



STUDENTS COMPLAINTS POLICY

INTRODUCTION

BCT Institute is dedicated to the highest international standard of teaching, and to the advancement of knowledge, in an environment of equality, tolerance and mutual respect for all its staff and students. To help achieve and maintain these standards, BCT has in place a range of quality assurance mechanisms, including the following Student Complaints Procedure.

SCOPE OF THE PROCEDURE

- The procedure is restricted to circumstances not already covered by existing regulations or procedures and cannot be used to challenge academic judgement. Where appropriate procedures exist, these should be followed and the Complaints Procedure cannot be invoked.
- All student complaints about staff shall be investigated initially using the Student Complaints Procedure, unless or until staff disciplinary action is felt to be more appropriate. In complex cases, where more than one procedure applies, the Directors (or their nominees) will together decide the nature and sequencing of any procedure to be followed. The aim is that no more than one investigation into a particular issue or episode should be under way at one time.
- Complaints against staff of harassment or discrimination shall be considered under this procedure by the appropriate member of staff who shall normally seek the advice and involvement of the Director of the Institute. Clarification of any form of conduct which may be considered to be harassment or discrimination is available from Reception.
- The Complaints Procedure is designed to avoid protracted disputes or litigation but noting in the procedure should be construed as diminishing any student's rights in law or prejudicing the complainant's academic progress, and use of the procedure shall not affect existing rights to appeal.

REPRESENTATION

A student shall have the right to be accompanied by a registered student of BCT or

by a member of staff of the Institute at any stage in the procedure. A member of staff who during the investigation wishes to be interviewed as witness shall also have the right to be accompanied and represented by a member of staff or registered student. No legal representation shall be permitted at any stage during the procedure, and complaints or witnesses cannot be represented by another person in their absence.

CONFIDENTIALITY

All persons involved in the Complaints Procedure shall be expected to maintain strict confidentiality, both during and after investigation. Complaints should not be unnecessarily personalised and should be conducted in a civilised manner.

VEXATIOUS, MISCHIEVOUS OR MALICIOUS COMPLAINTS

A student, who makes a complaint which is found to be vexatious, mischievous or malicious, following investigation under the Students Complaints Procedure, shall be deemed to be in breach of the Conduct Regulations. The onus is on the student to present sufficient evidence to warrant investigation under the procedure.

VICTIMISATION

No student shall be victimised as a result of making a complaint, whether the complaint is upheld or not. Victimisation shall be grounds for a further, separate complaint.

ANONYMOUS COMPLAINTS AND COMPLAINTS FROM THIRD PARTIES

Complaints made anonymously shall not normally be investigated. Complaints from third parties shall only be accepted if the student confirms in writing that the third party is acting on his/her behalf and the student wishes the complaint to be investigated.

SUBMISSION AND INVESTIGATION OF COMPLAINTS

First Stage: The Complaint

- Most complaints can be quickly and satisfactorily resolved at local level by informal means. The person to approach shall normally be the member of staff involved.
- A student will be expected to seek a resolution to the complaint at the School or Department level and, if necessary, the complaint should be

put in writing to the Director. The Director or Department head is required to reach a decision on a complaint before the second stage of the procedure can be invoked.

- The complainant shall receive notification of the outcome of any investigation normally within ten working days. When the complaint is submitted in writing, a written response shall be provided, detailing both the reasons for the decision reached and any actions taken in response to the complaint. When the investigation of a complaint is delayed, the complainant shall be advised of the reasons for the delay and shall be kept informed of developments.
- If the complaint originates during a work or study placement, in the first instance the student should raise the matter with the member of staff at the workplace or institution in question who is responsible for placements.
- When the complaint relates to specific members of staff, those staff shall have the right to see copies of relevant documentation, to present evidence to the investigating person, and to be informed of the outcome of the complaint.

Second Stage: Academic Council

- A student who is dissatisfied with the outcome of a complaint made at School or Department level, or who has substantive reasons for not wishing the complaint to be handled at local level, should put the complaint in writing to the Academic Council, giving sufficient details to afford a reasonable understanding of the complaint and indicating that he/she wishes to invoke the Student Complaints Procedure. Normally a student should submit his or her complaint using the form available from Reception (reception@bct.i1e). The complaint shall then be forwarded to one of the following, hereafter referred to as the recipient of the complaint:
 - The relevant tutor or nominee, for complaints of an academic nature or relating to School staff.
 - The Director of BCT, for complaints relating to Head of Department.
 - The Director of BCT, for complaints relating to staff or

services in the academic-support sector.

- The written complaint must normally be submitted within ten working days of the outcome of the first, informal stage (where this has been carried out), and normally not later than 25 working days after first becoming aware of the incident or issues giving rise to the complaint. The student shall receive an acknowledgement from the Academic Council within five working days of receiving the complaint.
- The recipient of a complaint under stage 2 regulations may:
 - Ask appropriate member(s) of his or her staff to investigate on his/her behalf, where no such investigation has already taken place, or
 - Review the finding of any earlier investigation at local level; or
 - Undertake such further enquiries as are deemed necessary.
- The student shall have the right to meet the recipient of the complaint or person(s) investigation on his/her behalf, and to be accompanied as above.
- When the complaint relates to specific member(s) of staff, they shall have the right to meet the recipient of the complaint or persons investigating the complaint on his/her behalf, and to be accompanied as above.
- The student shall receive written response from the recipient of the complaint normally within a further 15 working days of the acknowledgement of receipt of the complaint. The response shall indicate what action is proposed to resolve the complaint, or else the reasons for not upholding the complaint.

Third Stage: Appeal

- Any student still dissatisfied after the second stage may appeal in writing, stating the reasons for the appeal, to the Director of BCT within ten working days of receiving notification of the outcome of the second stage investigation. Receipt of the appeal letter shall normally be acknowledged within five working days, and a Complaints Review Panel shall then be convened, to meet normally within 25 working days of receipt of the appeal letter. The Panel meeting may be deferred pending the outcome of

any other internal procedure already under way.

- The Panel shall normally comprise:
 - Director (or Directors of the Institute)
 - Head of Department
 - Senior administrator
 - Student Representative
- Panel members shall not have had any prior involvement in the case. The Panel membership shall be chosen as far as possible to reflect the diversity of the Dublin Community.
- The complainant shall forward copies of previous correspondence and any supporting documentation to the Panel, and shall have the right to appear before the Panel accompanied by a registered student of the Institute or member of the academic staff.
- The Panel may seek written evidence from any witness or person who in the Panel's judgement may have relevant information to contribute. Any such person shall have the right to see relevant documentation to be considered by the Panel, in advance of the hearing, and shall have the right to appear in front of the Panel if he/she wishes, accompanied as in paragraph above. When the complaint relates to a specific member(s) of staff, they shall have the right to appear in front of the panel if they wish, accompanied as in paragraph above. Should the appellant or member(s) of staff fail to appear before the Panel at an appointed time and without valid reason, the Panel shall have the right to reach a decision in their absence. However, neither the appellant nor any witness shall be required to appear in front of the Panel. Where witnesses are called, they may be subject to examination and re-examination by the parties. Minutes shall be taken as a formal record of the hearing and retained.
- The Panel's findings and recommendations shall be communicated to the complainant and to relevant witnesses within ten working days of the Panel's final meeting. The Panel shall also send reports to the Director(s) and relevant Head of Department summarising the complaint and the Panel's conclusions and recommendations, including redress where appropriate.

DEADLINES

- The deadlines set out in this procedure relate to investigation

carried out in term-time only, and it may prove impossible to meet these deadlines when key staff are on leave, or otherwise indisposed.

CENTRAL MONITORING OF STUDENT COMPLAINTS

- The Institute sees complaints, if substantiated, as opportunities to put things right for the complainant(s), and to learn lessons which might ultimately lead to improved standards, Accordingly:
 - The nature and outcome of all student complaints received shall be reported to the appropriate Head of Department or nominee, Director; Academic Council.
 - The Academic Council shall prepare a summary report of any student complaints or appeals, preserving anonymity, for Management each year.