
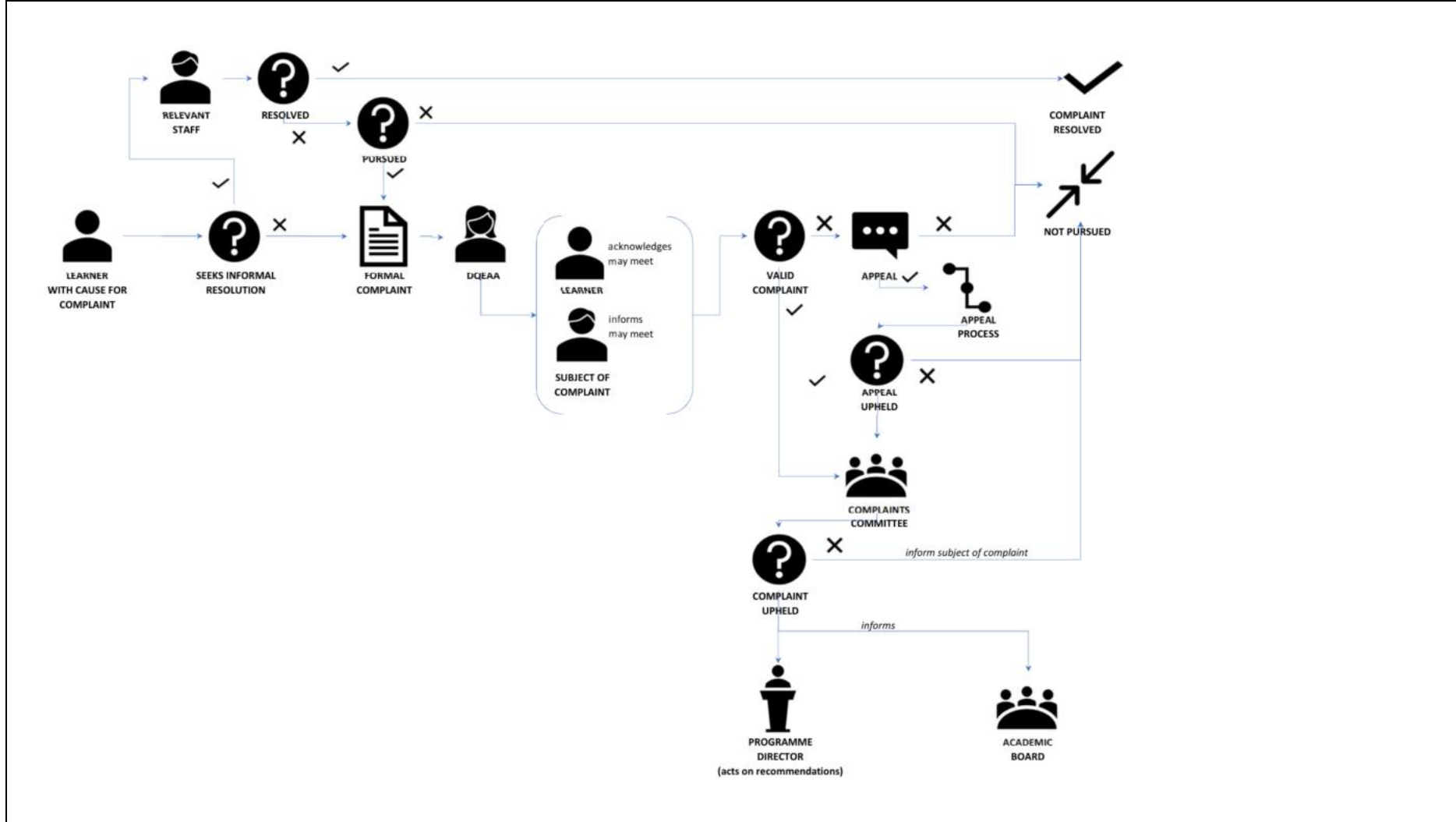


	POLICY TITLE	POLICY AREA:	VERSION:	DATE ADOPTED :
	7.7 LEARNER COMPLAINTS: TOR COMPLAINTS COMMITTEE	7) SUPPORT FOR LEARNERS	3.0	SEPTEMBER 2020



Introduction and Context:

It is SNMCI policy to have a fair and accessible Learner Complaints policy and procedure in recognition of a person's 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 SNMCI, or the actions and behaviours of a member of College staff or the student body.

