



Procedure Title: Procedure for Students to make a Complaint about Services provided by IT Sligo

Written By:

Approved By:


Gerry Hegarty
Student Affairs Manager


Colin Mclean
Registrar

1. Policy

IT Sligo is committed to providing a working and learning environment based on equality of opportunity and respect for the dignity of its students and staff. It is important that students should be able to express dissatisfaction about any aspect of the services provided or about the actions or lack of action by our staff.

If a student with a complaint (the complainant) is unsure at any stage of the procedure about who to consult, advice can be sought from any of the following:

- The Student Support Services Officer,
- The Students Union,
- A Head of Department or a Head of School,
- A Programme Chair,
- The Student Counselling Service
- Online Student Advisor (for online students)

A student bringing a complaint under this procedure has the right, at any stage in the procedure, to seek assistance or to be accompanied during any stage of the process by a member of the IT Sligo Students Union, a fellow student or by a member of IT Sligo staff. Legal representation will not normally be allowed.

2. Principles

The procedures contained herein operate in accordance with the following principles:

2.1 Resolution

The intention is that most problems will be dealt with locally and informally in a spirit of resolution through discussion between those individuals immediately concerned with the matter. However, where this approach does not provide a satisfactory outcome, the matter can be escalated under the procedure.

2.2 Confidentiality

All complaints will be handled sensitively and with due consideration to confidentiality for students, staff and the Institute. Complaints will remain confidential to those directly involved in the investigation of the complaint. Any person named in a complaint (respondent) will be informed of the substance of the complaint and the identity of the complainant. The respondent will have a right of reply as part of the investigation. All staff and students who

become aware of the issues involved in a formal complaint are required to keep this information confidential except insofar as it is necessary to progress, investigate or respond to the complaint. Failure to do so may result in disciplinary proceedings as detailed in the Student Charter <http://itsligo.ie/files/2010/02/Student-Charter-2012.pdf>
Data collected as part of a complaint investigation will be treated in accordance with the Data Protection Acts.

2.3 Victimisation

No student bringing a complaint in good faith under these procedures whether upheld or otherwise will be treated less favourably by any member of staff than if the complaint had not been brought.

2.4 Vexatious Complaints

It is the policy of IT Sligo that all complaints must be appropriately responded to. However, there are times where there is nothing further which can reasonable be done to assist the complainant or to rectify a real or perceived problem. The aim of this section is to identify situations where the complainant might be considered to be vexatious. A definition of a vexatious complaint is provided in Appendix 1.

2.4.1 In arriving at a determination that a complaint is vexatious, it is important that:

- a) The complaints procedure has been correctly followed so far as possible and that no material element of a complaint has been overlooked or inadequately addressed. Complainants are often aggrieved and frustrated, so the focus must be on the merits of the case made and not the attitude of the complainant.
- b) All staff dealing with complaints appreciate that vexatious complaints may have aspects which contain some substance. Even if someone has made a vexatious complaint in the past it must not be assumed that any other complaint they make will also be vexatious.

In the event that a complaint made under this procedure is found to be vexatious or made with malicious intent the matter may be referred for consideration under the Disciplinary Procedures contained in the Student Charter.

2.5 Anonymous Complaints

As this complaints procedure is based on the principles of natural justice, anonymous complaints will not be accepted.

2.6 Group Action

Complaints may be raised individually or collectively where the matter concerns a number of students.

2.7 Timescales

Students should raise complaints informally as soon as possible within 1 week of the problem arising save in exceptional circumstances that prevented the making of a complaint within that time. In any case, a complaint must be made within three weeks of the occurrence of the matter complained of. Timely complaints will help the investigation while the circumstances of the complaint are still clear in the minds of the complainant and the respondent.

2.8 Investigators

Complaints will be investigated by the appropriate line management with provision for review by a Complaints Review Panel. Where in this Procedure, reference is made to any named Institute office –holder, such reference is to be read as including his/her appointed nominee.

