Student Concerns and Complaints Policy and Procedure – Non-Academic

POLICY

Principles

1. Trinity College aims to work to the highest of standards, but we recognise that things can and do go wrong. As part of our commitment to your wellbeing, safety, and the quality of your education and formation, procedures have been established to deal with complaints and concerns not covered by the academic complaints policy.

2. There are times when, for good reason, you cannot raise a concern or complaint at the time it arises. However, both for your wellbeing and for that of anyone else involved, and to enable as accurate and speedy a resolution as possible, we encourage you to report things as soon as you can.

3. Reporting things helps the college monitor and improve the service we provide and the wellbeing and safety of our community. We therefore want you to feel comfortable and confident in raising a complaint or concern. We will treat them promptly and seriously, investigate them fairly and thoroughly, and seek to resolve them satisfactorily by correcting any mistakes or misunderstandings and taking other action as appropriate. Sharing a genuine concern or complaint will not impact you negatively.

4. Support will be offered where needed to those who share concerns or complaints. They will be dealt with in confidence, with the proviso that in the process of investigation, an individual against whom a complaint has been made will normally be provided with details of the complaint so that they can respond to it. It is likely to be harder to investigate a complaint if the student does not wish the substance of it to be made known to the subject of the complaint.

5. We record concerns, complaints and reports as part of our internal monitoring and accountability processes.

6. The timescales set out in this procedure will be kept wherever possible. Where, for good reason, it is not possible, we will keep you informed of progress and explain the reasons for the delay.

7. Where concerns or complaints relate to discrimination or potential contraventions of our Equality, Diversity and Inclusion Policy or our College Values and Code of Conduct, they will follow a dedicated procedure entitled Report & Support. The procedure outlined below covers other areas of non-academic concern or complaint. Some matters which may initially be raised under this procedure or the Report & Support procedure may need to be referred and dealt with under other dedicated procedures, such as:

   (a) **Safeguarding.** Students who have a safeguarding concern should in general share this directly with the Designated Safeguarding Lead (see the college's *Safeguarding Policy*);

   (b) complaints and appeals involving an allegation of **misconduct by another student** (see the college's *Student Disciplinary Procedure)*;

   (c) complaints involving an allegation of **bullying and/or harassment** (see the college's *Harassment and Bullying Policy*.

Anonymous and/or third-party complaints and concerns

8. You can share a concern or make a complaint on behalf of someone else, or likewise submit one anonymously. We will do our best to investigate and resolve anonymous and/or third-party complaints and concerns, and to report the outcome back to you although it may be harder to do so if this would involve sharing details of someone else's situation with you.

Support

9. The staff member handling the complaint or concern is responsible for ensuring that you have access to appropriate support. This may be provided via the normal route of your personal tutor. At other times, another staff member may be better placed to support you, such as another member of the faculty, a member of the chaplain/pastoral support team, the Diversity Officer, or the Learning Support Tutor. Support can be arranged via an external professional source, e.g. a qualified counsellor, if needed.

Scope

10. This policy covers concerns and complaints from students concerning their experience as a Trinity student in relation to matters not covered by the separate Academic Complaints process.

11. Non-academic concerns and complaints may relate to any aspect of our provision and culture, including (but not restricted to):

    (a) Potential discrimination on the basis of one or more of the protected characteristics identified by the Equality Act 2010 (you will be pointed to our Report & Support process);
    (b) Potential bullying, harassment, and safeguarding (these concerns can be referred via this route, although they may end up being handled via another appropriate route);
    (c) Formational provision such as tutor groups, worship, ASEP and School of Leadership;
    (d) Domestic provision such as meals and accommodation provided by the College;
    (e) Pastoral and other non-academic support;
    (f) Assessed placements that are not a formal part of the academic programme;
    (g) Administrative or support services that do not relate to the academic programme;
    (h) Information or publicity in relation to the non-academic programme;
    (i) The infrastructure for non-academic matters, including resources and non-teaching spaces.

12. The above is not definitive or exhaustive. Non-academic concerns and complaints may relate to other areas of provision or support where you feel they have had a negative impact on your progress or wellbeing.

PROCEDURE

Overview of options

13. If you have a concern or potential complaint you have the following options. Please see below for more details about each one.

    (i) *Student feedback*. The Student Council as your elected representatives meet regularly with the college Leadership Team and they hold regular forums to gather feedback. Your feedback is also frequently sought anonymously via online questionnaires. This is discussed at meetings in the relevant committees on which there is student representation (TEI Management Committee for academic matters, and the Formation and Operations Committees). This may be more suitable when feedback is of a more minor or general nature and/or it represents the experience of a group. Formal complaints can still be initiated if these systems do not achieve a satisfactory outcome.