The Learner Complaints Policy and Procedure enables issues of complaint a) to be brought to the attention of the College and b) enables those issues to be investigated with the aim of a satisfactory resolution.

It is SNMCI's hope that any complaint may be brought to a speedy resolution through an informal process of conciliation at the initial stage. However, the policy also allows for a formal process for complaints that cannot be resolved informally.

The purpose of this document is to provide a reference point for learners who believe they have a legitimate complaint for investigation and to inform learners of how to go about communicating (informally and formally) any issues they may experience whilst a learner of the College.

Policy Statement

- The College aims to identify and quickly resolve any difficulties which may be experienced by a learner or a cohort of learners in the College.
- SNMCI recognises that learners have a right to complain about services provided by the College where they do not meet with reasonable standards, but the College is also confident that the overwhelming majority of learners will use the procedure in a positive manner in order to improve the quality of life and the learning environment at the College, for the benefit of all members of the SNMCI community.
- All complaints should normally be made within **five** days of the alleged incident, matter or concern.
- No learner will receive different or unfair treatment arising from their submission of a complaint.
- Complaints may not be of a vexatious nature or for the purpose of personal gain.
- In the interest of 'natural justice' anonymous complaints will not be accepted.
- Where possible, complaints should be handled closest to the point at which the action/inaction complained of occurred and an informal resolution to the complaint should be considered by the complainant and the subject of the complaint.
- Most complaints are capable of being resolved on an informal basis without recourse to formal procedure but the College accepts that there might be instances that necessitate escalation to formal proceedings.

Rights and Responsibilities of Complainant:

- Learners are expected to comply with the Learner Code of Conduct and the general College and Programme rules;
- The complainant must corroborate any allegations through evidence;
- Where a complaint results in a disciplinary process, the complainant may not receive information on the nature of any penalty imposed, only the overarching outcome, as the subject of the complaint has a right to privacy;
- Learners have the right to be accompanied by a friend or family member in interactions with the College regarding complaints. This may NOT be a legal advocate or representative. The role of the friend or family member is to take notes and act as a support to the person 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 not less than 24 hours prior to the meeting;
- 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 Procedures whether Informal or Formal. Each member of the group must be able to demonstrate that he / she 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 his / her behalf.

Rights and Responsibilities of the Subject of a Complaint:

- The subject of a complaint (person, programme or the College) has the right to be notified of the nature of the allegations made;
- The subject of a complaint (person, programme or the College) has the right to a copy of the complaint, and the complainant's details;
- The subject of a complaint has the right to respond to statements made in any complaint;

Procedure for Learner Complaints

Person/s Responsible

Records generated to ensure evidence of follow through

Informal Step:

- Before invoking the formal complaints procedure, learners are advised (but not required) to raise the matter informally with the subject of their complaint or the Student Engagement Officer;
- This can be done face-to face or in writing;
- Any written communication at this stage is NOT considered a formal complaint;

Learner

Learner

No records retained at this point

<ul style="list-style-type: none"> - Through informal communication, either by the two parties themselves or through the mediation of the Student Engagement Officer an attempt is made to resolve the matter; - At this point a Programme Director or the Director of Quality and Academic Affairs may also communicate with the learner and the subject of the complaint (if applicable) if this assists the informal resolution; <p>Outcomes:</p> <ol style="list-style-type: none"> 1. Complaint is resolved. 2. Learner decides not to pursue the matter 3. Learner wishes to proceed to the Formal Complaints Procedure 	Subject of complaint SEO or PD Or DQAA	
<p>Formal Step:</p> <ul style="list-style-type: none"> - Formal complaints are submitted in writing to the Director of Quality and Academic Affairs (DQAA); - If a formal complaint is received by another member of staff they forward it to the DQAA as soon as possible; - Complaints should be factual and supported by appropriate documentation and evidence. They should outline clearly, the learner’s student number, details of the complaint (if applicable, dates, locations, witnesses for specific incidents) and details (if applicable) of any attempt to resolve the matter informally; - Complaints should normally be made within five working days of the alleged incident, matter or concern. If a complaint is made after this time a detailed explanation for the delay must be included; - Complaints will not be accepted where the matter complained of took place more than six weeks in the past, other than where an informal process was undertaken within the six-week period. 	Learner Learner	Record of Complaint Attached documentation
<p>Validity:</p> <ul style="list-style-type: none"> - The DQAA acknowledges receipt of the complaint to the learner within five working days; - The DQAA advises the subject(s) of the complaint and provides the subject(s) of the complaint with the details of the nature of the allegations and invites a response; 	DQAA	Correspondence