2.9 Remedies

IT Sligo will ensure as far as is reasonably practicable that where a complaint under this Student Complaint Procedure is upheld appropriate remedial action is taken. This may include referral of the matter for further action under IT Sligo's Staff Disciplinary Procedures <http://secretaryfinancialcontroller.itsligo.ie/human-resources/disciplinary-procedures/>

If other students might be similarly affected by a complaint which is upheld for another student, the Institute will ensure that all such students are given the same remedy.

2.10 Standard of Proof

The standard of proof applied at every stage of this Procedure is the balance of probabilities.

3. Scope of the Procedure

IT Sligo believes that an open, fair and accessible procedure is in everybody's interests and its existence encourages the prompt resolution of problems informally and locally. The dignity of all persons involved will be respected at all times and concerns will be handled with appropriate discretion.

This procedure may be used by students registered on IT Sligo programmes to complain about any aspect of the academic, administrative or student support services provided by IT Sligo.

The procedure does not cover the following categories:

- Appeals of grades for examinations or assessments
- Complaints about other students
- Complaints about IT Sligo Students Union
- Complaints about issues outside the control of IT Sligo
- Appeals against decisions taken by the IT Sligo Student Disciplinary Committee

Wherever possible, IT Sligo wishes to see any complaint resolved as close as possible to its point of origin with a minimum of formality.

4. Stages of the Student Complaint Procedure

The procedure consists of four stages. The first two stages are designed to encourage informal and timely resolution. Normally, only when Stage 1 and Stage 2 have proven unsuccessful should Stages 3 and 4 be invoked. The timelines for actions and responses are indicative only to allow for situations such as the absence of staff or students involved in the complaint or the investigation of the complaint.

4.1 Stage 1: Approach the staff member concerned

A complaint may be made by an individual student or a group of students. At this stage the complainant is encouraged to approach the relevant member of staff who is responsible for the service concerned and to discuss the basis of the complaint with a view to resolving the problem directly and informally. In order for the complaint to be dealt with efficiently and effectively it should be drawn to the attention of the member of staff concerned as soon as possible and normally not later than five working days after the failure in service or the incident which gave rise to the complaint. The complaint can be made in an oral or written format (including electronic formats) and an appropriate response should be made within 10 working days of receipt of the complaint. It is anticipated that the vast majority of problems will be resolved in this way.

4.1.1 A student should raise his or her complaint with the relevant member of staff responsible for the service concerned in the first instance. If a matter of Institute policy or practice is the source of the problem, he or she should seek to identify the person with local responsibility for its implementation or operation. For example, issues about the contents of a particular course or module should be addressed to the Programme Chair or Head of Department possibly with help from the Class Representative.

4.1.2 In order to ensure that a problem is raised at a mutually convenient time, the student should try to arrange an appointment with the member of staff concerned. The member of staff may request the presence of a colleague and the student may wish to bring an appropriate representative (See 1. above) to the meeting. Staff should be happy to deal

with problems raised on an informal basis. While Stage 1 will generally be an oral, informal process, a note of the complaint and the response offered should be recorded by the staff member concerned and retained by them.

- 4.1.3** The staff member involved should share the experience (on an anonymised basis to protect confidentiality) with colleagues where the effectiveness of their Department or section could benefit.
- 4.1.4** If a student feels unable to approach the relevant staff member directly or if he or she is still not satisfied with the response to the issue raised, they should use Stage 2 of the procedure outlined below.

4.2 Stage 2: Submission of written complaint and Investigation by Head of Department / Senior Manager

In the event that a complainant is dissatisfied with Stage 1 or feels unable to contact the person directly, they should proceed to Stage 2 by completing the SCF2 Form available below and submitting it to the Student Support Services Officer (SSSO) who is located in the Student Services Building¹. The submission should contain an indication of what reasonable steps they would like to see taken to resolve the problem. Form SCF2 should be submitted within 5 working days of the outcome of Stage 1. The form should contain full details of the complaint including times & dates, any witnesses, or any corroborating evidence.

