

South Central TEI

Student Complaint Procedure



1. Introduction

- 1.1 This procedure is a means for learners to obtain remedy, as far as possible, for disadvantage, damage, injury or distress caused by the acts or omissions of the South Central TEI, the institutions forming centres of delivery for Common Awards within it, and their staff or agents, in connection with their delivery of the Common Awards in Theology, Ministry and Mission. (Students at centres within the TEI studying on programmes validated by universities other than Durham University should note that other procedures for handling complaints may apply to them.)
- 1.2 It should also make the SCTEI and its centres aware of such shortcomings in order that they may be lessened in the future.
- 1.3 The aim of this procedure is to enable complaints to be dealt with as quickly as possible and at the lowest organisational level necessary for a satisfactory outcome. The process therefore has three stages:
Stage 1 – informal resolution within the SCTEI
Stage 2 – formal resolution within the SCTEI
Stage 3 – review by Durham University
- 1.4 A learner who thinks there is justified cause for complaint should feel able to raise the matter without fear of subsequent victimisation or undue publicity. This applies whether the complaint is upheld or not. However making a malicious complaint, or behaving in a seriously inappropriate manner in the course of making a complaint or the processes that ensue, may lead to disciplinary action or be taken into account in assessing the learner's fitness for ministry.
- 1.5 This procedure applies to all 'academic complaints'. These can relate to any aspect of the approved academic provision including (but not restricted to) complaints from students concerning their experience of:
- the arrangements for, or delivery of, teaching or assessment for the academic programme;
 - the adequacy of supervision for modules that are a formal and assessed part of the academic programme;
 - the academic support that is part of the academic programme;
 - assessed placements that are a formal part of the academic programme;
 - administrative or support services that relate to the academic programme;
 - information or publicity in relation to the academic programme;
 - the infrastructure for academic programmes, including learning resources and teaching spaces.

- 1.6 The above is not a definitive or exhaustive list; academic complaints may relate to other areas of academic provision or support where these are perceived to have had a negative impact on the student's academic programme or progress.
- 1.7 This procedure does not extend to 'academic appeals' (i.e. appeals relating to examinations or assessments or to academic progress or against expulsion or exclusion on academic grounds). Information on the University's approach to academic appeals is available in the University Calendar, General Regulation VII - Academic Appeals.
- 1.8 Equally, the procedure does not cover the following, for which separate procedures exist:
- a. complaints involving a decision that a student has failed to meet his/her academic commitments (see Durham University's Academic Progress procedure);
 - b. complaints involving an allegation of misconduct by a student (see the South Central TEI discipline policy and the University Calendar, General Regulation IV – Discipline).
 - c. complaints involving an allegation of harassment (see the South Central TEI harassment policy and the University's Respect at Work and Study policy).
- 1.9 This procedure does not remove any right to legal remedy or take the place of civil or criminal actions.
- 1.10 This complaints procedure shall be suspended in the event of the learner's taking legal action or action under any other complaint or similar procedure against the University, TEI or centre of delivery.
- 1.11 The time limits set out in this procedure will normally be followed. However, where, for good reason, this is not possible, the complainant will be kept informed of progress. It is of course desirable that all complaints be resolved as soon as possible.

2. Procedure within the SCTEI

- 2.1 We would encourage learners to consider making an informal approach to the person whose action is the source of the grievance and/or an appropriate member of staff before invoking the complaints policy.
- 2.2 Learners may seek counsel or support from their personal tutor or from any member of the SCTEI staff regarding their complaint.
- 2.3 All complaints will be dealt with in confidence with the proviso that enquiries will have to be made to investigate the matters that are the subject of the complaint. The student making a complaint should be advised that

information may need to be disclosed to others as part of the investigation, and may choose at any point to withdraw a complaint rather than proceed with this. An individual against whom a complaint is made has the right to be supplied with a copy of the complaint and to comment on it during the investigation of any formal complaint. A complaint cannot be investigated if the student does not wish the substance of the allegation to be made known to the individual concerned.