<ul style="list-style-type: none"> - The DQAA may arrange to discuss the complaint with the learner and the subject(s) of the complaint. The purpose of the discussion is to establish facts and to seek clarification; - A note-taker may accompany the DQAA to create an accurate record of the discussion; - Following the discussion, a summary of the discussion including facts and clarifications obtained is circulated to all parties to confirm accuracy; - The DQAA considers all available information and determines whether the complaint is valid; - The DQAA refers valid complaints to the Complaints Committee of the Academic Board; - Where the complaint is not considered valid, the process concludes and the DQAA notifies the learner of the decision, the rationale for it and outlines the Appeals Procedure available. 	<p>Note Taker</p> <p>DQAA</p> <p>DQAA</p>	<p>record of meetings</p> <p>Summary report</p>
<p>Terms of Reference of Complaints Committee:</p> <ul style="list-style-type: none"> - To follow the rule of ‘natural justice’; - To recognise a person’s right to complain, where they feel they have been mistreated or disadvantaged as a result of the College’s provision of programmes or services, or the behaviour or actions of members of College staff or the student body; - To establish facts and to seek clarification; - To agree the findings of any deliberation and to determine a fair resolution; - To prepares a report for the Academic Board; 		
<p>Decisions and Reporting Structure: The Complaints Committee is a decision making committee. It reports to the Academic Board</p>		
<p>Composition of the Complaints Committee: Three persons chosen by the Academic Board independent of the matter being investigated A note taker</p>		
<p>Frequency of Meetings: As required</p>		
<p>Outcomes: Complaint against a Programme/Department:</p> <ul style="list-style-type: none"> - Should a complaint be upheld, the Director of Quality and Academic Affairs (DQAA) may make recommendations to the Programme Director and relevant members of senior staff. 		

- Recommendations may also be made to College committees in respect of quality assurance procedures or policies
- It is the responsibility of the Programme Director to act on the recommendations made by the DQAA

Complaint against Individual:

- In a case where a complaint has been made against an individual staff member and been upheld, the CEO may invoke the relevant staff disciplinary procedure.
- If a complaint is not upheld, the complainant shall be informed in writing with reasons for its rejection.
- Any conclusions and recommendations will be communicated in writing to the complainant and the relevant Stage, Programme or Service.
- A summarised version of outcomes will be made available to the next Academic Board under reserved business

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 staff members
- Programme Committee Meetings
- Class representative meetings
- Learner feedback questionnaires (e.g. module delivery and facilities)
- The Learner support e-mail address

The Complaints Procedure for Learners is part of the College's quality assurance procedures. Complaints are considered useful feedback and, where appropriate, will be used to facilitate improvements to services and facilities. This will be achieved by annual reporting through Programme Reviews as appropriate to ensure that outcomes and recommendations arising from the Complaints Procedure are actioned.

Policy Control Sheet

Policy	QA 7.7: Learner Complaints and TOR for Complaints Committee
Version	3.0
Adopted/Effective	September 2020
Supersedes	2.0
Monitoring/ Next Review Date	Every Two Years/September 2022
Responsible Officer(s) Designated Reviewer(s)	CEO; Director of Quality and Academic Affairs (DQAA)
Scope	College wide

References

SNMCI Policy area	7) Support for Learners: QA Vol 2
Developed with reference to	Quality and Qualifications Ireland (2016), <i>Core Statutory Quality Assurance (QA) Guidelines</i> , Sections 5.1, 6.1. Quality and Qualifications Ireland (2016), Sector Specific Independent/Private Statutory Quality Assurance Guidelines. European Association for Quality Assurance in Higher Education (ENQA) et al. (2015), <i>Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)</i> , 2nd ed, Section 1.3
Related SNMCI Policies / Forms	

Revision

Revision Number	Revision Description	Originator	Approved By
2.	Reviewed for Blended Learning Sep 2020	Office of DQAA	