The SSSO will explain this procedure to the student concerned. In particular, the Complainant will be made aware that:

- a) Full details of the complaint will be put to the Respondent;
- b) The Respondent will be given an opportunity to address/respond to the Complainant;
- c) In the event of Stage 4 being invoked, the Complaint Review Panel may interview the parties concerned either separately or together. The Complainant and Respondent may call witnesses and may enter witness statements. It is the responsibility of the parties seeking to call witnesses to arrange for the attendance at the Complaint Review Panel hearing of witnesses on their behalf or to procure witness statements on their behalf to support their assertions for submission to the Complaint Review Panel.
- d) Witnesses cannot be compelled to attend under this Procedure.

The SSSO will refer the complaint to the relevant Head of Department/Senior Manager for the area concerned and monitor the progress of the investigation through to the conclusion of the procedure.

- 4.2.1** The Head of Department/Senior Manager will furnish a copy of the Form SCF2 without delay to the member of staff concerned and seek their response to the complaint raised.
- 4.2.2** It is IT Sligo's aim to have complaints raised under this stage of the process resolved within 15 working days. A student will be informed by the Head of Department/Senior Manager for the area concerned if there is likely to be any delay.
- 4.2.3** A meeting may be arranged between the student and the Head of Department/Senior Manager or other appropriate authority to discuss the matter.
- 4.2.4** The Head of Department/Senior Manager will investigate the complaint and establish the facts as far as practicable. As part of the investigation they may hold a separate meeting with the person(s) who is the subject of the complaint raised (and who may be accompanied by a trade union representative or work colleague), and will also interview any witnesses considered by the Head to be material to establishing the facts. A written record of the meeting shall be made by the Head of Department/Senior Manager.
- 4.2.5** The Head of Department/Senior Manager will assess the known facts and will notify the complainant and the staff member concerned of their conclusions using the "Complaint

¹ Where a student cannot attend in person, the SCF2 can be sent by email to hargadon.marian@itsligo.ie

Examination Report Template” at Appendix 4. The notification will outline how they intend to deal with the situation and when this is expected to be done. The investigation should be completed as swiftly as possible. Those concerned will be notified in the event of any delay.

- 4.2.6 Where the complainant is not satisfied with the outcome proposed by the Head of Department/Senior Manager they should proceed to Stage 3.
- 4.2.7 Where the complaint relates to the Head of the Department, it should be referred directly to the Head of School/Function.

4.3 Stage 3: Review by Head of School/Function

A complainant will normally have completed Stage 2 before embarking on Stage 3. If the complainant considers that their complaint has not been adequately addressed by Stage 1 and Stage 2, they should complete the Form SCF3 below and submit it together with any supporting documentation to the SSSO within 10 working days of the reply from Stage 2.

The SSSO will forward the complaint to the relevant Head of School/Head of Function.

- 4.3.1 The Head of School/Function shall acknowledge receipt within five working days. A copy of the completed Form SCF3 and any supporting documentation will be furnished to any member(s) of staff concerned without delay.
- 4.3.2 The Head of School/Function will have available to him/her all previous correspondence and any documentation relating to the complaint. They may meet the complainant and the relevant staff involved. When the Head of School/Function has reviewed all of the relevant facts and information they will make a decision on the case. The Head of School/Function will report on their examination of the complaint using the “Complaint Examination Report Template” at Appendix 3. Unless notified otherwise, the student should expect to receive written confirmation of the outcome of this Stage 3 review and any consequent action IT Sligo intends to take within 15 working days of submission of the Form SCF3.
- 4.3.3 If the student considers the problem unresolved, they may proceed to Stage 4 by requesting the Registrar to arrange a review of the case by a Complaints Review Panel. This should be done within 10 days of the receipt of the decision in the previous stage.

4.4 Stage 4: Review by Complaints Review Panel.

If upon receipt of the written response to Stage 3 the complainant still considers that their complaint was not adequately addressed they can submit a written request to the Registrar to have the matter reviewed by a Complaints Review Panel outlining the reasons they are dissatisfied with the result of Stage 3.

