

ALRA

## **Student Complaints Procedure**

# 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.

## Supporting students to complain:

### Graduate Advisory Board

ALRA's Graduate Advisory Board is made up of graduates of ALRA who are able to provide independent advice and advocacy services to current students.

How the Board works with ALRA's students and the complaints processes:

- Students are signposted to the Graduate Advisory Board as an independent and impartial body who can provide advice to current students
- Where a student or students have concerns with aspects of the student experience the Board can provide independent advice on how the student can seek resolution
- In instances where the student wishes to submit a complaint, the Board can advise the student on how to submit a complaint
- Prior to the submitting of any complaint and throughout the process of complaining the Board can provide advocacy services to the student (such as assisting in writing the complaint, being present in any meeting with investigation team)
- The Board agree to sign non-disclosure agreements and treat all complaints and advice as confidential and not for discussion with external parties, in the media or on social media.

What the Board does not do:

- The Board is not able to make judgements or take actions based on the details of complaints
- The Board may not be part of any complaint process where the student submitting the complaint does not wish them to be involved
- The Board members are not considered ALRA staff

As well as having direct involvement with students, the Graduate Advisory Board will work in partnership with ALRA's Board of Trustees and Senior Leadership team in systemically reviewing nature and patterns of the complaints submitted and making assessments for how.

## **Equality and Diversity Sub Committee**

The board of trustees have a subcommittee known as the Equality Diversity subcommittee, which manages ALRA's approach to developing Equality and Diversity across the organisation. Reports of complaints submitted when there is a student or staff complaint regarding a protected characteristic are submitted to the subcommittee.

Their role is to act as a secondary assurance monitoring the internal process that takes place assuring that it is completed, and they have received updates on these cases at board meetings. Their function is to also to develop institutional awareness of structural and cultural strategic oversight of the outcomes of complaints.

## **Global Majority Working Group**

The Global Majority Working Group is chaired by an external artist who is able to support students to bring complaints directly to the academic registrar, HR Manager or the board as appropriate. They support the student by helping them to draft complaint letters or speak at meetings through pastoral guidance.

## **Anonymous Reporting**

This reporting log provides a platform for students, staff and alumni to anonymously log any concerns about or incidents that occur at ALRA, or are committed by ALRA staff or students. These submissions are used to identify behaviours that should be addressed and inform what action should be taken.

All submissions are anonymous.

The information in this form will be stored in a secure, password-protected folder and treated with strict confidentiality. The Secretary to the Board manages the Anonymous Complaints Portal with the Board of Trustees.

All submissions to the portal will be investigated and the severity of the complaint will determine the nature of the investigation i.e. whether it is formal or informal. This will be decided by the Academic Registrar, HR Manager and Principal where appropriate or Board member in the case that the submission is related to the Leadership.

Anonymous complaints can result in disciplinary action being taken, however there are greater challenges with verifying evidence in an anonymous complaint submitted via this portal. Anyone who submits using this portal will not receive further communication on the matter, but the virtue of the anonymity of the system.

## **Submitting a Complaint**

### **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 permanent 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/s;
  - 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, the case may be passed onto the relevant student disciplinary procedures or staff disciplinary procedures.
  12. 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
  13. 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. In some cases there may be more than one investigator assigned.
4. The investigator may arrange separate meetings with the complainant and the person/s against whom the allegations have been made 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 provide all parties with a copy of the draft report.
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 Executive member, or the Board of trustees if appropriate. They will review the report and either uphold, partially uphold or reject the complaint. They will also agree 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 the member of the Executive's receipt of the report.
10. Where required 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 of 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 fellow student.

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>.