

Griffith College
Quality Assurance and Enhancement Policies, Procedures, Practices
and Guidelines

Title	Learner Complaints Procedure
Document No.	QAE J4
Initial Approval by APC	April 2005
Approval of current version by APC	January 2019
Responsibility for Implementation	Quality Assurance and Enhancement Officer
Related Documents	Learner Code of Conduct (QAE J3)
	Learner Disciplinary Procedure (QAEJ5)
	Academic Misconduct Procedure (QAE J6)
	Appeals Procedure (QAE E15)

QAE J4 – Learner Complaints Procedure

1. Objective

- 1.1 To inform learners of how to go about communicating (informally and formally) any issues they may experience whilst a learner of the College.

2. Scope

- 2.1 This procedure applies to the resolution of issues encountered by learners in their capacity as members of the college community.

- 2.2 It is important to note that separate procedures exist for the following circumstances:

- 2.2.1 All academic matters relating to examination and assessment performance and outcomes are covered by the Appeals Procedure (QAE E15) and Academic Misconduct Policy (QAE J6)

3. Responsibility for implementation:

- 3.1 Learner
3.2 Quality Assurance and Enhancement Officer
3.3 Director of Academic Programmes
3.4 Programme Directors
3.5 Department Managers
3.6 College staff
3.7 Complaints Hearing Panel

4. Introduction

- 4.1 The College aims to identify and quickly resolve any difficulties which may be experienced by a learner or a cohort of learners during the programme of their studies

- 4.2 Ongoing feedback, whether formal or informal, is actively sought throughout the year by a number of means. Amongst the methods of feedback available to learners are:

- Discussion with faculty members
- Programme Committee Meetings
- Class representative meetings
- Learner feedback questionnaires (e.g. module delivery and facilities)
- The learner support e-mail address (QAE@gcd.ie)

- 4.3 The College fully accepts that circumstances may lead to the necessity for this Complaints Procedure for Learners to be enacted, however, it hopes that learners will first avail of one of the means of articulating feedback identified above to ensure that any issue arising can be dealt with at source and at the most beneficial time

- 4.4 In the exceptional event that an issue remains unresolved at this level, this procedure describes how learners can bring on-going matters of concern about their learning experience to the attention of the College and enable investigation of those concerns
- 4.5 This procedure aims to be simple, clear and fair to all parties involved, with informal resolution an option at any point.

5. Right of Attendance and Representation at a Complaints Hearing

- 5.1 In section 7 below reference is made to the learner/staff right to attend and be represented at a complaints hearing. The following points are relevant:

- 5.1.1 A learner or staff member who is a party to a complaints proceeding has the right to attend the hearing convened for the purpose of adjudicating the complaint, to be represented, to hear the evidence presented, to challenge the evidence on cross-examination and to present their own evidence

- 5.1.2 A representative at a hearing may be a fellow learner/staff member, a relative, a friend, an adviser or a legal representative Any costs associated with legal representation of the learner or staff member shall be borne by the learner or the staff member respectively, unless the Complaints Hearing Panel so otherwise determines.

- 5.1.3 A representative may speak on behalf of the learner/staff member

- 5.1.4 A learner or staff member may choose to be accompanied by a translator provided by the College or to appoint a translator of their choosing: Any costs associated with the appointment of a translator by the learner or staff member (other than one provided by the College) shall be borne by the learner or the staff member respectively, unless the Complaints Hearing Panel so otherwise determines.

- 5.1.5 A learner or staff member who chooses not to be represented shall be requested at the hearing to confirm in writing that they has been informed of their right of representation and has declined to exercise it

- 5.1.6 If a learner or staff member fails to attend the hearing, the hearing shall proceed in the absence of the learner or staff member.