- 4.4.1 The Registrar will acknowledge the request within five working days.
- 4.4.2 The Registrar will establish a three person Complaints Review Panel for the matter. Members of the Panel will include at least one staff member from outside the area concerned and a representative nominated by ITSSU. The Registrar will nominate a Chair.
The purpose of this review will be to:
 - (a) review the comprehensiveness of the internal investigation;
 - (b) assess the fairness and comprehensiveness of IT Sligo’s response to the problem;
 - (c) make recommendations for improvements to the response where appropriate.
- 4.4.3 The recommendation of the Complaints Review Panel may be to:
 - (a) uphold the solution proposed at Stage 3;
 - (b) order a further internal hearing by a manager from outside of the area concerned
 - (c) order the reconsideration of the findings of the investigation by the Head of School/Head of Function concerned;
 - (d) make non-binding observations relating to the substantive problem for the Executive Committee of IT Sligo to consider;

- (e) rule that the problem was without substance or merit, or was actuated by malice or some other improper motive and whether or not the student should be required to make a contribution towards the costs incurred by the review;
 - (f) consider new evidence or relevant material if appropriate;
 - (g) interview the student and or other appropriate person(s);
 - (h) make recommendations to finalise the matter.
- 4.4.4 New evidence or relevant material will be considered at the discretion of the Complaints Review Panel.
- 4.4.5 The Complaints Review Panel may engage an external expert to advise it where appropriate.
- 4.4.6 The report of the Complaints Review Panel using the "Complaint Examination Report Template" at Appendix 3 will be submitted to the Registrar, the Head of School/Function concerned, the complainant, the staff members concerned.
- 4.4.7 The decision reached by the Complaints Review Panel shall be final. The Chair of the Complaints Review Panel shall forward a copy of its report and the reply issued to the President's Office for noting. An anonymised summary of the case shall be brought to Academic Council for noting to ensure complaint trends are monitored and that relevant quality issues are identified and addressed.

5. Provision to deal with certain cases outside of progressive stages

While it is intended that the stages in this policy are progressive, certain stages may be by-passed in exceptional circumstances where the nature of the complaint requires it. The Registrar will decide if a complaint should be dealt with outside of the progressive stages provided for in this procedure.

6. Training

Staff and management responsible for investigating complaints and/or sitting on the Complaints Review Panel will receive appropriate training on these matters.

7. Recourse to the Ombudsman

If you feel that you have been unfairly treated or are not satisfied with our decision on your complaint, it is open to you to contact the Office of the Ombudsman. By law the Ombudsman can investigate complaints about any of our administrative actions or procedures as well as delays or inaction in your dealings with us. The Ombudsman provides an impartial, independent and free dispute resolution service.

Contact details are as follows:

