

APPENDIX 8: STUDENT COMPLAINTS PROCEDURES

Introduction

1. Fitzwilliam College welcomes comments and suggestions about the residential, social and academic environment it provides. In the first instance these should be made to the senior member or member of staff concerned.
2. Complaints may be made to the senior member or member of staff concerned, or to a Tutor, a Director of Studies, or the Senior Tutor, who will attempt to resolve the complaint informally.
3. Where a complaint arises against a junior member of College, students are encouraged to raise the matter directly with the junior member concerned in the first instance, with a view to resolving the matter informally. If that is impractical or unsuccessful, then the matter should be raised with a senior member of the College as in 2 above.
4. If a student considers that a complaint has not been satisfactorily resolved, the student may then make a formal complaint to the Complaints Officer. The procedure is described below.
5. The College aims to handle complaints in a way that is sympathetic, fair and efficient, encourages informal reconciliation, facilitates early resolution, maintains individual privacy and confidentiality, and permits useful feedback.
6. Students have a responsibility not to waste resources on frivolous or vexatious complaints.
7. A student may seek advice from any member of the College, for example Tutor, Director of Studies, or JMA or MCR Officer, or CUSU.
8. Some activities are served by existing procedures, including (i) discipline, and (ii) University examination appeals.
9. The University has a number of relevant policies, notable Student Complaints (www.cam.ac.uk/current-students/complaints-and-appeals) and Dignity@Study (www.cam.ac.uk/current-students/health-and-welfare/dignitystudy). Members of the College will find the guidance in those policies on approaches to reporting and resolving difficulties helpful, and in some cases may wish to pursue grievances according to those procedures. However complaints, including allegations of harassment or bullying, which arise with the college teaching, learning and working environment will normally be dealt with under this College procedure.

Formal Complaints

10. The complaints procedure shall be confidential, save where the complainant's identity must be disclosed in order properly to investigate the complaint. Where the complaint is made against an individual, that individual will be informed of the complaint.

11. The Complaints Officer will be the Senior Tutor, unless the Senior Tutor is the subject of the complaint, in which case the complainant should inform the Master in writing, and the Master will then appoint a senior Fellow of the College as Complaints Officer.
12. A formal complaint should be made in writing to the Complaints Officer, specifying the remedy that is being sought, normally within 14 days of the incident leading to the complaint. The Complaints Officer will acknowledge receipt of the complaint, and will arrange to meet the complainant to discuss the complaint.
13. If after the discussion with the Complaints Officer the complainant wishes to proceed with the formal complaint, the Complaints Officer will investigate the complaint, and within 14 days of the discussion, will report in writing the decision and any action to the complainant.
14. Where the presence of a complainant is required, the complainant is entitled to be accompanied by his or her Tutor or by any other person of the complainant's own choosing except for a qualified lawyer; the same person should accompany the complainant on each occasion that the complainant wishes to be accompanied. This person may make representations on behalf of the complainant but may not answer questions on that person's behalf. The name of the person accompanying the complainant should be provided in advance to the Complaints Officer.
15. Where a complaint is upheld, possible actions include: (i) disciplinary action, (ii) financial compensation, (iii) an apology, and (iv) a change in practice or policy.
16. If the complainant or, where he or she is a member of the College, the person subject to the complaint is dissatisfied with the outcome of the complaint, he or she may appeal within 14 days of receipt of the decision to the Complaints Appeals Committee.

Appeals

17. The Complaints Appeals Committee will consist, according to the wishes of the appellant, of either (i) 2 Fellows from a Panel of 5 plus 1 Junior Member appointed by the JMA and MCR Committees, or (ii) 3 Fellows from a Panel of 5. The Panel of 5, distinct from the Disciplinary Committee, will be appointed each year by the Governing Body. The Panel will jointly decide on each occasion which of its members serve on the Complaints Appeals Committee; no member of the Committee shall have any interest in or previous involvement with the matter of complaint.
18. The Complaints Appeals Committee will determine its own procedure, provided that both the complainant and the subject of the complaint shall be allowed an opportunity to make representations and comment on any relevant evidence. The Committee shall form its own judgement after review of all available evidence and in the light of representations made by the parties.
19. The Complaints Appeals Committee shall have the power to confirm, amend or rescind the original decision of the Complaints Officer. The Chairman of the Complaints Appeals Committee will notify the decision in writing within 5 working days of the hearing. There will be no further right of appeal.

Monitoring and Review

20. The Complaints Officer will keep a record of all complaints, and will report to the Governing Body once a year.
21. The General Purposes Committee will, once a year, review (i) the information, advice and support for students on making complaints, and (ii) action which might be taken to prevent the recurrence of a situation which led to a successful complaint.

External Review

22. If the complainant or, where he or she is a member of the College, the person subject to the complaint is dissatisfied with the decision of the Complaints Appeals Committee, he or she may be able to take the complaint to the Office of the Independent Adjudicator for Higher Education (OIA), which has been designated by the Secretary of State to be the operator of the student complaints scheme for England. The OIA can deal with complaints about e.g.

- a programme of study or research
- a service provided to you as a student of a higher education institution
- a final decision by a higher education institution

The OIA cannot deal with a complaint if e.g.

- it relates to a matter of academic judgment
- the matter is or has been the subject of court proceedings
- it is about a student employment matter
- it is an admissions matter

The complainant must first exhaust the College's internal complaints procedure, and receive a "Completion of Procedures Letter" from Fitzwilliam's Complaints Officer before approaching OIA.

A number of OIA publications giving advice and rules, and application forms, are available at www.oiahe.org.uk, and from the Senior Tutor, Tutors and CUSU.

The University's complaints procedure can be found at www.cam.ac.uk/current-students/complaints-and-appeals