6. Conditions re: Complaints Procedure for Learners

6.1 Third Party Complaints

- 6.1.1 No investigation of a complaint made on behalf of a learner shall be undertaken without that learner's written agreement to the concerns raised and written consent for an investigation to be carried out

6.2 Complaints to the College President and Other Senior Members of Staff

6.2.1 Should a complaint be received directly by the President's Office, or the Office of any Senior Manager, it shall be acknowledged and referred to the Quality Assurance and Enhancement Officer who shall ensure that it enters the Procedure at the appropriate point. If no attempt has been made by the complainant to resolve the complaint locally, the complainant shall be advised by the Quality Assurance and Enhancement Officer to first seek resolution through Part I of the Formal Procedure or through one of the means identified in 4.2

6.3 Vexatious or Malicious Complaints

6.3.1 The College may consider invoking the Learner Disciplinary Procedure (QAE J5) in those cases where complaints are found to be vexatious or malicious. A vexatious or malicious complaint is defined as a complaint which is patently unsustainable, having been put forward so as to abuse the process of the Complaints Procedure for Learners, or, for example, to attempt to defame the name or character of another person

6.4 Complaints made by Learners under the Age of 18

6.4.1 If a complaint is made under the Formal Procedure (see section 7 below) by a learner who is under the age of 18, the College shall notify the parents or guardians of the learner in writing, and keep them informed of the progress of the complaint, unless it is the learner's express wish that this should not be done. The College shall permit the parents or guardians of the learners to act on the learner's behalf during the process, provided the learner has confirmed agreement in writing beforehand

6.5 Group Complaints

6.5.1 Where a complaint is brought by a group of learners, one person should be prepared to identify him/herself as spokesperson and correspondent for the purposes of the Formal Procedure (see section 7 below), and each member of the group must be able to demonstrate that they has been personally affected by the matter which is the subject of the complaint. In addition, all complainants must agree in writing to the spokesperson acting on their behalf.

7. Complaints Procedure

7.1 Formal Procedure: Part I

7.1.1 It is anticipated that most complaints can be resolved through direct contact between the learner and the Department/Faculty or Service. This being the case, resolution should be sought by the learner first from the Department/Faculty/Service in which the complaint arose, by expressing the complaint to the most appropriate member of staff (e.g. Department

Manager, Year Head, Programme Director, Service Manager etc.). A learner should normally expect to receive a written or verbal response within ten working days.

7.2 Formal Procedure: Part II

- 7.2.1 If the response to the complaint is not considered by the learner to be satisfactory, they may invoke Part II of the Formal Procedure by completing the Learner Complaint Form (attached as Appendix I), and submitting it to the Quality Assurance and Enhancement Officer. The form should detail the learner's grounds for complaint. The learner should include a statement of what has been done by the learner to attempt resolution within the relevant Department, Faculty or Service and why they feel that action taken by the Department, Faculty or Service following notification of the complaint has been inadequate. The Quality Assurance and Enhancement Officer shall acknowledge receipt of the complaint form within five working days
- 7.2.2 The Quality Assurance and Enhancement Officer shall attempt resolution at this stage either by correspondence between the parties, negotiation with the Department Manager, Year Head, Programme Director, Service Manager or other senior members of staff, or facilitation of a conciliation meeting between the learner concerned (who may be represented as indicated in section 5 above) and the Department/Faculty/Service. The circumstances of the complaint shall dictate which of these methods is considered most likely to result in a resolution of the complaint to the satisfaction of the learner. Should a complaint concern services related to the work of the Quality Assurance and Enhancement Officer the Director of Academic Programmes shall assign a senior manager to oversee the Formal Procedure.
- 7.2.3 It is anticipated that Part II of the Formal Procedure would normally be completed, with a response in writing from the Quality Assurance and Enhancement Officer, within one calendar month of the receipt date of the completed Learner Complaint Form. The Quality Assurance and Enhancement Officer shall keep all parties informed of progress and the reason for any delay in proceedings if applicable.

