

## **7 PROTOCOLS**

The University Complaints Procedure is evolving in the light of experience. It is unlikely that any complaints procedure can be prescriptive and at the same time allow flexibility to respond to the many different issues which arise. However, the following protocols have been developed.

### **7.1 Third Party Complaints**

The Complaints and Student Conduct Manager does not investigate issues raised by a third party on behalf of another individual without that individual's written permission. If, for example, a parent makes a complaint on behalf of a student, the Complaints and Student Conduct Manager acknowledges the complaint and writes to the student to ask their permission to investigate the issues and respond to the parent.

If the student does not wish another individual to complain on their behalf the Complaints and Student Conduct Manager will inform the third party of the student's wishes but may in some instances respond to any general issues raised by that third party.

### **7.2 Anonymous and Confidential Complaints**

The Complaints and Student Conduct Manager can not respond to anonymous complaints but issues raised in anonymous complaints may be investigated if such investigations would be justified. The University does however recognise that complainants may wish to raise concerns in confidence. In such cases the Complaints and Student Conduct Manager will try to resolve the issue without disclosing the complainant's identity. It must be borne in mind that:

- It may be difficult to investigate complaints without revealing the identity of the complainant.
- It may be possible to make preliminary investigations without revealing the identity of the complainant but if the allegations are serious or the case is complex, the complainant may need to be identified if the case is to be pursued further. In such instances the Complaints and Student Conduct Manager will discuss the situation with the complainant before the case proceeds.
- The person or department which is the subject of a complaint may recognise the complainant because of the issues or allegations raised.
- Procedures exist to protect students from reprisals (eg by ensuring fair marking of assignments).

### **7.3 Student Discipline and Fitness to Practise**

The Complaints and Student Conduct Manager normally refers complaints likely to lead to disciplinary action against students to the University Security Manager, unless asked to conduct an investigation him/herself by the Vice-Chancellor or Director of Corporate Affairs.

The Complaints and Student Conduct Manager refers complaints likely to lead to an investigation under the provisions of a fitness to practise procedure to the relevant Head of School or Dean.

### **7.4 Complaints to the Chancellor, Vice-Chancellor or Pro Vice-Chancellors**

Occasionally complaints are addressed to the Chancellor, the Vice-Chancellor or a Pro Vice-Chancellor. The Clerk to the Board on behalf of the Chancellor, the Vice-Chancellor or the Pro Vice-Chancellor acknowledges such complaints and refers them to the Complaints and Student Conduct Manager, sometimes with a request for a particular course of action. The Complaints and Student Conduct Manager keeps the original recipient informed of the progress and outcome of these complaints.

### 7.5 Complaints subject to court or other legal proceedings

Complaints which are subject to court proceedings or where a complainant is represented by an organisation such as the Disability Rights Commission (DRC) or the Commission for Racial Equality (CRE) are dealt with by the Complaints and Student Conduct Manager under the direction of the Director of Corporate Affairs and in consultation with the relevant Dean or Head of support department. The Complaints and Student Conduct Manager may seek legal advice as necessary.

In cases subject to court proceedings the complaint will not be heard by the Complaints Committee unless court proceedings are stayed. Where court proceedings have been concluded the complaint will not be considered further, the decision of the courts taking precedence over the University's internal procedures.

In cases where the complainant is represented by an organisation such as the DRC or the CRE the complaint may be heard by the Complaints Committee, depending on the nature of the complaint. In deciding whether a hearing should be convened the Complaints and Student Conduct Manager may consult with the student's representative to agree the most appropriate route to resolution.

### **7.6 Conduct of a Complaints Committee Meeting**

The University's Complaints Committee may conduct itself as it sees fit in order to reach a satisfactory resolution to the complaint. However, a proposed protocol for the conduct of a meeting has been drafted. All those attending the meeting are given an opportunity before the meeting to consider whether they are willing to follow these protocols. A copy is attached as Appendix A.

### 7.7 Serious Allegations Concerning the Behaviour of Staff

The University takes allegations of unprofessional behaviour on the part of its staff very seriously. All serious allegations will be dealt with in accordance with the University's Procedure For Dealing With Complaints Against Employees copies of which can be obtained from Human Resources or via the University intranet.

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