    (ii) *Informal resolution*. With respect to (say) minor practical matters, you may feel sufficiently confident to speak to a staff member or fellow student to clarify or resolve something directly. You should feel no pressure to do so, and you can continue to the option of following one or more of the routes set out below.

    (iii) *Share a concern*. You can speak to an appropriate person or, in the case of potential discrimination, fill in an online form under the Report & Support process to share with the college anything that you are concerned about regarding yourself or someone else. We will triage the concern and arrange support and refer it as needed. You may also choose to

follow this up with a complaint.

(iv) *Make a complaint*. This can be initiated directly, or it may be that through the process of sharing a concern you decide to escalate the concern as a complaint.

(v) *Whistleblowing and external reporting*. This refers to occasions when a student wishes to make a protected disclosure about a matter that may be illegal or against the public interest, or when the substance of a complaint needs to be referred to and handled by an external body.

The following paragraphs give further information about the process to follow for each of the steps iii-v.

Sharing a concern

14. Concerns are initially received by a triaging team, which consists of the Vice Principal for Formation, the Diversity Officer, and the Executive Director. To share a concern, you can speak to one of the team or, if you believe the matter relates to potential discrimination, complete the form on the 'Report & Support' page on the college intranet.

15. Concerns raised by either means will be triaged by the team, who will assign someone to take the lead on the matter, consider what support might be needed, and identify a course of action such as referring it.

16. A student should normally expect to receive a written or verbal acknowledgement of a concern within five working days of its receipt, and a full response within fifteen working days.

17. If the concern relates to one of the triaging team, the other two team members will involve a suitable alternative colleague, always ensuring there is at least one person of both genders involved.

18. Unless the concern has been shared anonymously or you indicate that you would prefer not to receive a response, the assigned member of the triaging team will provide you with a response, including where appropriate an apology and details of the action the college has taken in response. If you feel the response is not sufficient, you may decide to take the matter further through one of the other options.

19. Anonymised details of the concern will be shared with the college's Leadership Team and recorded on its complaint log which enables staff and trustees to monitor complaints and concerns.

Making a formal complaint

<u>Lodging and receiving the complaint</u>

20. A formal complaint should normally be sent in writing via email to the principal or, in the case of matters relating to discrimination, via the form provided on the 'Report & Support' page of the intranet, and include the following information:
    (a) details of the complaint;
    (b) if applicable, details of any action already taken to try and resolve the complaint and why any response so far has been unsatisfactory;
    (c) any supporting information or evidence;
    (d) the form of resolution or redress sought.

21. The principal will normally acknowledge receipt of the complaint within five working days and ensure that support is put in place for the student as needed.

22. If the complaint relates to the principal, the complaint should be sent to the Chair of the Trustees.

23. Depending on the nature and seriousness of the complaint, and in keeping with the principle of resolving complaints as close as possible to the point they arise, the principal may handle the

complaint themselves, or ask a line manager, team leader or another member of the leadership team to handle it. The name of the person handling it will be communicated to the student. Any person designated to handle a complaint must be independent of its substance.

Stage 1: Investigation and follow-up

24. The person handling the complaint will normally seek a face-to-face discussion with the student concerned to come to a better understanding of the exact nature of their dissatisfaction and to explore what outcome(s) the student seeks.

25. The person dealing with the complaint will then seek its resolution 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 mediation or conciliation meeting between the student and student/staff concerned.

26. If the person dealing with the 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, which will have been checked with the relevant correspondents, and will be invited to submit a response. This will be done prior to a decision being reached in relation to the complaint.

27. In very exceptional circumstances (for example, in particularly complex cases), provision may be made for a hearing by a complaint panel, consisting of at least three persons, which may include members of staff, members of the college Council or other appropriate persons from outside the college. In the event of the panel being divided in its view, the Chair will have a casting vote. Students will be given at least five 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.

28. The possible outcomes from the formal complaint process may include:
    (a) a resolution, reached in co-operation with the student, following conciliation or mediation if appropriate;
    (b) upholding the complaint. If so, a recommendation will be made outlining how the issue(s) identified in the complaint should be addressed including, if applicable, appropriate redress;
    (c) further disciplinary action;
    (d) dismissal of the complaint. If so, reasons for the dismissal will be given to the student in writing.