Office of the Ombudsman
18 Lower Leeson Street
Dublin 2

Tel: Lo-call 1890 22 30 30

Tel: 01 639 5600

Fax: 01 639 5674

Email: ombudsman@ombudsman.gov.ie<<mailto:ombudsman@ombudsman.gov.ie>>

www.ombudsman.ie<<http://www.ombudsman.ie>>

8. Revision History

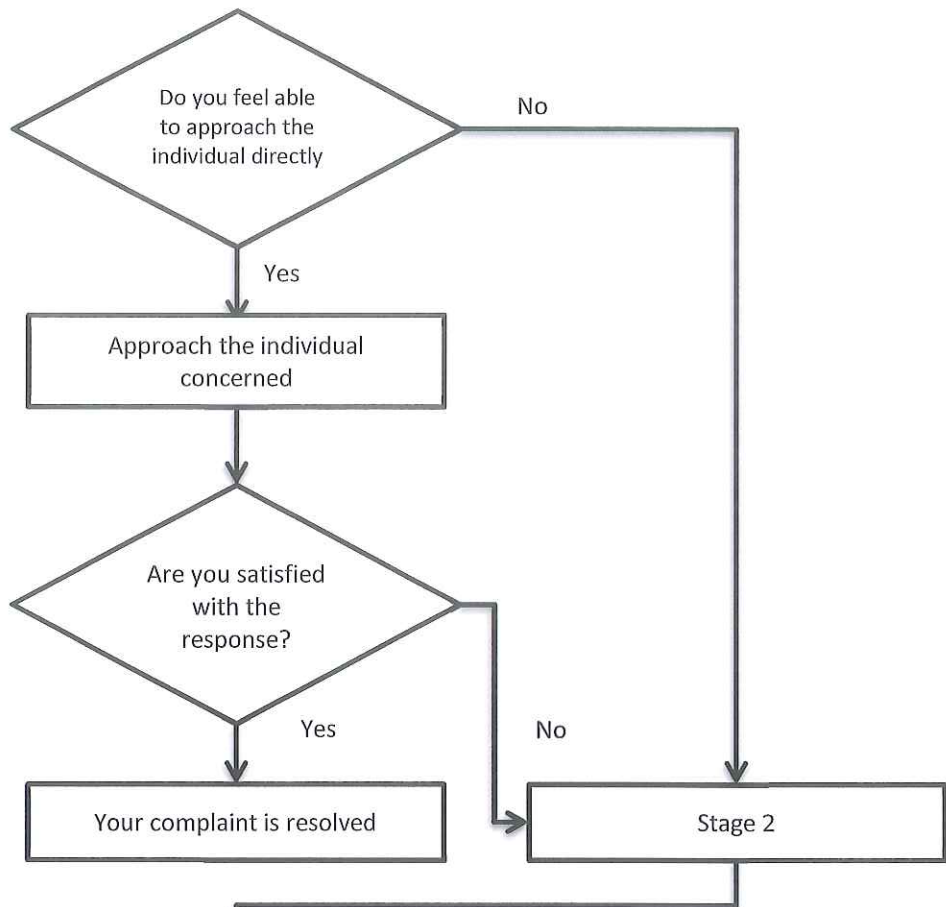
Revision No	Description of Change	Issue Date	Status
0	New Procedure	April 2013	Approved at Selections, Admissions, Examination and Standards Committee 17/4/2013

- | | | | |
|---|---|-----------------|-----------------------------------|
| 1 | <i>Update of 4.4.6 to clarify submission of report to Academic Council was for noting only.</i> | <i>Dec 2015</i> | <i>Approved by AC 27/11/ 2015</i> |
| 2 | <i>Updates to streamline & clarify the procedure:
2.5, 2.7, 3, 4, 4.2, 4.2.1,
4.3, 4.3.3, 4.4.2, 4.4.6,
4.4.7
Addition of S. 6
Addition of Appendix 4</i> | <i>Dec 2017</i> | |
| 3 | <i>Amendments to S. 2.4 and
Addition of new Appendix 1;
Previous appendices renumbered</i> | <i>Feb 2018</i> | <i>Approved by AC 16/03/2018</i> |

