TRINITY COLLEGE AND BRISTOL BAPTIST COLLEGE

Student Complaints and Appeals Policy and Procedure

INTRODUCTION AND PRINCIPLES

1. Trinity College and Bristol Baptist College form one Theological Education Institute (TEI) which aims to provide a high standard and quality of service in respect of its academic provision. We recognise, however, that occasionally things can go wrong. As part of our commitment to enhancing the student experience, this procedure has been established to deal with academic complaints from students.

2. Students who have a complaint to make should follow the procedure below:

   (i) **for minor matters in relation to module or programme design and delivery:** students should speak with the Module Coordinator or Programme Director in the first instance;

   (ii) **for matters of significance relating to any staff member or tutor:** students should contact the Principal of their college. (In the event of the complaint relating to the Principal they should contact the Chair of their College Council. This arrangement is implicit in the remainder of this document.)

   (iii) **students who wish to make a complaint about a fellow student:** if the matter cannot be resolved student-to-student, the student who wishes to make a complaint should contact the Principal of their college.

3. As matters that are dealt with informally at an early stage have the best chance of being resolved effectively, the formal stage of this procedure should only be applied if informal procedures have been exhausted and the complainant remains dissatisfied.

4. It is recognised, however, that there may be occasions when an informal approach is not appropriate. In such instances the student may wish to proceed to a formal stage in the procedure, giving reasons for doing so. In such situations the recipient of the complaint should decide at which stage in the procedure set out below the complaint should most appropriately be considered, taking account of its particular nature and circumstances.

5. In respect of particularly serious complaints, the student may write directly to the Principal without having followed the informal or formal stages of this procedure set out below. In such cases the Principal shall decide whether or not to conduct his or her own investigation into the complaint or whether it should more appropriately be referred to an earlier stage in the procedure.

6. Every reasonable effort will be made to deal promptly and efficiently with all complaints, to investigate them thoroughly, objectively and independently and to seek to resolve them satisfactorily. If a complaint is upheld, Trinity College and Bristol Baptist College will seek to provide an appropriate response and will correct any mistakes or misunderstandings and will take any other action as appropriate. If a complaint is not upheld, reasons for that decision will be given in a timely manner.

7. All complaints will be dealt with in confidence with the proviso that enquiries will have to be made to investigate the matters that are the subject of the complaint. An individual against whom a complaint is made has the right to be supplied with a copy of the complaint and to comment on it. A complaint cannot be investigated if the student does not wish the substance of the allegation to be made known to the individual concerned.

8. Trinity College and Bristol Baptist College will treat complaints seriously and will deal with them without recrimination.

9. Where a complaint is shown to be frivolous, vexatious or motivated by malice, it will be dismissed and disciplinary action may be taken against the student.

10. The time limits set out in this procedure will normally be followed. However, where, for good reason, this is not possible, the complainant will be kept informed of progress.

Scope of the Procedure

11. The procedure is designed to encompass academic complaints from students concerning their experience as a Trinity College or Bristol Baptist College student on the Common Awards programmes.

12. **'Academic complaints'** can relate to any aspect of the approved academic provision including (but not restricted to) complaints from students concerning their experience of:

    (a) the arrangements for, or delivery of, teaching or assessment for the academic programme;
    (b) the adequacy of supervision for modules that are a formal and assessed part of the academic programme;
    (c) the academic support that is part of the academic programme;
    (d) assessed placements that are a formal part of the academic programme;
    (e) administrative or support services that relate to the academic programme;
    (f) information or publicity in relation to the academic programme;
    (g) the infrastructure for academic programmes, including learning resources and teaching spaces.

13. The above is not a definitive or exhaustive list; academic complaints may relate to other areas of academic provision or support where these are perceived to have had a negative impact on the student's academic programme or progress.

