



lyit

Institiúid Teicneolaíochta Leitir Ceanainn
Letterkenny Institute of Technology

Section 12

Learner Complaints Procedure

1. INTRODUCTION

- 1.1 This procedure applies to all Learners of the Letterkenny Institute of Technology undertaking a programme of study operated by the Institute. This procedure does not cover academic appeals for which there is a separate procedure.
- 1.2 No Learner will be disadvantaged through availing of the complaint procedure. However the Institute expects that in raising possible issues of complaint, students themselves will have observed their obligations and responsibilities in keeping with the Learner Charter. The Institute also expects that learners will not engage in frivolous or vexatious complaints.
- 1.3 The intention is that most problems will be dealt with locally, in a spirit of conciliation. Thus the formal complaints procedure should be seen as a last resort in the search for a solution
- 1.4 Any party involved in a complaint has the right to be accompanied and represented by a person of his/her choice at every relevant stage of the procedure. Learners may choose a representative from the Students Union, but they must make their own arrangements in this matter.
- 1.5 The procedure is intended to produce a speedy and efficient resolution. The aim is to prevent unnecessary delay, whilst ensuring a full and fair assessment of the particular circumstances of any individual complaint.
- 1.6 Complaints provide an important source of feedback on the performance of the Institute's services and members. As such the Institute will monitor the registration of complaints and the progress towards resolution. The Registrar will include a section on complaints in his/her annual report to the Academic Council to ensure complaint trends are monitored and that relevant quality issues are identified and addressed. Information that would identify any of the parties involved will not be included in this report.
- 1.7 All complaints should normally be made within 21 days of the alleged incident, matter or concern.
- 1.8 The complaints procedure is based on the principle of Natural Justice. Consequently anonymous complaints will not be accepted.

2. STAGE 1

- 2.1 Learners who feel that they have been treated unfairly or inequitably have the right to express their complaint.
- 2.2 The learner should first try to address the issue with the subject of their complaint or with the immediate manager/supervisor of the service
- 2.3 Stage I will generally be an oral process and a written record will not be made. However staff members involved will be encouraged to share their experience of the process to the benefit of their School/Department.
- 2.4 If the learner's complaint is not resolved locally then Stage II of the procedure, outlined below, should be followed.

3. STAGE II

- 3.1 The Institute appreciates that there may be occasions where Stage I is inappropriate and/or that a more formal approach is necessary.

- 3.2 The relevant Head of School/Department will explain to the learner the operation of the remaining stages of the Learner Complaints Procedure.
- 3.3 At this point the learner should complete a complaint form included here as Appendix 12.1 and available on the Institute's web site. The completed complaint form should be forwarded to the learner's Head of School. The complaint should be specific and comprehensively documented. The complaint form must detail the learner's name and contact details, any relevant documentation, and dates, locations and witnesses as appropriate. Any previous efforts to resolve the matter should also be given.
- 3.4 Where the Head of School is the subject of the complaint, the complaint form should be forwarded to the Registrar. The Registrar will identify an appropriate manager within the Institute to deal with the complaint consistent with this procedure.
- 3.5 The Head of School (Manager) will acknowledge receipt of the complaint within five working days. It is the Institute's aim that all complaints under Stage II will be resolved within 21 days.
- 3.6 At this point the Head of School (Registrar) will advise the person who is the subject of the complaint and provide that person with a copy of the complaint.
- 3.7 The Head of School (Manager) will arrange to meet with the learner to discuss the complaint. The learner may, if so desired, be accompanied by a fellow learner or a student union representative. The Head of School (Manager) will make a written record of the meeting.
- 3.8 To establish the facts of the complaint the Head of School (Manager) will hold a separate meeting with the person who is the subject of the complaint (who may be accompanied by a colleague or union officer), and may also interview any material witnesses. The Head of School (Manager) will make a written record of the meeting(s).
- 3.9 The Head of School (Manager) will notify both parties in writing of the result of the complaint and the reasons for the decision. Where the result of the complaint includes consequent action or recommendations, the Head of School (Manager) shall notify the appropriate person(s) or committee, internal or external to the school, without undue delay.

4 STAGE III

- 4.1 If the complaint remains unresolved under Stage II, either party may write to the Registrar, outlining how the complaint resolution process has progressed in their view.
- 4.2 The Head of School (Manager) will be asked to submit the original complaint to the Registrar, the evidence considered under Stage II and the Head of School's (Manager's) report on the complaint and the reasons for the decision.
- 4.3 The Registrar will forward the complaint and the accompanying information to two members of the Executive Board (nominated by the President) for their consideration. The President's nominees will examine the material and may seek further information from the learner to clarify matters concerning the complaint. They may decide, if in their opinion the evidence justifies it, to uphold (or not to do so) a complaint without proceeding further with the complaint process.
- 4.4 The President's nominees will otherwise interview separately, the learner and the subject of their complaint and any appropriate witnesses. The learner may be accompanied by a fellow learner or a Student Union

representative. The staff member who is the subject of the complaint may also be accompanied by a colleague or union officer.

4.5 The President's nominees will agree a written record of these meetings.

4.6 The Institute aims to complete this stage of the complaints procedure within 14 days. The parties to the complaint will be informed if delays are expected.

4.7 The Registrar will notify both parties in writing of the decision reached concerning this stage of the procedure and the reasons for it, together with any recommended consequent action.

4.8 The Registrar shall notify the appropriate person(s) or committee without undue delay concerning changes recommended or required as a consequence of the complaint.

5. STAGE IV (Appeal)

5.1 Either party may appeal the outcome of Stage III within 14 days of receipt/knowledge of the decision. The relevant party must confirm the wish to appeal in writing to the President.

5.2 The President will seek appropriate advice on the composition of a complaints committee and the protocol to be adopted before establishing the complaints committee to examine the appeal.

5.3 Typically the complaints committee will have four members, chaired by the President (or his/her nominee) and include an experienced manager from another Institute of Technology, a member of Institute's Executive Board and the President of the Student Union (or his/her nominee). No member of the committee will have been previously associated with the complaint.

5.4 The committee will receive the documentation so far generated by the complaint and will consider that documentation and hear other evidence at a hearing in line with 5.2.

5.5 The hearing will enable the committee to consider the way in which the complaint has been handled at any previous stage of the procedure and/or to reconsider the appropriateness of the result of the previous stage of the procedure. However, the hearing will not be conducted as an alternative to any part of the disciplinary procedures which apply to members of staff.

5.6 The decision of the committee will be final as far as the Institute's Learner Complaints Procedures are concerned.

5.7 The President will inform both parties, in writing, of the decision of the committee and the reasons for the decision.

5.8 If the committee decides that certain actions have to be taken as a consequence of the complaint or appeal, the President will nominate an individual to monitor such actions.

