

## **St Mellitus College**

### **Student Complaints Policy and Procedure**

#### **INTRODUCTION**

1. St Mellitus College (SMC) aims to provide academic provision that is of high standard and quality. Recognising that occasionally things do go wrong and as part of its commitment to enhancing the student experience, this procedure has been established to deal with student academic complaints.
2. SMC takes student feedback seriously and proactively seeks the opinions of students informally through the Formation Group system and formally through the Management Committee, student surveys, and Senior Students. Many questions, concerns or suggestions are raised and dealt with effectively through student feedback mechanisms.
3. However, where resolution through Student Feedback mechanisms or Formation Group tutors is not possible, the student may choose to follow the Student Complaints Procedure, detailed below.

#### **PRINCIPLES**

4. All complaints will be dealt with in confidence with the proviso that enquiries will have to be made to investigate the matters that are the subject of the complaint. An individual against whom a complaint is made has the right to be supplied with a copy of the complaint and to comment on it. A complaint cannot be investigated if the student does not wish the substance of the allegation to be made known to the individual concerned.
5. The effectiveness of any complaints procedure depends on SMC being able to collect appropriate information from the parties involved in order to investigate the matter properly. For this reason, anonymous complaints will not be dealt with under this procedure. It is at the discretion of the person receiving an anonymous complaint to determine how the matter is handled.
6. Complaints by a group of students may be of a general nature where it is more appropriate for the students to raise the matter with a student representative in the first instance. Complaints may be made by a group of students if the relevant representation system has not achieved a satisfactory outcome or this is not thought to be an appropriate route.
7. SMC will treat complaints seriously and will deal with them without recrimination.
8. Where a complaint is shown to be frivolous, vexatious or motivated by malice, it will be dismissed, and disciplinary action may be taken against the student.
9. The time limits set out in this procedure will normally be followed. However, where, for good reason, this is not possible, the complainant will be kept informed of progress and the reasons for any delay.
10. It is expected that the student concerned will pursue the complaint personally; complaints submitted by a third party will not normally be accepted.

## SCOPE OF THE PROCEDURE

Academic complaints can relate to any aspect of the approved academic provision including (but not restricted to) student complaints concerning:

1. the arrangements for, or delivery of, teaching or assessment for the academic programme;
2. the adequacy of supervision for modules that are a formal and assessed part of the academic programme;
3. the academic support that is part of the academic programme;
4. assessed placements that are a formal part of the academic programme;
5. administrative or support services that relate to the academic programme;
6. information or publicity in relation to the academic programme;
7. the infrastructure for academic programmes, including learning resources and teaching spaces.

The above is not a definitive or exhaustive list. Academic complaints may relate to other areas of academic provision or support where these are perceived to have had a negative impact on the student's academic programme or progress.

### *Qualifications*

This procedure does not extend to 'academic appeals' (i.e. appeals relating to examinations or assessments, to academic progress, or against expulsion or exclusion on academic grounds). Information on Durham University's approach to academic appeals is available in the [University Calendar, General Regulation VII - Academic Appeals](#). Information for Middlesex University is in Section G of the [University Regulations](#).

Equally, the procedure does not cover the following, for which separate procedures exist:

- a. complaints involving a decision that a student has failed to meet his or her academic commitments. See Durham University's [Academic Progress procedure](#) or the [Middlesex University Regulations](#); Section E.
- b. complaints involving an allegation of misconduct by a student (for Durham, see the [University Calendar, General Regulation IV – Discipline](#); for Middlesex see [Infringement of assessment regulations/academic misconduct](#)).
- c. complaints involving an allegation of harassment (see Durham University's [Respect at Work and Study policy](#) and Middlesex University's [Student Conduct and Discipline Rules](#)).

## STAGES OF THE PROCESS

The complaints process has 4 stages:

LEVEL 1: Investigation of the complaint at St Mellitus College
STAGE 1: Informal resolution
STAGE 2: Formal resolution
LEVEL 2: Referral to the University (if the complaint cannot be resolved at College level)
STAGE 3: University review (Durham or Middlesex University)
LEVEL 3: Referral to the Office of the Independent Adjudicator (OIA)
STAGE 4: OIA review procedure

The College encourages students wishing to raise a complaint begin with Stage 1. However, there may be occasions when informal resolution is not appropriate. In such instances the student may wish to proceed to Stage 2: Formal Resolution. For serious complaints, the student may write directly to the Dean without having followed the informal or formal stages of this procedure set out below. In such cases the Dean shall decide whether or not to conduct his or her own investigation into the complaint or whether it should more appropriately be referred to an earlier stage in the procedure.