    There may be times when some aspects of a student's complaint are upheld and others not upheld.

29. Where a complaint is dismissed and is shown to be vexatious or motivated by malice, disciplinary action may be taken against the student bringing the complaint. This is particularly important in relation to unsubstantiated complaints against staff colleagues to whom the college owes a duty of care as employer for their health, safety and welfare.

30. Although the person handling the complaint will normally offer to meet the student to share the outcome with them, the outcome will also always be communicated in writing via email. A copy of this email will be retained in accordance with the Trinity College *Data and Record Retention Policy*.

31. Details of the complaint will be shared with the college's Leadership Team and recorded anonymously on its complaint log, to enable staff and trustees to monitor complaints.

32. The formal Stage 1 process should normally be completed, and a written response sent to the student, within eight weeks of the complaint being received.

Stage 2: Review Stage: Chair of College Council or their appointed nominee

33. If the student believes that the complaint has been handled improperly or unfairly, they may request that the complaint is reviewed by the Chair of the College Council, who may appoint a nominee (normally another trustee) to review the complaint.

34. The student should normally request such a review by writing to the Chair of the Council no later than 10 working days after the date of the Stage 1 response.

35. The student must provide the following information:
    (a) details of the complaint (including relevant correspondence from Stage 1, and any further new supporting documentation);
    (b) details of why the student believes that the complaint has been handled improperly or unfairly;
    (c) details of the form of resolution or redress sought.

36. Receipt of the request for a review will normally be acknowledged by the Chair within five working days.

37. The Chair or their nominee will review the complaint, in particular with a view to ascertaining whether the College's policy and processes have been correctly and fairly followed.

38. Possible outcomes of the review include:
    (a) If procedural irregularities are identified or if new information has been supplied, the reviewer will normally refer the matter back to the college for re-investigation with recommendations on an alternative outcome;
    (b) If Trinity College's policies and processes have been correctly followed: the original decision will normally be upheld. The reasons for this will be provided to the student in writing, and a Completion of Procedures letter will be issued;
    (c) In exceptional circumstances, if the college's procedures have been correctly followed and no new information has been supplied, the reviewer may still feel that the complaint has not been fairly resolved. In such circumstances they have the power to resolve the complaint in line with the possible outcomes identified in paragraph 28 above.

39. The student will normally be notified of the reviewer's decision within 28 days of the Chair's receipt of the request for a review.

40. If the reviewer upholds the original decision, there shall be no further opportunity for the complaint to be pursued within the College.

41. The reviewer's formal response at the completion of Stage 2 will advise the student that they can refer their complaint to the Office of the Independent Adjudicator.

42. Details of the review will be shared with the college's Leadership Team and recorded anonymously on its complaint log, to enable staff and trustees to monitor complaints.

Whistleblowing and external reports

43. There may be times when the substance of a complaint is so serious that the college needs to share information with an appropriate authority or body external to the college, such as a diocese, the Church of England, the police, Social Services, the Environment Agency, or the Health and Safety Executive. In these scenarios, the college will work hard to play its part in the procedures of such bodies that may take precedence over this policy, and follow their advice or instruction.

44. A student wishing to make a protected disclosure about a matter that may be illegal or against the public interest should refer to our Whistleblowing Policy [to be added] and follow the steps indicated there. In respect of other matters of a serious nature that a student may wish formally to report, they should address the matter to a member of the Leadership Team, or if it relates to the Leadership Team to the Chair of Trustees.

45. Anonymised details of the report will be recorded on our complaint log which enables staff and trustees to monitor complaints and reports.

OFFICE OF THE INDEPENDENT ADJUDICATOR (OIA)

46. If the formal complaint processes set out above have been completed and the student remains dissatisfied with the outcome, the student may submit a complaint to the Office of the Independent Adjudicator (OIA). This must be done within 12 months of the issue of the Completion of Procedures letter.

47. Information about the OIA and the procedure for submitting complaints can be obtained from the OIA website: www.oiahe.org.uk.

CONTACT DETAILS

Contact details for college staff specified above are as follows:

Diversity Officer:	Colse Leung	colse.leung@trinitycollegebristol.ac.uk
Executive Director:	Andrew Lucas	andrew.lucas@trinitycollegebristol.ac.uk
Vice Principal for Formation:	Helen Johnson	helen.johnson@trinitycollegebristol.ac.uk
Principal:	Sean Doherty	principal@trinitycollegebristol.ac.uk
Chair of Trustees:	Revd Esther Prior	esther.prior@stjohnsegham.com