 1) For academic complaints:
 - a) For Undergraduates – the Senior Tutor.
 - b) For Postgraduates – the Tutor for Graduates (Note: many academic complaints by Postgraduates will be investigated at Faculty/Department level).
 - c) For Visiting Students – the Director of the Visiting Student Programme.
 - d) For Ministerial Students – the Fellow in Ministerial Formation.
- 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 [F4.1.-F4.4.] above: the Principal or Vice-Principal.
- 6) For complaints about the Principal or Vice-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.

F5. 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).

F6. 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 Vice-Principal (or for a complaint that involves the Principal, the Chair of Governing Body).

F7. On such a reference the Principal or Vice-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.

F8. If the Principal (or Vice-Principal or Chair of Governing Body) 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.



Regent's Park College

Student Complaints Policy and Procedure

F9. The Investigator may make such inquiries as they think fit, and the taking of a Complaint to Stage 2 implies consent by the Student to all such inquiries. In particular the Investigator may request additional information and documents from the Student or any other person, and may hold interviews with or seek written statements from the Student, any witnesses named by the Student, and any other person. Notes will be taken of all interviews. Although there is no time limit for the completion of the investigation, it will be conducted as expeditiously as the subject-matter allows.

F10. Within ten working days of the completion of the investigation, the Investigator will produce a report setting out details of the investigation together with copies or notes of any evidence relied upon, and will provide copies of the report (complete with the supporting documentation) to the Student and to any person or body who or which is the subject of the Complaint, inviting both parties to submit written comments or objections within a further five working days.

F11. Upon receipt of the response or (if no response is provided within the time allowed) after the expiry of five working days, the Investigator will provide to the Principal copies of the report and any accompanying documents and any written response received from the Student or the person who is directly the subject of the Complaint, recommending a course of action, which may include one or more of the following:

- 1) A formal or informal warning to the member of staff.
- 2) Further disciplinary action against the member of staff.
- 3) 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.
- 4) Dismissal of the complaint.

F12. 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.

F13. Within ten working days of receiving the Investigator's Report the Principal will write to the Student to notify them whether their complaint was upheld or not, giving reasons for the decision made.



Regent's Park College

Student Complaints Policy and Procedure

F14. If at the termination of stage two of the Formal procedure above, the investigator concludes that the complaint was malicious or vexatious, they shall so report to the Principal who shall take such steps as are appropriate.

Section G: Stage 3: Appeal / Review

G1. If the student remains dissatisfied by the conclusion of the complaint process at paragraph F13 they have 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).

G2. The Complaint at Stage 3 should be made in writing to the Chair of the Governing Body within ten working days of the date of the letter from the Principal setting out the outcome of the Stage 2 Complaint.

G3. A Stage 3 application must be made in writing, marked 'Application for Review of Handling of Formal Complaint' and should set out:

- a) an explanation of why the Student is dissatisfied with the response to the Complaint at Stage 2; and
- b) an outline of what action the Student would like to be taken instead of that proposed by the Senior College Officer handling the Complaint at Stage 2.

G4. An appeal or request for review may be made on one or more of the following grounds:

- (i) there was a procedural irregularity in the procedure which undermines the fairness of the decision;
- (ii) the student was not provided with clear reasons for the decision;
- (iii) the decision was demonstrably unreasonable; or
- (iv) the student has material evidence which was not provided to the review groups earlier in the process and the student had good reasons for not having provided the evidence earlier.

NB an appeal is a review, not a re-hearing of the case.

G5. The Chair of the Governing Body (or Deputy Chair) will ask two members of Governing Body (Fellows or external members), not previously involved the Complaint or the matter complained about, to form a Panel with the Chair (or Deputy Chair) to consider the matter and within fifteen working days of receipt to determine whether there is a prima facie case for consideration. If in



Regent's Park College

Student Complaints Policy and Procedure

their shared view there is no prima facie case the Complaint will not be pursued further by the College, and the Student will be issued with a Completion of Procedures letter. The letter will contain the final decision and the reasons for it, which allows the Student to proceed to Stage 4 if desired.

G6. If the view of the Panel reviewing the matter under G4 above is that there is a case to consider, the Chair or Deputy Chair (as the case may be) will inform the Student of the decision for the Panel to review the Stage 3 application within fifteen working days of its receipt.

G7. The Panel shall be assisted by a senior administrative employee of the College enlisted by the Chair or Deputy Chair (as the case may be) who will act as Secretary to the Panel. The Secretary to the Panel shall fix a date for the hearing which should take place no later than one calendar month after the appointment of the Panel. Subject to that one-month limit, the date should be fixed in consultation with the Student and the members of the Panel as well as any person who or body which is identified as the subject of the Complaint.

G8. At least ten working days before the hearing, the Secretary to the Panel will:

- a) write to the Student and the Subject to inform them of the date, time and location of the hearing;
 - the Complaint as received at Stage 2;
 - the Investigator's Report from Stage 2;
 - any written comments on the Investigator's Report made by the Student or a person who is the subject of the Complaint;
 - the letter from the Principal to the Student setting out the Stage 2 response;
 - the Complaint as received at Stage 3;
 - any other relevant documents; and
- b) ensure that the Student and the Subject have copies of all documents which are before the Panel.

