STUDENT COMPLAINTS PROCEDURE

INTRODUCTION

This Procedure has been devised in order to resolve issues from students who wish to complain about the treatment or services they receive whilst studying at the WLCBMS. The Procedure identifies how the College aims to investigate and resolve complaints in an equitable and timely manner.

The Procedure provides a series of mechanisms to resolve the Complaint in a manner which is acceptable to the student and about whom the Complaint is made. If mutual resolution does not prove to be possible, the Principal will make a decision on the Complaint, concluding the College process. In certain circumstances, the student may apply to the Independent Complaint Committee for consideration of the student’s complaint.

It is expected that, other than in exceptional and fully documented circumstances, a student who wishes to make a Complaint must invoke Stage 1 of the Student Complaints Procedure as soon as possible after the event, and within three months of the incident which is the cause of the Complaint. Complaints submitted after the required three month time period will normally be rejected. If a student submits a late Complaint, the student must enclose with the Student Complaint Form a written explanation for the late submission.

1.0 INFORMAL STAGE

Before pursuing a formal Complaint through this Procedure, students are advised and expected to attempt to resolve the matter informally, directly with the relevant person. In order that a Complaint can be dealt with effectively and efficiently, and to enable the concern to be addressed whilst the issue is still current, it must be drawn to the attention of the member of staff or other person concerned as quickly as possible, and in any event within 28 working days of the incident giving rise to the Complaint.

The Informal Stage does not negate a student’s right to submit a Formal Complaint.

When a student wishes to pursue the Informal Stage, the student should, in the first instance, talk or write to the person directly concerned. If the student is unsure of the identity of the person they should get advice from the Student Welfare Office.

2.0 FORMAL STAGE

3.1 Stage 1

- If a student has a Complaint which he/she has been unable to resolve informally, he/she shall, in the first instance, direct the Complaint in writing (preferably using the “Complaint Form”) to the Student Welfare Officer.

- On receipt of the Complaint, the Student Welfare Officer (or nominee) will, in writing, acknowledge its receipt. The Student Welfare Officer will forward a copy of the Student Complaint Form, together with any written evidence, to the Director of Studies, who should normally appoint an investigating officer to consider the Complaint, determine any findings and implement any actions.

- Where the Complaint is against Director of Studies or a member of its staff, the matter will be referred to the College Registrar to nominate an appropriate officer to investigate the matter.

- The investigating officer must not be any person previously involved in investigating the Complaint at the Informal Stage.

- Where appropriate, the investigating officer should inform the person(s) named in a Complaint, or anyone who can provide relevant information to assist in an investigation, that a Complaint has been received and the basis of its content, with due regard to maintaining confidentiality where more than one person is named in the Complaint.

- An investigation into the matters complained of should be undertaken promptly. In order to investigate the Complaint, the investigating officer may need to request further information from the student and/or appropriate members of the College staff. The investigating officer may request a meeting with the student and members of staff associated with the Complaint. Any student or member of staff invited for an interview may be accompanied by a friend/colleague, but it would not be appropriate for the “friend” to be a legal practitioner, acting in a professional capacity.

- The investigating officer is expected to maintain a case file of the investigation. Where individual interviews take place, and a record of the meeting is made, the investigating officer should inform the interviewee that a record of the meeting may be released following a request for disclosure.

- At the conclusion of the investigation, the appointed investigating officer should provide the student, the Director of studies and the person(s) named in the complaint with a written response no later than 20 working days after receipt of the Student Complaint Form. The written response should include the investigating officer’s findings, and either outline a proposed remedy or explain why there are no grounds to take the matter further and/or why no action will be taken. The written response should remind the student that, if the student remains dissatisfied with the response, the student has the right to refer the matter to Stage 2 of the Student Complaints Procedure.
A copy of the formal response should be sent to the Student Welfare Officer. If the student is dissatisfied with the outcome, the student must, within 20 working days of receipt of the response of Stage 1, submit a Stage 2 Student Complaint Form. If no form is received within 28 working days, then the Complaint will be deemed closed.