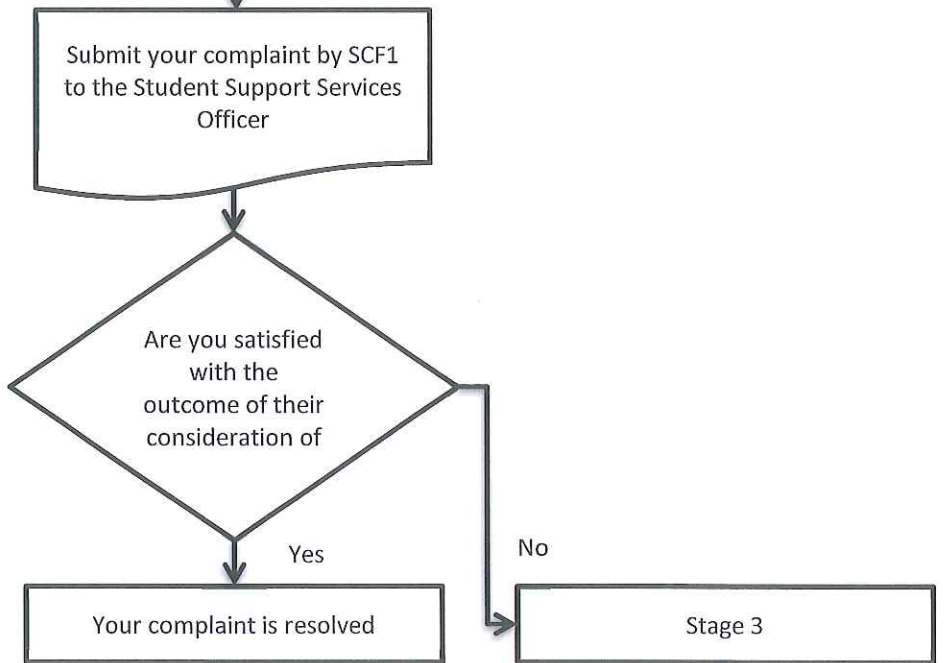
PROCEDURE FOR MAKING A COMPLAINT

Summary Chart

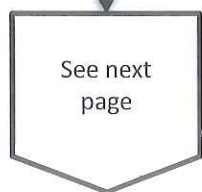
Stage 1



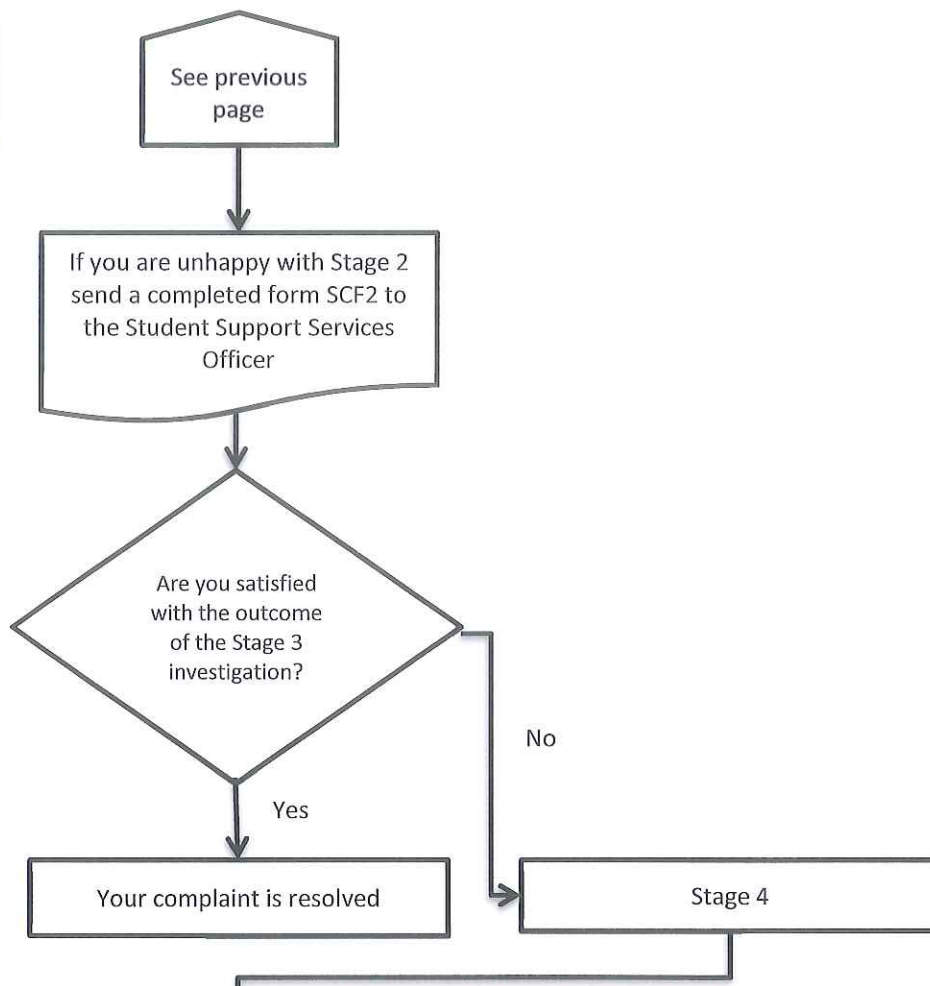
Stage 2



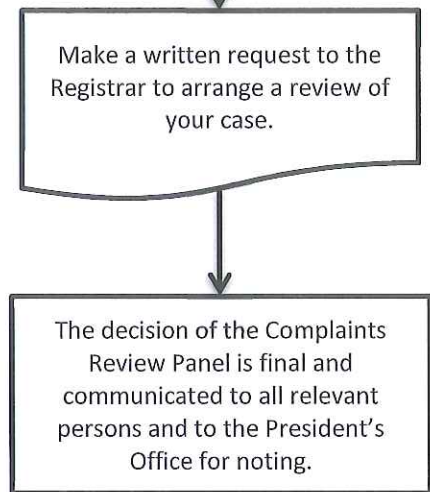
Stage 3



Stage 3



Stage 4



Contact Points for Complaints dealt with under the Student Complaints Procedure

Nature of Complaint	Stage 1 – Approach staff member concerned	Stage 2 (Form SCF3) ; Escalate to Head of Department	Stage 3 (Form SCF3) – Escalate to Head of School/Function	Stage 4 Academic Council Review
All aspects of academic programme delivery	Discuss with lecturer	Written complaint to Head of Department	Written complaint to Head of School	Written request to Registrar
Research Programmes	Discuss with supervisor	Written complaint to Head of Research	Written complaint to Registrar	Written request to Registrar
Careers Service	Discuss with relevant member of staff	Written complaint to Student Affairs Manager	Written complaint to Registrar	Written request to Registrar
Counselling Service	Discuss with relevant member of staff	Written complaint to Student Affairs Manager	Written complaint to Registrar	Written request to Registrar
Health Centre Services	Discuss with relevant member of staff	Written complaint to Student Affairs Manager	Written complaint to Registrar	Written request to Registrar
Chaplaincy Services	Discuss with relevant member of staff	Written complaint to Student Affairs Manager	Written complaint to Registrar	Written request to Registrar
International Office Services	Discuss with relevant member of staff	Written complaint to Head of Development & Business Operations	Written complaint to Registrar	Written request to Registrar
Sports & Recreation Services	Discuss with relevant member of staff	Written complaint to Head of Development & Business Operations	Written complaint to Registrar	Written request to Registrar