14. This procedure does not extend to **'academic appeals'** (i.e. appeals relating to examinations or assessments or to academic progress or against expulsion or exclusion on academic grounds). Information on Durham University's approach to academic appeals is available here:

15. Equally, the procedure does not cover the following, for which separate procedures exist:

    (a) complaints involving a decision that a student has failed to meet his/her academic commitments:

    (b) complaints involving an allegation of misconduct by a student:

    (c) Complaints involving allegations of harassment;

16. It is expected that the student concerned will pursue the complaint personally; complaints submitted by a third party will not normally be accepted.

17. The effectiveness of any complaints procedure depends on Trinity College or Bristol Baptist College being able to collect appropriate information from the parties involved in order to investigate the matter properly. For this reason, anonymous complaints will not be dealt with under this procedure. It is at the discretion of the person receiving an anonymous complaint to determine how the matter is handled.

18. Complaints by a group of students are often of a general nature where it is usually more appropriate for the students to raise the matter with a student representative in the first instance. Complaints may then be made by a group of students if the relevant representation system has not achieved a satisfactory outcome, or this is not thought to be an appropriate route.

19. If the complainant remains dissatisfied once Trinity College and Bristol Baptist College's informal and formal procedures are exhausted, the student will have the right to request a review by Durham University. The University will determine whether to review the complaint to ascertain whether the policy and processes of Trinity College and Bristol Baptist College had been implemented correctly.

20. It is the practice of Trinity College and Bristol Baptist College to review their policies and procedures on an annual basis in order to identify any areas of practice or provision for enhancement.

Stages of the Process

Overview

21. The complaints process has 3 stages:

    STAGE 1: Investigation of the complaint leading to an informal resolution (Trinity College or Bristol Baptist College)

    STAGE 2: Formal resolution (Trinity College or Bristol Baptist College)

    STAGE 3: University review (Durham University) *if the complaint cannot be resolved at TEI level*

Stage 1: Informal Stage

22. Most complaints can be resolved informally and, where practicable, a complaint should be dealt with as close as possible to the point at which it arises. A student who wishes to complain should, therefore, initially discuss the matter with those directly responsible. If the student is unhappy about approaching the person directly responsible, they may seek counsel from their personal tutor or another member of the Trinity College or Bristol Baptist College core staff.

23. Students should raise a complaint no more than 28 days after the event that the complaint concerns unless there is good reason for the delay.

24. The Principal, or designated officer, should if, possible, have a face-to-face discussion with the student concerned to come to an understanding of the exact nature of the student's dissatisfaction and to explore what outcome the student seeks.

25. If appropriate, the Principal, or designated officer, should initiate mediation as part of the informal resolution.

26. Wherever possible, student complaints should be resolved at this informal level, without the need to resort to formal proceedings. A student should normally expect to receive a written or verbal acknowledgement within five working days and a full response within fifteen working days of receipt of the complaint.

27. At the conclusion of any informal resolution attempts, the student will be informed of the formal complaint procedure (Stage 2).

Stage 2: Formal Stage: Trinity College and Bristol Baptist College

28. If the Stage 1 procedures have been exhausted, and the student is not satisfied with the response, he or she may initiate a formal complaint to the Principal.

29. If a complaint is received at Stage 2, without prior consideration at Stage 1 Trinity College or Bristol Baptist College will normally try to resolve the complaint using informal mechanism in the first instance where appropriate.

30. The information to be included in the complaint by the student is as follows:

    (a) details of the complaint;
    (b) a statement of the action already taken to try and resolve the complaint informally and why the response given is considered unsatisfactory;
    (c) any supporting information or evidence;
    (d) the form of resolution or redress sought.

31. Trinity College or Bristol Baptist College will acknowledge receipt of the complaint within five working days.

32. The person dealing with the formal complaint must be independent of the source of the complaint and will either investigate the matter him or herself or will delegate responsibility to another appropriate person to undertake the investigation on his or her behalf.

33. The person dealing with the formal complaint will seek resolution of the complaint by a means appropriate to its nature and circumstance. Such means may include:

    (a) correspondence between the parties;
    (b) negotiation with the student or with appropriate members of staff or with both;
    (c) facilitation of a conciliation meeting between the student and student/staff concerned;
    (d) facilitation of a mediation meeting between the student and student/staff concerned.

34. If the person dealing with the formal complaint decides to investigate the complaint via correspondence, the student bringing forward the complaint will be sent a copy of any comments obtained during this process and will be invited to submit a response. This will be done prior to a decision being reached in relation to the complaint.

35. In very exceptional circumstances (for example, in particularly complex cases, or those involving disciplinary issues), provisions may be made for hearings. The panel of at least three persons may include members of staff, members of the College Council or other appropriate persons from outside the Colleges. In the event of the panel being divided in its view, the Chair will have a casting vote. Students will be given at least 5 days' notice in writing if a hearing is to be held. The student involved may be accompanied at the hearing by a fellow student or a member of staff.

36. The Level 1 procedures (Stages 1 and 2 combined) should normally be completed, and a written response sent to the student, within eight weeks of the complaint being received.

37. The possible outcomes from the Stage 2 process include:

    (a) a resolution, reached in co-operation with the student, following conciliation or mediation if appropriate;

(b) if the complaint is upheld, a recommendation will be made outlining how the issue(s) identified in the complaint should be addressed including, if applicable, appropriate redress to the student;
(c) dismissal of the complaint with reasons given to the student in writing.

38. The response will also inform the student of their right to request a review of the complaint by Durham University (i.e. Stage 3 of the process).

39. A copy of the letter to the complainant informing them of the outcome of their complaint will be retained in accordance with Trinity College and Bristol Baptist College's *Data and Record Retention Policy*.

Stage 3: Review Stage: University

40. If the student is dissatisfied with the outcome of Stage 2, and believes that the complaint has been handled improperly or unfairly according to this policy, the student may request that the complaint is reviewed by Durham University.

41. The student can request a review by writing to Durham University no later than 10 working days after the date of the Stage 2 response.

42. The student must provide the following information:

(a) details of the complaint (including relevant correspondence from Stages 1 and 2, and any further new supporting documentation);
(b) details of why the student remains dissatisfied;
(c) details of the form of resolution or redress sought.

43. Receipt of the request for a review will be acknowledged by the University within five working days. This acknowledgement will advise students that they may seek advice from the Durham Students' Union (DSU) throughout the Stage 3 process.

44. The University will determine whether to review the complaint to ascertain whether the Trinity College and Bristol Baptist College's policy and processes had been implemented correctly.

45. The possible outcomes include:

(a) if procedural irregularities are identified: the complaint will normally be referred back to Trinity College or Bristol Baptist College for re-investigation;
(b) if the complaint is deemed to be outside the parameters of an 'academic complaint' (as defined in para.12, above): the complaint will be referred back to Trinity College or Bristol Baptist College for investigation as a complaint that is outwith the Common Awards provision;
(c) If Trinity College and Bristol Baptist College's policies and processes had been implemented correctly: the complaint normally will be dismissed, the reasons for dismissal will be provided to the student in writing, and a completion of procedures letter will be issued.

46. The student will be notified of the University's decision within 28 days of the University's receipt of the request for a review.

47. If the University dismisses the review request there shall be no further opportunity for the complaint to be pursued within the University.

48. The University's formal response at the completion of Stage 3 will advise the student that they can refer their complaint to the Office of the Independent Adjudicator.

OFFICE OF THE INDEPENDENT ADJUDICATOR (OIA)

49. If Stages 1-3 have been completed and the student remains dissatisfied with the outcome, the student may complain to the Office of the Independent Adjudicator (OIA) within 12 months of the issue of a completion of procedures letter by the University.

50. Information about the OIA and the procedure for submitting complaints can be obtained from Durham University's Academic Support Office, the Durham Students' Union website, or from the OIA website: www.oiahe.org.uk