7.3 Formal Procedure: Part III (Appeal Stage)

- 7.3.1 If the response to the complaint following completion of Part II of this procedure is not considered by the learner to be satisfactory, they may invoke Part III (Appeal Stage) of the Formal Procedure by a request in writing, within ten working days from the date of the notification of the outcome of the correspondence, negotiation or meeting referred to in Part II. The request should be addressed to the Quality Assurance and Enhancement Officer outlining why the outcome of Part II is felt to be unsatisfactory. Taking into account the substance of the complaint and the previous attempts at resolution the case shall be referred to a Complaint Hearing Panel
- 7.3.2 The Complaint Hearing Panel shall be formed by the Director of Academic Programmes, on behalf the APC, and shall be chaired by a Programme Director or a Department Manager from outside the Faculty or Department in which the learner is enrolled (in the case of a complaint about a programme related matter), or a Head of Service/Department from another service area (in the case of a complaint about a service). The Panel shall consist of two other members of academic or support staff, drawn from Faculties, Departments or Services unrelated to the complaint, and a representative from the Learners' Union. A minute taker shall be assigned to the Panel. The Panel shall inform the Quality Assurance and Enhancement Officer when its formation and composition has been defined. (Notes for Guidance on the conduct of a Complaint Hearing are attached as Appendix II)
- 7.3.3 If the complaint relates to the actions of an individual member of staff, rather than the Faculty, Department or Service, that individual has the right to be informed of the substance of the complaint and to attend and be represented (as indicated in section 5)
- 7.3.4 The Complaint Hearing Panel shall meet, normally within ten working days of the referral from Part II and, following a period of reflection, communicate its conclusions to the learner and the Faculty, Department or Service normally within 15 working days. The Quality Assurance and Enhancement Officer shall keep all parties informed of progress and shall explain reasons for any necessary extension of the timescale, for example, if an adjournment in the proceedings is necessary.

8. Outcomes of the Complaints Procedure for Learners

- 8.1 Any conclusions and recommendations shall be communicated in writing to the complainant and the relevant Service, Department or Faculty. A summarised version of Part II and III outcomes shall be made available to the next Academic & Professional Council meeting under reserved business

- 8.2 Should a complaint be upheld, the Quality Assurance and Enhancement Officer or the Chair of the Complaint Hearing Panel may make recommendations to the Programme Director, Department Manager or Head of Service and relevant members of the Senior Management Team. Recommendations may also be made to College committees in respect of Quality Assurance and Enhancement procedures or policies
- 8.3 It is the responsibility of the Department, Faculty or Service to act on the recommendations made by the Complaint Hearing Panel
- 8.4 In a case where a complaint has been made against an individual staff member and been upheld, the College President or a nominee may invoke the relevant staff disciplinary procedure.
- 8.5 If a complaint is not upheld, the complainant shall be informed in writing with reasons for its rejection.

9. Confidentiality

- 9.1 Complaints shall be handled sensitively and with due consideration to confidentiality for both learners and staff. Any person named in a complaint shall be informed of the substance of the complaint and shall have the right to reply as part of the investigation. Information contained within the complaint shall be made available only to those members of staff involved in its resolution. The Programme Director, Department Head or Head of Service shall also be informed of the complaint.

10. Monitoring, Evaluation and Review

- 10.1 A report on each case which comes before the Complaint Hearing Panel shall be prepared by the Quality Assurance and Enhancement Officer for the Director of Academic Programmes and the Quality Assurance and Enhancement Office to assist in monitoring the effectiveness of the Complaints Procedure and to identify relevant Quality Assurance and Enhancement issues
- 10.2 The Complaints Procedure for Learners is part of the College's Quality Assurance and Enhancement procedures. Complaints are considered useful feedback and, where appropriate, shall be used to facilitate improvements to services and facilities. This shall be achieved by annual reporting through Programme Reviews and Departmental Reviews as appropriate to ensure that outcomes and recommendations arising from the Formal Procedure are actioned.