Fees or Payment Services	Discuss with relevant member of Fees staff	Written complaint to Student Affairs Manager	Written complaint to Registrar	Written request to Registrar
Registration Services	Discuss with relevant member of Admissions staff	Written complaint to Student Affairs Manager	Written complaint Registrar	Written request to Registrar

Library Services	Discuss with relevant member of Library staff	Written complaint to Head of Library Services	Written complaint to Registrar	Written request to Registrar
Information Systems & Services	Discuss with relevant member of Information Systems & Services	Written complaint to Head of IT Services	Written complaint to Head of Development & Business Operations	Written request to Registrar
Physical Infrastructure	Discuss with relevant member of Estates	Written complaint to Head of Estates	Written complaint to Head of Development & Business Operations	Written request to Registrar
Access Services	Discuss with relevant member of Access Office	Written complaint to Student Affairs Manager	Written complaint to Registrar	Written request to Registrar
Learning Support Services	Discuss with relevant member of staff	Written complaint to Student Affairs Manager	Written complaint to Registrar	Written request to Registrar
Health & Safety Services	Discuss with relevant member of staff	Written complaint to Health & Safety Officer	Written complaint to Head of Development & Business Operations	Written request to Registrar
School Administrative Services	Discuss with relevant member of staff	Written complaint to relevant Head of School	Written complaint to Registrar	Written request to Registrar
Other Services	Discuss with relevant member of staff	Written complaint to Head of Function	Written complaint to Registrar	Written request to Registrar

