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## Student Complaints Procedure

### 1. Context

Trinity College Dublin, the University of Dublin, is committed to excellence in teaching, research and service provision. The University aims for the highest standards of quality in all its activities. It takes legitimate student complaints seriously and aims to resolve them in a clear, fair and timely manner.

Trinity is a public body under the [Ombudsman \(Amendment\) Act 2012](#) and as such the Ombudsman may examine complaints in relation to the 'administrative actions' which occur on or after 1 May 2013.

### 2. Purpose

The purpose of the formal Student Complaints Procedure is to ensure that legitimate student complaints are investigated in a transparent, fair and timely manner with a view to reaching a resolution in a clear, fair and timely manner. The guiding principles are:

- i. To provide students with a clear framework in which to raise complaints;
- ii. To respect all the individuals involved in a complaint;
- iii. To comply with legal and statutory frameworks;
- iv. To support improvements through regular reporting and review of issues raised.

### 3. Definition

For the purpose of this procedure, a complaint is considered to be:

An expression of significant or sustained dissatisfaction where a student seeks a specific action to address the issue.

### 4. Scope

- 4.1** The complaints procedure spans many aspects of the student experience: for example, teaching and academic facilities, academic services, student accommodation administered by the University, student support services, administrative services, alleged actions or inaction by the University or a member of its staff. It should be noted that the traditional principles of academic freedom of staff shall not be restricted or impinged as a result of a complaint.

**4.2** A student may raise a complaint relating, but not limited, to the following perceived issues:

- i. The quality or standard of any service or failure to provide a service by the University or a member of its staff;
- ii. The quality of facilities or learning resources;
- iii. The failure to follow an appropriate administrative process;
- iv. Perceived unfair treatment or inappropriate behavior by a staff member towards a student, which would not be covered by the Dignity and Respect Policy
- v. An alleged action or inaction by the University or a member of its staff.

**4.3** The procedure only applies to matters which are the responsibility of the University and therefore does not include, for example, issues relating to the Students' or Graduate Students' Union, student societies and clubs, campus companies, services provided by hospitals, providers of internships and placements and Associated Colleges, which are their sole responsibility. Students may contact the Secretary's Office to seek guidance on how best to progress a complaint that may arise due to a relationship between the University and an external entity.

4.3.1 This procedure does not also apply to decisions relating to academic performance or progression.

**4.4 Existing Formal Procedures**

The [University of Dublin Calendar](#) is the primary source for regulations and procedures. In the case of conflict between guidelines set out there or elsewhere, those of the Calendar will prevail. Examples of existing processes in places which preclude the opportunity to invoke the Formal Student Complaints Procedure are:

- i. Appealing the results of all assessed/examined work and the decisions of Courts of Examiners: see the recheck/remark procedure, Courts of Appeal for undergraduate students and postgraduate students;
- ii. Complaints about the adequacy of postgraduate thesis supervision should normally be made first to the Director of Teaching and Learning (Postgraduate).
- iii. Complaints of harassment, including sexual harassment and bullying are dealt with under the Dignity and Respect Policy;
- iv. Complaint of failure to comply with the Disability Act;
- v. A complaint relating to an alleged clinical error by staff from the Health Service, Disability Service or Student Counselling may be raised with the appropriate professional or statutory body if it has not been resolved locally.

- vi. In the event that a complaint gives rise to an allegation of staff misconduct this element will be dealt with separately, at the discretion of the University, through the agreed disciplinary and grievance procedures;
- vii. The Junior Dean has a responsibility to enquire into and otherwise deal with the alleged commission of a disciplinary offence by a student. See the University of Dublin Calendar Part II for further details.

Where the University believes that the matter is of sufficient seriousness to merit investigation by An Garda Síochána or a statutory body, the student and respondent will be informed. In such cases the matter may be suspended by the University, pending the outcome of the external investigation.

#### **4.5 Complainants**

The procedure applies to complaints from:

- i. Any registered student of the University;
- ii. Undergraduate and Postgraduate Taught students within three months of the publication of their results and Postgraduate Research students within three months of Council approval of their degree;
- iii. Those interacting with the University in activities such as Admissions and Commencements.
- iv. Students approved as off-register for a defined period i.e. 'off-books'
- v. A complaint may be made by a student, by a group of students or be channeled through an elected student representative e.g. class representative or SU Sabbatical Officer.

Anonymous complaints will not be considered.

#### **5. Procedure**

- 5.1.** Generally, complaints are resolved more easily and effectively at an early stage and by those who have a direct influence on the situation. In the first instance, students should seek the advice of their College Tutor/Postgraduate Student Support Officer and use existing informal mechanisms to resolve difficulties – for example, discussing with individual lecturers or support staff, engaging with student representatives or through staff-student meetings. The formal student complaints procedure is available when informal approaches have not produced a satisfactory resolution within a reasonable timeframe or when the seriousness of the complaint merits it.

## 5.2. The Formal Complaint Process

- 5.2.1 Students should understand that when they make a complaint certain procedures will follow and complainants must be clear on the grounds for their complaint. They are required to provide full and accurate information and to cooperate with the investigation, including providing any additional information requested.
- 5.2.2 Where a complaint is deemed to be malicious or vexatious or where false information is submitted, disciplinary action may be taken against the complainant.
- 5.2.3 The University seeks to handle all complaints with discretion. It is important that all parties involved take care to ensure that confidentiality is respected. As far as is practicable, confidentiality will be preserved at all stages in the procedure, in the interests of both the student making the complaint and the individual members of staff involved. The University will never seek records or information relating to confidential consultations between the complainant and the Health, Disability or Counselling Services unless there is a risk associated with complainant or university or any other external health professional without the explicit written consent of the complainant.
- 5.2.4 A student making a complaint will not be discriminated against or suffer any recrimination as a result of making a legitimate complaint.
- 5.2.5 Where a complaint involves an individual member of staff that member of staff has a right to respond as part of the investigation.
- 5.2.6 A member of staff who is the subject of an alleged complaint will not be discriminated against or suffer any recrimination as a result of any unsubstantiated complaint being made.
- 5.2.7 All information received and considered as part of the investigation of a complaint will be retained for record purposes in keeping with the College's Records Management and Data Protection Policies.

## 5.3. Stage 1 of the Process

- 5.3.1 The student complaints form is available from the [website](#) together with instructions for submission.
- 5.3.2 Formal complaints should normally be made within one month of the last related incident occurring.
- 5.3.3 The complaint will first be assessed by the Secretary's Office to confirm that it falls within the remit of the Student Complaints Procedure and check that local or informal processes have been exhausted before the formal complaint process is initiated.
- 5.3.4 The student will receive acknowledgement of receipt of the complaint and be informed of the next steps and, where appropriate, the timescale (see below).

- 5.3.5 If the complaint is to be investigated, it will be forwarded to the relevant Head of School or Head of Unit. He or she may investigate the complaint or designate an investigator to carry out an investigation into the issues raised. The investigator will normally be an experienced member of staff from the area who is not implicated in any way in the complaint and does not have any close relationship with any of the parties involved. Should the complaint refer to an individual, that person should be informed at this stage of the complaint. The appointed investigator will examine the issues raised in the complaint and will seek to establish:
- (i) the nature and circumstances of the complaint;
  - (ii) whether the complaint has a merit;
  - (iii) what actions (if any) are needed to resolve the issue.
- 5.3.6 As part of this investigation the investigator may conduct individual interviews with the complainant, those against which the complaint is made and any relevant third party.
- The student complainant may be accompanied by his/her Tutor/Postgraduate Advisor, a member of the Students' Union or Graduate Students' Union.
- Any staff member may be accompanied by a staff representative of their choice.
- On this basis the investigator will provide a written report recommending measures to be taken to resolve the complaint to the parties concerned. Once approved by the Head of School or Head of Unit a copy of the report will be sent to the complainant by the Secretary's Office. This will set out the outcome of the investigation and ask the student to respond to the outcome of the investigation within 15 working days.

**Table 1: Stage 1 Process**

<p>Maximum timescale</p> <p>Six weeks from receipt of complaint to provision of written report with a progress report being issued to the complainant within three weeks.</p>
<p>Possible outcomes</p> <ul style="list-style-type: none"> <li>i. A mutually acceptable outcome is reached.</li> <li>ii. A mutually acceptable outcome is not reached but the Head of School or Head of Unit considers that the complaint has been heard fairly and that the appropriate actions have been taken.</li> <li>iii. The student appeals the outcome to Stage 2 on one of the relevant grounds (see 5.4.1)</li> </ul>

**5.4. Stage 2: Appeal by the Student and Examination of the Stage 1 Process**

- 5.4.1 A student may appeal the outcome of Stage 1 if they have reason to believe that
  - the written report does not address the substantive areas of the complaint;
  - there is a procedural irregularity in connection with the conduct of the investigation.
- 5.4.2 The Registrar will chair a small group comprised of individuals with relevant expertise and of senior College Officers as appropriate (such the Senior Lecturer, Dean of Graduate Studies, and Chief Operating Officer [or nominees if any Officer is involved in the complaint] to consider the appeal.
- 5.4.3 The group will be provided with a written report outlining the handling of the investigation to date, appeal documentation from the student and will gather other evidence as may be necessary. It may interview the student and others involved as necessary. The student complainant may be accompanied by his/her Tutor/Postgraduate Advisor, a member of the Student’s Union or the Graduate Students’ Union. Any staff member may be accompanied by a staff representative. The role of the group is to judge whether the School or Unit has correctly and properly addressed the substantive areas of the complaint, followed correct procedures and examined all the evidence.
- 5.4.4 The student will be provided with the report of the group within three weeks of requesting an appeal and will be asked to respond within 15 working days.

**Table 2: Stage 2 Process**

<p>Maximum timescale</p> <p style="text-align: center;">Three weeks from receipt of request for review</p>
<p>Possible outcomes</p> <ul style="list-style-type: none"> <li>i. The complaint is deemed to have been handled appropriately. No further action is necessary.</li> <li>ii. Complaint is referred back to the relevant School or Unit for further action and/or investigation which results in a mutually acceptable outcome and the problem is resolved.</li> <li>iii. The complainant or Head of School/Unit against which the complaint has been made is not satisfied and may complain to the Visitor or to the Office of the Ombudsman, as appropriate.</li> </ul>

**6. Reporting**

An important objective of the formal Student Complaints Procedure is to support improvements through regular reporting of issues raised. Accordingly, the Quality Committee (a compliance Committee of the University Council) will be provided with regular reports on the number of student complaints received, the speed with which they have been dealt with, the areas they cover and what actions have been taken to resolve the complaints and ensure they do not reoccur.

**7. Documentation**

- Student Complaint Form
- Investigation Reports Stage 1 and Stage 2

**8. Responsibility**

The College Secretary is responsible for the oversight of this Procedure.

**9. Record Management**

All information received and considered as part of the investigation of a complaint will be retained in keeping with the University Records Management Policy.

**10. Related Documents**

- [Ombudsman \(Amendment\) Act 2012](#)
- [Data Protection Policy](#)
- [Records Management Policy](#)

**11. Document Control**

The Assistant Secretary is responsible for document control of this procedure.

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