



Student Complaints Procedure

The purpose of this procedure is for all complaints to be dealt with effectively and fairly for all concerned. ALRA will treat all alleged allegations of harassment or bullying seriously and, as such, will deal with all cases as part of a two-stage procedure.

Stage 1 (informal)

1. The first point of access for a student under this policy will be to speak to the Head of Year or, if the student would prefer, any member of ALRA staff
2. The purpose of this contact is to discuss either by telephone or face to face at a convenient time and place, what the student has experienced and to assist the student to consider various courses of action. This contact will be confidential for both parties.
3. Issues should be resolved at Stage 1 of the procedure where possible.
4. Having discussed the situation with the confidential contact and established that this policy is appropriate, a resolution to the complaint should be explored. The following options may be considered:
 - a. Mediation to find a resolution;
 - b. The confidential contact may arrange a meeting with the other person;
 - c. The confidential contact may arrange a meeting with both parties;
 - d. The student may feel able to talk to or write to the person pointing out that the behaviour is inappropriate or offensive to them and asking for it to stop. In the case of a student complaining against a member of staff:
5. If the complaint concerns a member of ALRA staff, the confidential contact may inform the line manager of the member of staff concerning the situation and explore how the line manager will take responsibility for handling the situation.
6. There may be other methods of resolving the problem depending on the circumstances and these can be fully explored at this stage.
7. Notes of the conversation or meeting should be kept by the confidential contact and agreed with the student:
 - a. what is alleged to have happened,
 - b. whether the behaviour has been a one-off incident or part of a series and

- c. how the behaviour has affected the complainant. If a meeting is arranged, either with the other party or with both parties present, it will be with a view to finding a resolution to the complaint.
8. The person against whom the allegations have been made should be given an opportunity to know about the allegations and respond in a meeting or in writing.
9. Once the Head of Year has completed the investigation they will make a decision as to the outcome
10. A written record of the agreed outcome of the meeting should be provided to both parties. A copy should also be provided to the line manager for ongoing monitoring of the situation, if appropriate.
11. In certain circumstances, appropriate disciplinary action may be considered at this stage following the student disciplinary procedures or staff disciplinary procedures.
12. Once the behaviour has been dealt with at Stage 1 the situation will be monitored by Academic Services or the line manager. Any recurrence of the behaviour should be dealt with as a disciplinary matter.
13. The purpose of resolving complaint at Stage 1 is for the alleged issue to be brought to the attention of those concerned as soon to establish a solution
14. In situations where the confidential contact decides that a complaint cannot be easily resolved at Stage 1, or where the allegation is of such a serious nature, the student will be advised to follow Stage 2 of the procedure outlined below.

Stage 2 (Formal)

1. In order for the matter to be dealt with at Stage 2, the case must be stated in writing by either the complainant or their representative to the Academic Registrar. If possible, it should include as much of the following information as possible: -
 - a. clear, specific allegations against the named person or people;
 - b. where possible, dates, times and witnesses to any incidents with direct quotes;
 - c. actual description of events;
 - d. an indication of how each incident made the complainant was affected;
 - e. any documentary evidence, and;
 - f. details of any action that the complainant, or others, has already taken.

2. Once a written complaint has been received by the Academic Registrar, a letter of acknowledgement must be issued within 7 working days by the person receiving the complaint.
3. The Academic Registrar will initiate an investigation and may assign this to an investigator from the pool of trained investigators or may act as the investigator themselves.
4. The investigator may arrange separate meetings with the complainant and the person against whom the allegations have been made and their representatives to ascertain the facts, outline the procedure, inform the parties of who will conduct the investigation and answer any questions they may have.
5. The investigation should normally take 30 working days from receipt of the complaint to the preparation of the final report. While every effort will be made to adhere to this timescale, there may be circumstances which will mean that the process may take longer.
6. On conclusion of the investigation, the investigator will meet separately with the complainant and the person against whom the allegations have been made to inform them of the outcome of the investigation provide them with a copy of the draft report and confirm any rights of appeal. The content of this meeting will be confirmed in writing.
7. Any immediate issues arising from factual errors of the report should be raised with the investigator within 7 working days.
8. The report of the findings of the investigation will then be submitted to a Senior Leadership Committee member, or the Board of trustees if appropriate. They will decide on the appropriate course of action, taking into account the report's recommendations.
9. This decision, with supporting justification, will normally be notified in writing to the complainant and the person against whom the allegations have been made within 7 working days of receipt of the report.
10. Where it is considered that there may have been misconduct or gross misconduct, the matter may be considered in line with the student disciplinary procedures.

11. There may be circumstances where the investigation has not found evidence of misconduct, but nevertheless has identified actions to improve the situation. These recommended actions should be considered by the person deciding the appropriate course of action with a view to their implementation if practicable.

Guiding Principles

Incidents that happen off campus (including on digital platforms), where the alleged victim is either ALRA itself, another ALRA student or an ALRA member of staff (or visiting guest) may be considered under this policy.

Every effort shall be made to protect the legitimate rights of all parties involved. In particular the following principles shall be adhered to.

The rules of natural justice shall apply to all investigations in that those involved in the process will have the right to explain or defend their actions, there will be the right to be represented and both parties shall have a right of appeal.

During the whole of the investigation process, the complainant, the person against whom the allegations have been made and any others interviewed shall be entitled to be accompanied at any stage of the investigation by a colleague.

That all complaints will be dealt with promptly or a timescale indicated to the complainant;

Allegations will be considered against the principles of reasonable belief and the balance of probabilities.

Consideration will be given to learning arrangements of the complainant and the person against whom the complaint has been made for the duration of the investigation.

Appeals:

The complainant or the person against whom the allegations have been made has a right of appeal against the decision taken. The grounds for appeal are:

- Procedural irregularity;
- The decision was one which no reasonable person could have reached on the available evidence
- There is new evidence to support the complaint.

The purpose of the appeal is, therefore, to consider whether the process of the investigation was fair and/or whether the conclusions and recommendations are reasonable in all of the circumstances. The purpose is not to reinvestigate the complaint.

Any appeal should be made in the first instance in writing to the Principal within 7 working days of receipt of the letter confirming the decision.

The Principal will examine any significant additional or new relevant information which for valid reasons has not been available to date including any irregularities in the procedures. The Principal will not hold a re- hearing of the case.

The decision of the Principal will be communicated to the person in writing within 7 working days of receipt of the appeal or as soon as is reasonably possible.

The decision of the Principal in this matter will be final and completes the ALRA's procedures. The letter of decision will serve as the Completion of Procedures Letter.

OIA

The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. ALRA is a member of this scheme. If you are unhappy with the outcome you may be able to ask the OIA to review your complaint. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right here: <https://www.oiahe.org.uk/students>.

You normally need to have completed the complaints procedure before you complain to the OIA. ALRA will send you a letter called a "Completion of Procedures Letter" when you have

reached the end of our processes and there are no further steps you can take internally. If your complaint is not upheld, ALRA will issue you with a Completion of Procedures Letter automatically. If your complaint is upheld or partly upheld you can ask for a Completion of Procedures Letter if you want one. You can find more information about Completion of Procedures Letters and when you should expect to receive one here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.