

Complaints Policy and Procedure

7.6 Learner Complaints Procedure

7.6.1 Introduction

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. 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 (engage@griffith.ie)

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

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. This procedure aims to be simple, clear and fair to all parties involved, with informal resolution an option at any point.

7.6.2 Objective

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

7.6.3 Scope

This procedure applies to the resolution of issues encountered by learners in their capacity as members of the college community. It is important to note that separate procedures exist for the following circumstances:

- All academic matters relating to examination and assessment performance and outcomes are covered by the [Appeals Procedure \(QAE Document 6.4\)](#), [Academic Integrity Policy \(QAE document 6.9\)](#) and [Academic Misconduct Case Management Procedure \(QAE Document 6.10\)](#).

7.6.4 Responsibility for implementation:

- Learner
- Quality Assurance and Enhancement Officer

Section G: Support for Learners

- Director of Academic Programmes
- Programme Directors
- Department Managers
- College staff
- Complaints Hearing Panel

7.6.5 Right of Attendance and Representation at a Complaints Hearing

In section 7.6.7 below, reference is made to the learner/staff right to attend and be represented at a complaints hearing. The following points are relevant:

- A learner or staff member who is a party to a complaint 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
- 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 is borne by the learner or the staff member respectively, unless the Complaints Hearing Panel so otherwise determines.
- A representative may speak on behalf of the learner/staff member
- 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) is borne by the learner or the staff member respectively, unless the Complaints Hearing Panel so otherwise determines.
- A learner or staff member who chooses not to be represented will be requested at the hearing to confirm in writing that they have been informed of their right of representation and have declined to exercise it
- If a learner or staff member fails to attend the hearing, the hearing will proceed in the absence of the learner or staff member.

7.6.6 Submitting a Complaint

A complaint is made by filling out the college's Complaints Form ([Appendix 23](#)) and submitting as follows:

- i. For Part I of the procedure (as per 7.6.8.1 below), the form is emailed to the relevant person (e.g. Department Manager, Year Head, Programme Director, Service Manager etc.).
- ii. For Part II of the procedure (as per 7.6.8.2 below), the complaint is submitted to the QAE Department by emailing complaints@griffith.ie

7.6.7 Conditions re: Complaints Procedure for Learners

- Third Party Complaints

Section G: Support for Learners

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

- **Complaints to the College President and Other Senior Members of Staff**
Should a complaint be received directly by the President's Office, or the Office of any Senior Manager, it must be acknowledged and referred to the Quality Assurance and Enhancement Officer who must 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 will 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 7.5.1.
- **Vexatious or Malicious Complaints**
The College may consider invoking the [Learner Disciplinary Procedure](#) (Document 7.6) in 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.
- **Complaints made by Learners under the Age of 18**
If a complaint is made under the Formal Procedure (see section 7.6.7 below) by a learner who is under the age of 18, the College must 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 will 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
- **Group Complaints**
Where a complaint is brought by a group of learners, one person should be prepared to identify themselves as spokesperson and correspondent for the purposes of the Formal Procedure (see section 7.6.7 below), and each member of the group must be able to demonstrate that they have 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.

7.6.8 Complaints Procedure

Formal Procedure: Part I

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

Section G: Support for Learners

etc.). A learner should normally expect to receive a written or verbal response within ten working days.

Formal Procedure: Part II

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 23](#)), 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 must acknowledge receipt of the complaint form within five working days.

The Quality Assurance and Enhancement Officer will 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 7.6.5 above) and the Department/Faculty/Service. The circumstances of the complaint will 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 should assign a senior manager to oversee the Formal Procedure.

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 must keep all parties informed of progress and the reason for any delay in proceedings if applicable.

7.6.9 Where a resolution is not found

Where the Complaint Procedure steps have not resolved the complaint, consideration under another policy might be appropriate, for example, elements of the complaint may be considered under:

- [Learner Dignity and Respect Policy](#)
- Staff Dignity and Respect Policy
- [Appeals Policy](#)
- [Learner Disciplinary Procedure](#)
- Any relevant Griffith College HR policy
- Or any other Griffith College policy

The Quality Assurance and Enhancement Officer will support the complainant in considering alternative options, if/as appropriate.