Complaints dealt with through other Procedures at IT Sligo

Nature of Complaint	Mechanism for Complaints	Relevant Weblinks
Academic decisions relating to Assessments or Examinations	Procedure No: Exam006/067.	http://teesan/Campus%20Documents2/Institute%20Procedures/EXAM/Exam006%20Review%20of%20Exam%20Results.pdf
Complaints in regard to students	Student Charter	http://itsligo.ie/files/2010/02/Student-Charter-2012.pdf

Appendix 1

Definition of a Vexatious Complaint

A vexatious complaint is where it is apparent that the student is pursuing a complaint without merit and the motivation is to cause inconvenience, harassment or reputational damage to staff, the Institute or both.

Complainants may be deemed to be vexatious where they meet two or more of the following criteria:

- 1 Persist in pursuing a complaint and where this complaints procedure has been fully and properly implemented and exhausted;
- 2 Persistently change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response whilst the complaint is being addressed. Care must be taken not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints;
- 3 Are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of adequate response in spite of correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify in certain circumstances;
- 4 Repeatedly do not clearly identify the precise issues which they wish to have investigated;
- 5 Regularly focus on a trivial matter to an extent which is out of proportion to its significance. As determining what is a trivial matter can be subjective, careful judgement and discretion must be used.
- 6 Have made threats or been personally abusive or verbally aggressive towards staff;
- 7 Have in the course of addressing their complaint had an excessive number of contacts with the staff concerned resulting in unreasonable demands on staff. Discretion must be used in determining the number of contacts deemed to be "excessive".
- 8 Are known to have recorded meetings or other conversations without the prior knowledge and consent of the staff concerned;
- 9 Display unreasonable demands or expectations and fail to accept that these may be unreasonable.

Appendix 2
IT Sligo Student Complaints Procedure – STAGE 2 – SCF2

Please read the Student Complaints Procedure before completing this form.

1 Name of Complainant:

2 Student Number:

3 Programme Title:

4 Address for Correspondence:

5 Email Address:

6 Contact Telephone Number:

7 Details of Complaint: (please ensure that all relevant details are provided here, including the date, time and place of the incident, if relevant. Attach additional sheets, if required).

8 Please outline any *informal* steps taken to resolve this complaint and why you are dissatisfied with the outcome. Please attach additional sheets, if required.

I, the undersigned, fully understand that a copy of this completed form may be provided to any member of staff who is the subject of this complaint or who may be otherwise involved.

Signed: _____

Date: _____

Completed forms should be returned to the relevant person(s) both electronically and in hard copy, as indicated in the Table attached to the IT Sligo Student Complaints Procedure

For Office Use Only:	Date of Receipt:
-----------------------------	-------------------------

Appendix 3
IT Sligo Student Complaints Procedure – STAGE 3 – SCF3

Please read the IT Sligo Student Complaints Procedure before completing this form.

1 Name of Complainant:

2 Student Number:

3 Programme Title:

4 Address for Correspondence:

5 Email Address:

6 Contact Telephone Number:

7 Please explain the reason(s) for dissatisfaction with the outcomes of Stage 2 of the IT Sligo Student Complaints Procedure.

I, the undersigned, fully understand that a copy of this completed form may be provided to any member of staff who is the subject of this complaint or who may be otherwise involved.

Signed: _____ Date: _____

Completed forms should be returned to the relevant person(s) both electronically and in hard copy, as indicated in the Table above.

For Official Use Only:

Date of Receipt:

<h2>Appendix 4</h2> <h3>Complaint Examination Report Template</h3>
--

Complaint Summary
Introduction/Background
Investigation/Examination
Analyses of Evidence
Conclusions
Recommendations, if any
Decision
Signature
Date: