

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: 2.2

Policy Statement

It is CCT policy to have open, fair and accessible problem-solving procedures.

This is a two-stage process

- 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

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.

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.

Any complaint issued against a learner of the College will be considered under the Student Disciplinary Procedure as per the code of conduct.

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.

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.

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.

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 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.

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.

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.

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.

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.

The outcome of the appeal will be communicated to the complainant at the earliest opportunity.

A copy of the application form and any supplementary documentation will be furnished to the Appeal Panel and the subject of the original complaint.

3.4 Unless otherwise notified by the Dean of Academic Affairs, the Appeal Panel will comprise of:

- 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.

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.

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 **anyone named in the response**.

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

Appeals Panel Report and Minutes outlining conclusions to the grievance

Any other written correspondence to do with the case

Letter of appeal outcome

Appeal application to ombudsman

<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>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, Dean of Academic Affairs, School Manager / Department Heads, QA Officer
Issuance Date	August 2017
Effective Date	August 2017
Last Review Date	July 2019
Supersedes	Version 2.1
Next Review Date	August 2024
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
Version 2.2	Sept 2019	Edits to reflect changes to organisation structure and role responsibilities	SMT	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	