



POLICY:	Procedure for Complaints by a Student
FIRST DRAFT:	
ADOPTED:	BR2008#02
AMENDMENTS:	None to Date
REVIEW:	5 yearly cycle

1. Scope of the Procedure

- 1.1. The key objective of this procedure is to put in place a process for dealing fairly with complaints made by a student of the College against any other student(s) of the College or against any employee(s) of the College.

All policies, guidelines and protocols of Mary Immaculate College, will reflect the Colleges commitment to the promotion of equality and will be fully compliant with the provisions of prevailing equality legislation.

- 1.2. The procedure is designed to deal with complaints by a student that (s)he is the victim of bullying, harassment, and/or offensive or unreasonable treatment by any person(s) who fall(s) within the scope of this set of procedures.
- 1.3. This set of procedures relates only to behaviour which occurs on the College campus or in the course of other College-organised activities such as field trips, placements, teaching practice, or social events.
- 1.4. Any student, who believes that (s)he has been unfairly treated has the right to make a complaint.
- 1.5. The College will not penalise any student who makes use of the Complaints Procedure in good faith. However, malicious complaints will be regarded as a serious disciplinary offence.
- 1.6. The procedures described below endeavour to ensure that any complaints that arise are resolved within the College. Every effort should be made to resolve the matter through the informal procedures set out below.
- 1.7. All reasonable steps will be taken to protect from intimidation, victimisation or discrimination any student who files a complaint, or any faculty or staff member who assists in the investigation of a complaint.
- 1.8. Retaliation against a student who makes a complaint will be considered to be a serious disciplinary offence.

2. Procedure for dealing with complaints

- 2.1. A person intending to make a complaint should consider firstly whether the matter can be resolved informally in accordance with section 2.2. However, a person may

proceed directly to the formal process described in section 2.3, if desired.

2.2. **Informal Procedure**

- 2.2.1. A student who is considering making a complaint should keep full records of all incidents that occur, including a description of what happened, the date(s), time(s), and location(s), as well as the name(s) of any witness(es). The complainant should also record his/her own response and the impact of the incident(s) on them.
- 2.2.2. Where a student wishes, support and advice may be sought from a trusted source, such as the Student Services Office, from the Students' Union, from the Chaplaincy Team or from a Student Counsellor, as appropriate.
- 2.2.3. The student may choose to inform the alleged perpetrator, either in writing or in person, that the behaviour is unwelcome and unacceptable and request them to stop, if it is considered prudent to do so.
- 2.2.4. In the case of a complaint against another student, the complainant may wish to raise the matter with the Students' Union, or with a member of the College staff such as a Head of Department or Dean, with a view to seeking assistance from them in resolving the matter.
- 2.2.5. Where the complaint is being made against a member of staff, the matter can be raised in the first instance with that person's immediate superior, such as a Head of Department or a Supervisor, as appropriate, with a view to seeking assistance from them in resolving the matter.
- 2.2.6. If the complaint is not resolved in this informal way, or where the gravity of the complaint warrants it, the complaint should be pursued through the formal system.

2.3. **Formal Procedure where a Student is the Respondent**

- 2.3.1 A formal complaint should be made in writing to the Assistant Registrar who will ensure that the complaint is brought to the attention of the Discipline Committee.
- 2.3.2 The complaint will be investigated in accordance with the procedures that are set out in the College's Code of Student Conduct.

2.4. Faculty or Staff Member as Respondent

2.4.1 The appropriate person to be approached by the student complainant depends on the position of the person against whom the complaint is being made. This designated person shall have the initial responsibility for dealing with the complaint.

2.4.1.1. Member of the Academic Staff

In cases where a complaint is being made against a member of the College's academic staff, the complaint should normally be made to the relevant Head of Department in writing, except where the Head of Department is the subject of the complaint.

2.4.1.2 The Head of Department

Where a complaint is being made against a Head of Department, this should be made in writing to the relevant Dean.

2.4.1.3 Deans

Where a complaint is being made against a Dean, this should be made in writing to the Vice-President, Academic Affairs.

2.4.1.4 Vice-Presidents

If either Vice-President is the subject of the complaint, the complaint should be made in writing to the College President.

2.4.1.5 College President

Where the College President is the subject of the complaint, the complaint should be addressed to the Chairperson of An tÚdarás Rialaithe.

2.4.1.6 Administrative and Services Staff Member

Where a complaint is being made against a member of the Professional Services Staff, the complaint should be made in writing to the person's immediate superior.

2.5. The Formal Complaints Process

2.5.1 All written complaints should identify the person or persons against whom the complaint is being made and should give details of the alleged act(s).

2.5.2 The person who is dealing with the complaint, as set out in 2.3.2, should

forward a copy of the complaint to the faculty or staff member against whom the complaint is being made and request him/her to respond in writing.

- 2.5.3 The written response of the faculty or staff member should be forwarded by the person dealing with the complaint to the complainant.
- 2.5.4 The complainant should be requested to indicate in writing whether the response is deemed to be satisfactory or acceptable.
- 2.5.5 If the complainant does not wish to pursue the matter further, this should be communicated to the person against whom the complaint was originally made by the person who is dealing with the complaint.
- 2.5.6 Where the complaint is not resolved at this stage, the student should be offered a formal hearing of the Student Complaints Committee which shall have responsibility for investigating the matter.
- 2.5.7 Copies of all the relevant correspondence in relation to the complaint should be forwarded to the Vice-President Academic Affairs or to the Vice-President Administration and Finance, as appropriate.
- 2.5.8 The Complaints Committee shall be appointed by the President and shall consist of three members as follows:
- A person external to the College who shall chair the Committee
 - An elected staff representative who is a member of An tÚdarás Rialaithe
 - The President of the Students' Union or his/her nominee.
- 2.5.9 Where a complaint against the President is to be investigated by the Complaints Committee, the membership of the Committee shall be appointed by the Chairperson of An tÚdarás Rialaithe.
- 2.5.10 All investigations will be conducted in accordance with the principles of natural justice and will be carried out with due confidentiality and without delay.
- 2.5.11 Each party will have the right to present his/her case and to be accompanied by a College colleague or a Union representative.
- 2.5.12 The outcome of the investigation will be communicated to all parties.
- 2.5.13 All parties will have the right to appeal to the President whose decision shall be final save in any case where the President is the subject of the complaint,

in which circumstances the right of appeal shall be to the Chairperson of An tÚdarás Rialaithe whose decision on the matter shall be final.