G9. If the Student or the Subject wishes the Panel to take account of any additional documentation or written submissions, copies must be provided to the Secretary at least two working days before the hearing. Any documentation submitted after this date will not be considered by the Panel unless the Panel decides that exceptional circumstances warrant its inclusion. The Secretary will then ensure that it is circulated to the Panel and the other party as soon as possible.



Regent's Park College

Student Complaints Policy and Procedure

G10. At least five working days before the hearing, the Student and the Subject shall inform the Secretary of any witnesses they wish to call at the hearing. The Secretary will in advance of the hearing provide a list of witnesses to the Student, the Subject and the Panel. Witnesses will normally be required to give evidence in person at the hearing, and will be expected to answer questions from the Panel and from either party. It is the responsibility of the person calling the witness to ensure that they attend. The Panel Chair may also request the attendance of witnesses not nominated by the parties, in which case it will be for the Secretary to ensure attendance and to notify the parties of the additional witnesses being called by the Panel.

G11. Where the Student and the Subject agree that a witness need not attend, or where it is impracticable for a witness to attend, or where in the opinion of the Chair of the Panel it would not be appropriate for a witness to attend, the Panel may accept evidence given in a written statement. Any written statements should be submitted to the Secretary at least three working days before the hearing. The Secretary to the Panel will then circulate them to the other parties and the Disciplinary Panel as soon as possible.

G12. At the discretion of the Chair of the Panel, the student may be accompanied at the meeting by:

- a student representative (JCR, MCR or OUSU), or a fellow student;
- another supporter or adviser, as appropriate, including those able to support students with a disability.

G13. The student should notify the Secretary of the Panel at least 48 hours in advance of the meeting if they are to be accompanied and, if so, by whom.

G14. The Student and the Subject will have the opportunity to address the Panel at the hearing. The Panel may also hear witnesses in any order and in any manner that to it seems appropriate, having regard to the requirements of natural justice. Questions will be asked of witnesses in the first instance by the members of the Panel. At the discretion of the Chair, the Student and the Subject may also (personally or through their Friends as the case may be) ask questions of any witnesses.

G15. Subject to the above, the Panel has the power (having regard to the requirements of natural justice) to regulate the procedures governing preparations for the hearing, and the



Regent's Park College

Student Complaints Policy and Procedure

hearing itself, so as to ensure that the process is fair and reasonable and, so far as appropriate, informal and flexible.

G16. When the Panel members consider their findings and recommendations, each shall be given the opportunity to present and discuss their impressions and conclusions regarding the Complaint and the hearing. The Panel will attempt to reach a unanimous conclusion regarding its findings and recommendations. If a unanimous conclusion cannot be reached, a motion for a decision may be made by any Panel member other than the Chair. The success or failure of any motion shall be determined by majority vote. The Panel will not take account of any information or documents which were not available to the Student or which were not available to the Subject (if there is one) at or before the hearing.

G17. The decision of the Panel will not be announced until at least the next working day after the hearing. The Panel may take up to five working days after the hearing to reach a decision. Within ten working days of the hearing, the Panel will produce a written report setting out their findings and recommendations, and the reasons for them. In case of a majority decision, the decision and the reasons shall be those of the majority. No dissenting opinion will be presented.

G18. The decision of the Complaint Panel is final. Within five working days of the Panel's reaching a decision, the College will issue a Completion of Procedures letter to the Student, which allows the Student to proceed to Stage Four. The letter will contain or append the decision of the Panel and the reasons for it.

Section H: Stage 4: Complaint to the OIA

H1. A Student who is dissatisfied with the outcome of the internal procedures for hearing their Complaint may have their case reviewed by the Office of the Independent Adjudicator for Higher Education (OIA).

H2. If the Student wishes to pursue the Complaint, they must apply to the OIA within 12 months of the issue of the Completion of Procedures letter.

Section I: Data Protection and Record Keeping

I1. Records will be kept at all stages of the process in accordance with College policy.



Regent's Park College

Student Complaints Policy and Procedure

12. College staff involved in this procedure shall have suitable experience or qualifications to consider the issues raised in the student's case.

13. No member of College staff involved in this procedure should have any conflict of interest in the matter, and they should not act if there is any reasonable perception that they are biased. If, as a result, someone allocated to consider the case under the procedure cannot act, the Senior Tutor will appoint an appropriate substitute.

14. The Student Complaints Procedure should be dealt with confidentially by all parties involved. As a general principle, details should not be revealed to third parties by the College unless there is a good reason to do so, such as to take a precautionary measure, protect members of the University community or comply with legal obligations.

15. The College will take account of relevant legislation such as General Data Protection Regulation legislation, the Mental Health Act, the Human Rights Act, the Equality Act 2010, and the general rights and expectations of a student of confidentiality.

16. The College acknowledges that as a result of implementing this Policy it will receive personal sensitive data and data of a confidential nature pertaining to the student and other third parties, and shall ensure that all such data is handled, processed and stored accordingly.

17. Each College Officer listed at [F3.1.-F3.4.] 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's Office and submitted to Governing Body under closed business.

18. The registers will indicate how many formal complaints have been registered, and what stage they reached (Stage 1, Stage 2, Stage 3, still unresolved, withdrawn).