

## POLICY AND PROCEDURE

### COMPLAINTS OF STUDENTS

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#### **Introduction**

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Neapolis University is committed to provide a high quality educational and student experience. However, the University recognizes that on occasion, students may wish to express concern or dissatisfaction with aspects of academic or administrative services. This procedure reflects the commitment of the University to deal with issues at the earliest possible opportunity and, where necessary, to conduct investigations which are thorough, fair and ensure that that decisions are made on the basis of the facts and the available evidence, of each individual case.

A complaint is an expression of dissatisfaction either about the program and courses, communication and administration of the university or its staff, facilities or services provided by the University or about actions, lack of actions or omissions by the University or its staff. Complaints need to be seen as the right to be treated fairly and correctly, and provide information potentially to improve processes.

This policy and procedure does not apply to allegations of sexual harassment or sexual misconduct. For such allegations, there is a separate, distinct policy and process in line with Article 2 of the Equal Treatment of Men and Women in Employment and Vocational Training Laws of 2002 as amended up to 2017.

Complaints cannot be based on personal preferences regarding the faculty/professional staff members' physical appearance, personal values, sexual orientation, or the right to academic freedom or the freedom of expression.

### **Expectations**

- a. Students will be treated fairly and consistently within the Procedure under this Policy;
- b. Students will not suffer any disadvantage or recrimination as the result of making a complaint in good faith;
- c. Students and staff are expected to engage with the Procedure in a polite, courteous and prompt manner and may expect this to be reciprocated. The University may request revision of a communication under the Procedure where the tone or language used is deemed inappropriate;
- d. Students are expected to submit complaints under the Procedure within the timescales indicated. However, they may expect the University to exercise its discretion to extend the timescale where there is good reason, supported by evidence, when a student has not been able to submit a complaint within the timescale or where there is a need for the University to make reasonable adjustments to the timescales to meet its obligations under the Equality Act.
- e. Students are expected to be reasonable and realistic in any request for remedy or redress;
- f. Students may expect to receive responses to complaints within the timescales indicated within the Procedure or else to be informed of any reasons why this is not possible, with an indication of the proposed amended timescale for a response;
- g. Students are expected to provide, at the time of submission of their complaint, all relevant documentation or other evidence and details of all issues which they wish to be taken into consideration. However, complaints will not be rejected solely on the grounds of minor procedural deficiencies on the part of the student;
- h. To ensure the protection of the parties' privacy, the process and all documentation will be completely confidential. Students and staff may expect complaints to be dealt with confidentially and that their privacy will be respected. However, it may be necessary to disclose information to others in order to deal with the complaint and in these circumstances the parties concerned will be informed of such disclosure;
- i. Where a student or a staff member is invited to attend a face-to-face meeting, they are entitled to be accompanied with a person acting as an advisor in accordance with provision set out within this procedure. In case of a complaint regarding a faculty/professional staff member, the person being complained about is expected to attend all meetings set up to resolve the complaint.
- j. Where a complaint is found to be justified, students may expect the University to take such action or provide such remedy as may be appropriate and to do so promptly;
- k. Where a complaint is found not to be justified, students may expect to be informed in writing of the reasons for that decision and to be informed of any further rights to request a review of the decision.
- l. Staff acting as investigators for complaints can expect co-operation in a polite, courteous and prompt manner from colleagues from whom information relating to the complaint is requested.

### **Key persons in the procedure**

- Personal Advisor: person who, on demand or invitation of a complainant, accompanies the complainant in meetings held in follow-up of the complaint submitted
- Complaints handling officer: staff member at the students affairs office of the university who registers, processes and files any official complaint received.
- Dean: person acting as the responsible staff member processing the complaint at college/unit level.
- Program director: person acting as the responsible staff member processing the complaint at department level
- Mediator: Person acting as a facilitator in a personal attempt to solve a problem, before an official complaint and to avoid initiating a complaint procedure.

### **Procedure**

In line with the reconditions of the Good Practice Framework (OIA, Sept 2015), there are three stages in the Student Complaints Procedure:

- a) Stage One - Local Resolution
- b) Stage Two – Departmental level
- c) Stage Three – University Level

#### **Stage One:**

In case of a problem encountered, the person suffering from negative consequences first need to attempt to resolve the problem with the faculty/professional staff member who is causing the problem or who is directly involved in this. If this attempt fails, the complainant can submit a complaint, starting the official complaint process. In the complaint, the complainant refers to the personal attempt to resolve the problem or conflict.

