

PROVIDER NAME: CCT College Dublin (CCT)		
POLICY AREA: Standards 9: Learning Resources and Student Support		
Policy and Procedure Title: Student Complaints	Policy Number: CCTP903	Version: 2.0
<p>Policy Statement</p> <p>It is CCT policy to have open, fair and accessible problem-solving procedures. This is a two-stage process</p> <ol style="list-style-type: none"> 1) an informal procedure that will encourage a prompt resolution of problems at the initial stage. 2) A formal stage that will deal with complaints that cannot be resolved informally <p>The Student Complaints Policy and Procedure is the reference point for registered learners who believe they have a legitimate complaint for investigation. The CCT Student Handbook clarifies what is reasonable to expect as part of the learning experience and enables learners to review whether CCT has met its commitments as a learning provider.</p> <p>This Student Complaints Policy and Procedure enables matters of complaint to be brought to the attention of the College, and to enable investigation of those complaints with the aim of a satisfactory resolution. CCT's believes that most matters can be dealt with through informal mechanisms in a spirit of conciliation, and aims to ensure that a transparent, comprehensive, user-friendly grievance procedure and appeals process, is available to learners of CCT. CCT is confident that the overwhelming majority of learners will use the procedure in a positive manner in order to improve the quality of life and learning environment at the College, for the benefit of all members of the CCT community.</p> <p>Any complaint issued against a learner of the College will be considered under the Student Disciplinary Procedure as per the code of conduct.</p> <p>This complaints policy and procedure applies to all learners of CCT in respect of any service they receive from the College with the exception of academic appeals. Academic appeals should be conducted in line with the appropriate policy – CCTP516 Recheck, Review, Appeal Policy.</p> <p>Learners are advised that in making a complaint, it is expected that they themselves have complied with the requirements of the code of conduct in relation to the matter concerned. It is also expected that complaints will not be of a vexatious nature or for the purpose of personal gain.</p> <p>All complaints should normally be made within seven days of the alleged incident, matter or concern. The complaints procedure is based on the principle of natural justice. Consequently, anonymous complaints will not be accepted or responded to.</p> <p>Any party attending a meeting as part of the complaints procedure implementation has the right to be accompanied by a friend, family member, fellow learner or a colleague. In all instances, the accompanying party cannot be a legal advocate or representative. Their role is to take notes and act as a support to the party engaged in the complaint. Discussions are between the named parties and do not involve accompanying parties. The intention to bring an accompanying party, the identity of the</p>		

accompanying party and their relationship to the named party must be communicated in writing to the meeting organiser not less than 24 hours prior to the meeting.

Most complaints are capable of being resolved on an informal basis without recourse to the formal procedure. The College accepts that there might be instances that necessitate immediate escalation to formal proceedings.

Staff Involved

Dean of Academic Affairs, Heads of Faculty, QA Officer, Faculty staff, Dean for Administration & Finance, Faculty Coordinators

Procedure Outline / Method(s) used to carry out this procedure

Responsibility of

Evidence generated by this procedure to ensure its effectiveness

The purpose of this procedure is to outline the systems in place that allow all learners to have the right to express a complaint in the event they feel they have been unfairly treated or disadvantaged as a result of the service provided by the College or the actions and behaviours of a member of College staff or faculty.

Learner
Lecturer
Staff member

E-mail or other informal correspondence

1. Stage 1 - Informal Direct Application at Source

1.1 The issue should be raised immediately with the member of staff or other responsible person with the aim of resolving the problem directly and informally. It is anticipated that the vast majority of problems will be resolved in this way.

Class Rep and/or
Module Leader

E-mail or other informal correspondence

1.2 If a learner wishes to raise a concern relating to a specific member of staff or service provided by the College, an approach should be made to the member of staff concerned, or responsible for the service provided in the first instance. If a matter of College policy or practice is the source of the problem, the learner should seek to identify the person with local responsibility for its implementation or operation, e.g. issues about the contents of a particular course or module should be addressed to the Module Leader possibly with help from the Class Representative.

1.3 In order to ensure that a problem is raised at a mutually convenient time, the learner should try to arrange an appointment with the member of staff concerned. The member of staff may request the presence of a colleague and the learner may wish to be accompanied to the meeting. Staff should be happy to deal with problems raised on an informal basis.

1.4 Stage 1 will normally be an oral process and a written record may not be made, but any staff involved will be encouraged to share the experience where the effectiveness of their Department or section could benefit.

Head of Faculty

Head of Department

E-mail / other written correspondence

<p>1.5 If a learner feels unable to approach the individual concerned directly or is still not satisfied with the response to the issue raised, the next stage of the procedure outlined in paragraphs 1.6 to 1.12 below should be used.</p> <p>To the Heads of Faculty / Department</p> <p>1.6 Where it has not been possible to resolve matters satisfactorily at source, or the learner feels unable to contact the person directly, the Head of Faculty / Department or Administrative Section concerned should be contacted to indicate what reasonable steps the learner would like to see taken to resolve the problem. The learner will be requested to put the problem in writing at this stage. The statement should be specific and comprehensively documented. It should be factual and supported with evidence as appropriate. The complaint submission must detail the learner's name and contact details, any relevant documentation, dates, locations and witnesses as appropriate. Any previous efforts to resolve the matter should also be noted. A copy of the learner's statement of the problem will be furnished without delay to the member of staff concerned.</p> <p>1.7 It is CCT's aim that most problems dealt with at this stage should be resolved within 14 working days. A learner will be informed by the Head of Faculty / Department / Administrative section if there is likely to be any delay in the process.</p> <p>1.8 A meeting will be arranged between the learner and the Head of Faculty / Department / Administrative section or other appropriate authority to discuss the matter. The Head of Department will be accompanied to the meeting and the complainant is also invited to bring an accompanying party in accordance with the policy.</p> <p>1.9 As part of the process of attempting to establish the facts, the Head of Faculty / Department / Administrative section will hold a separate meeting with the person(s) who is the subject of the complaint raised or responsible for the service which is the subject of the complaint (and who may be accompanied by a colleague), and will also interview any witnesses considered by the head to be material. A written record of the meetings shall be made by the Faculty Head / Administrative Section Head.</p> <p>1.10 Having heard the complaint, the Head of Faculty / Department or equivalent will outline the next steps in the investigation and what these comprise of. The investigation should be completed as swiftly as possible and certainly within 14 working days of its initial hearing. The learner will be notified in the event of any delay.</p> <p>1.11 When the complaint has been investigated in full, the Head of Faculty / Department / Administrative Section will notify the complainant and the subject of the complaint in writing of his or her conclusions. If this cannot be done within the 14 working days' time scale, the learner and any member of staff concerned will be informed.</p> <p>1.12 The conclusions of the Head of Faculty / Department will be explained to both parties with reasons. If the learner is not satisfied with the action taken at Faculty Head / Department Head level, or feels unable to take action at this level he or she may then choose to proceed to Stage 2 of this procedure.</p> <p>1.13 At any stage in the investigations, should the Head of Faculty/ Department / Administrative Section believe the</p>	<p>Head of Faculty / Department</p> <p>Dean of Academic Affairs & Registrar</p> <p>QA Officer</p>	<p>outlining students' grievances</p> <p>E-mail or other written correspondence and reports outlining results and conclusion to investigation</p> <p>Complaints Application</p>
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<p>matter to be of a serious nature they reserve the right to escalate it to the next stage.</p> <p>2. Stage 2 - Dean for Administration and Finance</p> <p>2.1 Formal applications to the Dean should be submitted on the standard form (Appendix A), available from the QA officer. The form should be submitted, with any supporting documentation.</p> <p>2.2 The Dean shall acknowledge receipt within five working days. A copy of the application form and any supporting documentation will be furnished by the Dean to any member(s) of staff concerned without delay. Where personal data is included, this will be redacted.</p> <p>2.3 Unless notified otherwise, the learner should expect to receive written confirmation of the conclusion of the investigation, and the arrangements for a Complaint Committee Meeting within 14 working days of submission of the application form.</p> <p>2.4 The Dean for Administration and Finance will present the investigatory findings and along with the Dean of School, will form a Complaint Committee to consider the complaint and the findings from the investigation to determine a fair resolution. It should be noted that there can be instances where it is not possible for a decision to be reached and the College will attempt to provide further clarity to the complainant while also providing guidance to the subject of the complaint in an attempt to prevent a recurrence of such incidents.</p> <p>2.5 The Dean for Administration & Finance then sends the College's formal complaint response to the complainant. A copy of the response will also be issued to the subject of the complaint and anyone named in the response. The written response will clearly outline what action has been taken or is being proposed to resolve the complaint. In the event that a decision has been taken not to uphold the complaint, the reasons for that decision will be outlined in the response.</p> <p>2.6 If the learner considers the problem unresolved, he or she may make a first appeal to the Dean of Academic Affairs. This should be done within 14 working days of the receipt of the decision in the previous stage.</p> <p>3. Stage 3 - First Appeal Applications to the Dean of Academic Affairs</p> <p>An appeal is not an opportunity for a subsequent hearing or a new investigation. It is a formal request that another body re-examines the procedure or decision of decision-making committee. Disagreement with the decision in itself does not constitute grounds for appeal.</p> <p>A complainant who wishes to lodge an appeal may do so on a limited number of grounds. They must clearly identify the elements for which the appeal is being made. The application must also specify the grounds on which the appeal is sought and must contain all information that they require to have taken into account in the appeal.</p> <p>An appeal may be submitted on the following grounds:</p>	<p>Dean of Academic Affairs</p> <p>Any other staff member named in the application</p>	<p>with supporting documentation</p> <p>E-mail and other written correspondence and report outlining conclusion to grievance</p> <p>Complaints Appeals Application with supporting documentation</p>
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<p>1. Procedural irregularity 2. Inconsistent implementation of procedures 3. Exceptional personal circumstances not previously reported for good reason; the appeal should explain the reason(s) for previous non-disclosure</p> <p>3.1 The learner should submit a written appeal application which must comprise of a written statement explaining the grounds for the appeal and providing evidence or directing the Dean to evidence to support the grounds. Disagreement with the decision of the Complaint Committee does not constitute grounds for appeal. The application must include old and new supporting documentation, addressed to the Dean of Academic Affairs. The Dean of Academic Affairs will normally acknowledge the application within 5 working days.</p> <p>3.2 In the first instance the Dean of Academic Affairs will investigate the grounds and determine whether or not an appeal shall be heard.</p> <p>3.3 If an appeal is granted, the Dean will convene an appeal panel, not to be confused with the Appeals Board which deals with academic matters, to review the information and evidence provided. The panel reserves the right to undertake further investigation into the procedures and decision-making that contributed to the outcome of the Complaints Committee.</p> <p>The complainant may be invited to attend a meeting as part of the appeal process, depending on the basis of the appeal request, where the Dean deems this to be necessary.</p> <p>The outcome of the appeal will be communicated to the complainant at the earliest opportunity.</p> <p>A copy of the application form and any supplementary documentation will be furnished to the Appeal Panel and the subject of the original complaint.</p> <p>3.4 Unless otherwise notified by the Dean of Academic Affairs, the Appeal Panel will comprise of:</p> <ul style="list-style-type: none"> • The Dean of Academic Affairs as Chair • A member of CCT Management not previously involved in the matter • A member of CCT staff with no previous involvement in the matter. <p>3.5 the learner should expect the written confirmation of the outcome of the appeal and any subsequent action which the College intends to take, within 14 working days of confirmation of the appeal being granted. The written response will clearly outline the outcome of the appeal process and the reasons for the decision. Where the outcome changes the findings of the Complaint Committee, detail of what action has been taken, or is being proposed, to resolve the complaint will also be included.</p> <p>3.6 In the event that a decision has been taken not to uphold the appeal, the reasons for that decision will be outlined in the response. The Dean of Academic Affairs sends the College's formal appeal outcome to the complainant. A copy of the response will also be issued by the Dean of Academic Affairs to <i>anyone named in the response.</i></p>		<p>Appeals Panel Report and Minutes outlining conclusions to the grievance</p> <p>Any other written correspondence to do</p>
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<p>3.7 Where the Dean of Academic Affairs is the subject of the complaint the College President or nominee not previously involved in the complaint will assume the Dean of Academic Affairs role at this stage, and deal with the appeal</p> <p>4. Stage 4 - Second Appeal Applications</p> <p>4.1 Should the learner not agree with the findings arising from the CCT internal appeals process, as outlined above in sub-section 3, the learner may apply to have the case reviewed by an independent ombudsman appointed by the College. This option will be explained in writing (letter / email), to the learner at the end of the previous Stage, and any application for appeal to the ombudsman must be received and considered by the Dean of Academic Affairs.</p> <p>4.2 <u>Grounds for an Appeal to Independent Ombudsman</u> A complainant who wishes to lodge an appeal may do so on a limited number of grounds. They must clearly identify the elements for which the appeal is being made. The application must also specify the grounds on which the appeal is sought and must contain all information that they require to have taken into account in the appeal.</p> <p>An appeal may be submitted on the following grounds:</p> <ol style="list-style-type: none"> 1. Procedural irregularity 2. Inconsistent implementation of procedures <p>4.3 A request for an appeal must be received by the Dean of Academic Affairs no later than the date specified in the letter or email notifying the learner of the outcome of the First Appeals process. Only a written request for a second appeal, signed by the learner concerned will be considered. The complainant must supply evidence in support of his/her request. The fee for an appeal is €50, refundable where the appeal is successful.</p> <p>The independence of the ombudsman permits a fresh view on whether the internal process has been adequately handled, to judge whether the response to the problem has been reasonable, and to aim to reach an outcome which is fair and just to all parties concerned - based on evidence. The ombudsman will consider all reports and documentation arising from previous stages, in relation to both parties. The ombudsman is entitled to ask the complainant to address circumstances on which he/she based the appeal. The ombudsman may seek such information or advice as it considers necessary and in such manner as it considers appropriate. Having considered the circumstances, the ombudsman will decide the outcome of the appeal.</p> <p>The College President reserves the right to engage the services of any appropriate professionals deemed necessary.</p> <p>4.4 The complainant will be informed via the Dean of Academic Affairs, in writing (letter / email) of the outcome of the ombudsman's review. Where appropriate, the Dean of Academic Affairs shall notify QQI of the outcome of the appeal.</p> <p>There is no further right of appeal. Should the complainant not be satisfied with the final outcome, he / she can exercise their rights external to the College policies and procedures.</p>	<p>Learner Dean of Academic Affairs</p> <p>Learner</p> <p>Ombudsman Dean of Academic Affairs</p>	<p>with the case</p> <p>Letter of appeal outcome</p> <p>Appeal application to ombudsman</p> <p>Appeal outcome correspondence</p>
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Definitions and Principles

Any CCT registered learner may use this policy and procedure. Complaints will be handled sensitively and with due consideration to confidentiality of all parties involved, subject to the requirements of natural justice. The procedures governing how CCT deals with complaints are handled as swiftly as possible. Any person named in a complaint will be given a copy of the complaint and will have the right to reply as part of the investigation. Information contained within the complaint will be made available only to those members of staff involved in its resolution. It should be noted that in the interest of natural justice to all parties, anonymous complaints will not be processed. CCT aims to resolve as many complaints as possible through the informal process. No student bringing a complaint under this Procedure will be treated less favourably or discriminated against by any member of staff of the College. If evidence to the contrary is found in this regard the member of staff may be subject to disciplinary proceedings under College policy.

The making of a malicious or vexatious complaint is regarded as a serious matter and may result in disciplinary action being taken against the learner. This procedure may be used to complain about any aspect of the academic, administrative and student support services (which includes ICT and Facilities & Resources) provided by CCT. The following list indicates examples of the types of complaint covered by this procedure:

- Problems arising within the learning experience
- Deficiencies in information published by the College
- A failing in a service, academic or non-academic
- Complaints around facilities
- Difficulties with a member of CCT staff
- Difficulties with another student in relation to a module

These procedures do not cover the following matters, for which separate procedures exist, and which can be accessed on the CCT QA system:

- Breaches of CCT regulations - Student Disciplinary Procedures
- Allegations of discrimination – Equal Opportunities Policy
- Any complaint or request for recheck, review of an assessment decision, or appeal of a decision of the Academic Standards Board (ASB) or Board of Examiners
- Complaints of bullying or harassment

CCT reserves the right to re-direct submissions to the appropriate procedure. Where any legal action is pending in relation to a complaint, the CCT Student Complaints Procedures will not be the conduit for resolution of this complaint.

Monitoring

Monitor (Job Title)	Frequency	Monitoring Method(s)
Dean of Academic Affairs Dean for Administration & Finance	Ongoing reviews each semester Annual review for full academic year	- Review of all Complaints applications made each academic year - Review of minutes of Academic Council, and QA Committee meetings, along with any other pertinent committee meetings - Review of records of any relevant Appeals Board meeting minutes - Review of Policy and Procedure Monitoring and Report form, for this policy - Annual review of policy information

POLICY CONTROL SHEET

Policy Title	Complaints
Responsible Officer(s)	Dean for Administration and Finance, Heads of Faculty, QA Officer
Issuance Date	August 2017
Effective Date	August 2017
Last Review Date	March 2018
Supersedes	Version 1.1
Next Review Date	August 2019
Designated Reviewer(s)	Dean of Academic Affairs, Dean for Administration & Finance
Scope	Internal staff (full and part time); Learners; Appeals Board

Revision History

Revision	Approval Date	Revision Description	Originator	Approved By
New Policy	August 2015	New QA system	Senior Management Team	Head of Academics, College Registrar
Version2.0	August 2017	Expansion of the stages of the process to provide greater clarity on roles, responsibilities, expectations and potential outcomes.	Dean of Academic Affairs	Academic Council
Version 2.1	March 2018	Replacement of second appeals panel with independent ombudsman.	Senior Management Team	Academic Council

References upon which the Policy section is based

CCT Policy area	Learning Resources and Student Support
Statutory & System Wide Basis	The Irish Qualifications and Quality Act (Education and Training), 2012; European Standards and Guidelines for QA in the European Higher Education Area, Relevant QQI Standards and Guidelines

Related CCT Policies / Forms	
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