3.1 Stage: Mediation

If a student remains unhappy with the outcome of Stage 1, the student has 20 working days from receipt of the Stage 1 outcome in which to submit a Stage 2 Complaint. The student should submit his/her Stage 2 Complaint to the Student Welfare Officer.

On receipt of the Complaint, the Student Welfare Officer (or nominee) will, in writing, acknowledge its receipt and log the Complaint in the records of the Student Welfare Office.

The Student Welfare Officer will also forward a copy of the Student Complaint Form, together with any written evidence, to the Director of Studies and any member of staff named in the Complaint.

The Director of Studies will act as a facilitator. Her/his role will be to attempt to facilitate a meeting of the parties, and to reach a resolution of the complaint.

The facilitator will provide all parties with confirmation of the outcome of the mediation process. The written response should remind the student that, if she/he remains dissatisfied with the response, the student has the right to refer the matter to Stage 3 of the Student Complaints Procedure.

If the student is dissatisfied with the mediation outcome, the student must, within 20 working days of receipt of written confirmation of the outcome of the mediation process, submit a Stage 3 Student Complaint Form. If no form is received within 20 working days, then the Complaint will be deemed to be closed.

3.3 Stage 3: Resolution by Principal or nominee

If the student remains unhappy with the outcome of Stage 2, the student has 20 working days from receipt of the Stage 2 outcome in which to submit a Stage 3 Complaint. The student should submit his/her Stage 3 Complaint to the Student Welfare Officer.

On receipt of the Complaint, the Student Welfare Officer will, in writing, acknowledge its receipt and log the Complaint in the records of the Student Welfare Office.

The Student Welfare Officer will also forward a copy of the Student Complaint Form, together with all previous documentation relating to the Complaint, to the Principal Office.

Within 10 working days of the receipt by the Principal Office the Principal will arrange a Complaint Committee.

A Complaint Committee shall comprise the following:

(i) Principal, who shall Chair the Complaint Committee;
(ii) Director of Studies;
(iii) Student Member who has not been directly involved in the Complaint or Complaints, or any of them;
(iv) A senior member of staff who is not, and has not, been directly involved in the Complaint or Complaints, or any of them, and who has not taught the student, who shall be selected by the Principal.

The Principal Office will provide to all parties one complete set of the documentation to be used during the formal meeting.

It will not normally be possible for the date of the formal meeting to be changed, and this will only be done in respect of exceptional circumstances, (for example medical treatment).

At the meeting, each party shall have the right to speak and to call witnesses who may be questioned by the Complaint Committee. There may also be questioned by the other parties, through the Chair of the Complaint Committee. The Complaint Committee may adjourn any meeting at any time, for any reason, for such period as it, in its absolute discretion, thinks fit.

The student and his/her friend and the relevant member(s) of staff and his/her/their friend(s) will normally be allowed to be present throughout the whole of the meeting of the Complaint Committee, except when the decision is being debated. Witnesses will only be invited to attend the formal meeting at the point their evidence is required, and they are expected to leave the proceedings at the conclusion of their evidence.

All participants will be expected to behave in an orderly and non-confrontational manner. If the Chair deems it necessary, the Chair may adjourn proceedings if, in the Chair’s opinion, progress of the meeting is being impeded.

The Complaint Committee, after considering the submissions made by each party will, in private, endeavour to reach a conclusion and to make decision.

Written notification of the decision of the Principal or nominee will be sent to each party within 10 working days of the meeting of the Complaint Committee.

The Principal or nominee shall indicate which elements of the Complaint are fully resolved, which are partly resolved and which are remain unresolved. If any part of the Complaint remains unresolved, the Principal or nominee shall recommend specific action by way of remedy.

Unless and until the student makes a successful appeal to the Independent Complaint Committee, the decision of the Principal or nominee shall be final and binding on the student and the other parties. Independent Complaint Committee has a student member, a College representative and two external members. The decision of ICC is final.