A person encountering a problem can esteem that in a specific situation personal attempts may aggravate further negative consequences, or feel the need for support. For these cases, the University foresees a staff member who can function as a mediator. This staff member has a privileged situation and is bound to non-disclosure. The university ensures for each department the availability of mediators who can act in a neutral position.

If personal attempts to resolve the problem have failed, either directly or with the support of a mediator, the person encountering the problem can initiate the complaints procedure by submitting an official complaint. In this case, the complainant needs to provide elements that substantiate this demand, by explicitly referring to failure of personal and/or mediated attempts.

If a letter of complaint (on paper or digitally) is received by a department dean/academic director, the Senate or any of its members, the Council or the president of the Council from a student, parent, legislator, or any other individual in which a faculty, staff member, or administrator is named, the person receiving the complaint will determine whether it has come as the result of the official complaint process, or directly to that office. If it has come directly to that office, the individual receiving the complaint will notify the

complainant to acknowledge receipt of the complaint and provide a copy of the complaint procedure.

If a department dean/academic director, the Senate, the Council or the President of the University receives a letter of complaint about a faculty or professional staff member, in which the complainant does not provide elements of personal attempt to resolve the problem, the complaints handling coordinator informs the complainant that the complaint procedure must be followed.

#### Stage 2:

At departmental level the following procedure must be followed:

- I. The student and faculty/professional staff member communicate and eventually meet to attempt resolution of the problem. The student can engage a mediator available to act as a facilitator, to determine if resolution is possible.
- II. If the faculty/professional staff member is not accessible for any reason (e.g., prolonged illness, on leave, refuses to meet with student), or if the student fears reprisal, the student may meet with the department academic director to see how this can be handled.
- III. In any case, if the matter is not resolved, the student must notify (in writing) the faculty/professional staff member or department academic director within five (5) calendar days from the date the student knew or should reasonably have known about the matter.
- IV. If the above-named people are not available or cannot be contacted, the student must submit in writing his/her intention to pursue the process at the departmental level. The written statement must be sent to the department academic director within the same five (5) days noted above.
- V. If the student pursues with submitting an official complaint, the department academic director must schedule a meeting between the faculty/professional staff member and the aggrieved student within ten (10) working days after being contacted by the student and it must be held within fifteen (15) days of such contact. The student and faculty/professional staff member will be informed in writing by the department academic director of the outcome of the meeting.
- VI. If the grievance is against the academic director, or if the department academic director is unable to facilitate the meeting between faculty and student for any reason the student may begin the complaint process at the University level. In such instances, the student must submit in writing his/her intentions to pursue the process at this level.

#### Stage 3:

At University level the following procedure must be followed:

- VII. If the issue is not resolved at the departmental level, within fifteen (15) working days of the departmental level meeting, the student shall schedule a meeting with the appropriate dean and will provide, in writing, the rationale for the complaint.
- VIII. The dean will convene a meeting to attempt to effect reconciliation between the two parties within fifteen (15) calendar days of receiving the student's written rationale for the grievance. Pertinent documentation provided by the faculty staff member and/or the student shall form the basis of discussion at this stage. The faculty staff member and the student may be assisted in the meeting by advisors.

The advisors must be from within the university community and cannot speak for the faculty staff member or the student. The advisors can only advise the parties they represent.

- IX. The dean will render a written decision within fifteen (15) working days of the University level meeting. If the complaint cites a violation of the Ethics Code and the student is not satisfied with the outcome of this meeting, he/she may file a grievance with the University Complaints Committee.

### **Record keeping**

A confidential record will be kept of the complaint and of the outcome of the case in order to identify enhancements to the provision of services at the University. The full complaint file will be kept in line with the University retention timescales.

### **Annual Report**

The Registry in cooperation with the Quality Assurance Office will prepare an annual report which will inform Senate of the number, nature and outcomes of student complaints during an academic semester. The report will also record any corrective action taken and identify any themes emerging from student complaints and make recommendations for any enhancements to the Student Complaints Procedure.

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### **Relevant Documents**

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- Students' Study Guide
- Quality Management Handbook
- Students' Complaints Form 07.200