### **Stage 1: Informal Resolution**

- a. Students should raise a complaint in writing to the relevant Centre Director, no more than 28 days after the event that the complaint concerns unless there is good reason for the delay. Informal complaints about a Centre Director should be directed to the Chief Operating Officer. Students must clearly note in the email that they are intending to submit an informal complaint by sending the email.
- b. Upon receipt, the Dean, Academic Manager, and Leadership Team will be informed, and the relevant Centre Director will take responsibility for the investigation of the complaint, including liaising with the student to ensure the complaint is handled in a timely manner. The staff member dealing with the complaint should, if possible, have a face-to-face discussion with the student concerned to come to an understanding of the exact nature of the student's dissatisfaction and to explore what outcome the student seeks. The student will receive a written or verbal acknowledgement of their complaint within 5 working days.
- c. Every reasonable effort will be made to deal promptly and efficiently with all complaints, investigate them thoroughly, objectively and independently and seek to resolve them satisfactorily. If a complaint is upheld, SMC will seek to provide an appropriate response and correct any mistakes or misunderstandings, taking any other action as appropriate. If a complaint is not upheld, reasons for that decision will be given in a timely manner. The procedure will take no longer than 8 weeks.
- d. As matters that are dealt with informally at an early stage have the best chance of being resolved effectively, the formal stage of this procedure should normally only be applied if informal procedures have been exhausted and the complainant remains dissatisfied.

### **Stage 2: Formal Resolution**

- a. If the Stage 1 procedures have been exhausted and the student is not satisfied with the response, he or she may initiate a formal complaint in writing to the Dean, within 28 days of receipt of the College's response.
- b. If a complaint is received at Stage 2, without prior consideration at Stage 1, SMC will normally try to resolve the complaint using informal mechanisms in the first instance where appropriate.
- c. The information to be included in the complaint by the student is as follows:
  1. details of the complaint;
  2. a statement of the action already taken to try and resolve the complaint informally if appropriate and why any response given is considered unsatisfactory;
  3. any supporting information or evidence;
  4. the form of resolution or redress sought.
- d. The Dean will acknowledge receipt of the complaint within 5 working days and take responsibility for the formal investigation following this. The Dean will seek resolution of the complaint by a means appropriate to its nature and circumstance. Such means may include:

1. correspondence between the parties;
  2. negotiation with the student or with appropriate members of staff or with both;
  3. facilitation of a conciliation meeting between the student and student/staff concerned;
  4. facilitation of a mediation meeting between the student and student/staff concerned.
- e. If the person dealing with the formal complaint decides to investigate the complaint via correspondence, the student bringing forward the complaint will be sent a copy of any comments obtained during this process and will be invited to submit a response. This will be done prior to a decision being reached in relation to the complaint.
- f. The possible outcomes of Stage 2 include:
1. a resolution, reached in co-operation with the student, following conciliation or mediation if appropriate;
  2. if the complaint is upheld, a recommendation will be made outlining how the issue(s) identified in the complaint should be addressed including, if applicable, appropriate redress to the student;
  3. dismissal of the complaint with reasons given to the student in writing.
- g. The response will also inform the student of their right to request a review of the complaint by the relevant accrediting University (i.e. Stage 3).
- h. If the complainant remains dissatisfied once SMC's informal and formal procedures are exhausted, the student does have the right to request a review by the relevant accrediting university, within 28 days of receipt of the College's response. The relevant University will determine whether to review the complaint to ascertain whether SMC's policy and processes have been implemented correctly.

### **Stage 3: Review by Accrediting University**

- a. If the student is dissatisfied with the outcome of Stage 2 and believes that the complaint has been handled improperly or unfairly according to this policy, the student may request that the complaint is reviewed by the accrediting University.
- b. The student can request a review by writing to Durham or Middlesex University no later than 10 working days after the date of the Stage 2 response. Contact details for the University Link Tutor (Middlesex) and University Liaison Officer (Durham) can be found in the Handbook on Moodle.
- c. The student must provide the following information:
  1. details of the complaint (including relevant correspondence from Stages 1 and 2 and any further new supporting documentation);
  2. details of why the student remains dissatisfied;
  3. details of the form of resolution or redress sought.
- d. Receipt of the request for a review will be acknowledged by the University within five working days. This acknowledgement will advise students that they may seek advice from the relevant Students' Union throughout the Stage 3 process.
- e. The relevant University will determine whether to review the complaint to ascertain whether SMC's policy and processes had been implemented correctly.
- f. For students, the possible outcomes include:

1. if procedural irregularities are identified, the complaint will normally be referred back to SMC for re-investigation;
  2. if the complaint is deemed to be outside the parameters of an 'academic complaint' (as defined above), the complaint will be referred back to SMC for investigation as a complaint that is outwith this provision;
  3. if SMC's policies and processes had been implemented correctly, the complaint normally will be dismissed. The reasons for dismissal will be provided to the student in writing, and a completion of procedures letter will be issued.
- g. A copy of the outcome letter will be retained by the College for a period of six years.
  - h. The student will be notified of the relevant University's decision within 28 days of the University's receipt of the request for a review.
  - i. If the relevant University dismisses the review request there shall be no further opportunity for the complaint to be pursued within the University.
  - j. The University's formal response at the completion of Stage 3 will advise the student that they can refer their complaint to the Office of the Independent Adjudicator.

#### **Stage 4: Review by the Office of the Independent Adjudicator (OIA)**

- a. If Stages 1-3 have been completed and the student remains dissatisfied with the outcome, the student may complain to the Office of the Independent Adjudicator (OIA) within 12 months of the issue of a completion of procedures letter by the University.
- b. Information about the OIA and the procedure for submitting complaints can be obtained from (for Durham students) Durham University's **Curriculum, Learning & Assessment Service**, the **Durham Students' Union website**, or for all students from the OIA website: [www.oiahe.org.uk](http://www.oiahe.org.uk).

#### **Document Information**

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