Stage 1 – Informal Resolution within the South Central TEI

- 2.4 Students should raise a complaint no more than 28 days after the event that the complaint concerns unless there is good reason for the delay.
- 2.5 The complainants should approach their programme leader, notifying the programme leader that they wish to invoke the informal stage of the complaints policy. The programme leader should acknowledge receipt of the complaint within 5 working days.
- 2.6 The programme leader shall investigate the complaint, which shall normally include exploring with the complainant what outcome is sought from the process.
- 2.7 The programme leader may if appropriate initiate a mediation process as part of the informal resolution.
- 2.8 If it is inappropriate for the complainant to approach the programme leader (e.g. because an action of the programme leader is the cause of the complaint), the complainant may instead approach the Director of Ministry of their centre instead who shall fulfil the roles ascribed to the programme leader above.
- 2.9 The complainant should receive a full response to their complaint within 15 working days of the receipt of the complaint.
- 2.10 At the conclusion of any informal resolution attempts, the student should be informed both of the formal complaint procedure they may follow if they are not content with the outcome and of the deadline for submitting a formal complaint.

Stage 2 – Formal Resolution within the South Central TEI

- 2.11 A formal complaint must be made within 7 working days of the conclusion of stage 1 of this process.
- 2.12 If the learner believes the issue is sufficiently serious they may seek to move directly to stage 2 of this process. The person receiving the complaint shall judge whether to proceed with the complaint, or to require the learner to follow the stage 1 process first. Students should raise a complaint no more than 28

days after the event that the complaint concerns unless there is good reason for the delay.

- 2.13 Formal complaints shall be made in writing to the Director of Discipleship, Vocation and Ministry of the Diocese of Guildford.
- 2.14 If it is inappropriate for the complainant to approach the Director of Discipleship, Vocation and Ministry of the Diocese of Guildford, the complainant may instead approach the Diocesan Secretary of the Diocese of Oxford.
- 2.15 Formal complaints shall normally be made on the standard form for such complaints. However the person receiving the complaint may choose to dispense with such requirements in a particular case, for example if a particularly serious matter requiring urgent action is brought to their attention and they believe it would be unreasonable to require the complainant to submit such a form before acting on the complaint.¹ Receipt of any formal complaint shall be acknowledged in writing within 5 working days.
- 2.16 The person receiving the complaint is responsible for its investigation and for seeking resolution of the complaint. However they may request another appropriate person (whose actions are not the cause of the complaint) to undertake all or part of this on their behalf, reporting to them on progress made.
- 2.17 Resolution of the complaint shall be sought by a means appropriate to its nature and circumstance. Such means may include:
 - a. correspondence between the parties;
 - b. negotiation with the student or with appropriate members of staff or with both;
 - c. facilitation of a conciliation meeting between the student and student/staff concerned;
 - d. facilitation of a mediation meeting between the student and student/staff concerned.
- 2.18 The complainant must cooperate with reasonable requests in pursuit of attempts to investigate and resolve the complaint
- 2.19 In very exceptional circumstances (for example, in particularly complex cases, or those involving disciplinary issues), the person receiving the complaint may convene a panel to consider the case.

¹ Students should note that exemption from the normal process of submitting a complaints form is entirely at the discretion of the person receiving the complaint. If students do not submit a complaints form, they should therefore assume that the matter is not being treated as a formal complaint unless and until they have explicit confirmation of this.

The panel shall be made up at the discretion of the person receiving the complaint, and shall consist of:

- a. a chair;
- b. two further people who are members of the SCTEI staff, at least one of whom shall come from a centre other than the complainant's;
- c. no more than two other people.

2.20 At a panel meeting to consider the case, the complainant and any member of staff concerned have the right to attend and hear/see all the evidence presented. (This right does not extend to the deliberations of the committee subsequent to the presentation of evidence.) They may present their case and bring any relevant evidence they may choose. Each may be accompanied by a person of their choice. This person may speak on their behalf if notification is given of this to the chair 48 hours in advance of the meeting, specifying their role (personal tutor, friend, union representative, legal representative etc.); the Adjudicator shall immediately inform the other parties involved of this. Evidence at a panel meeting shall normally be in written form; witnesses are permitted only at the discretion of the chair.

2.21 The possible outcomes from the Stage 2 process include:

- a. resolution of the matter to the student's satisfaction;
- b. the upholding of the complaint in whole or part, following which a recommendation will be made outlining how the issue(s) identified in the complaint should be addressed including, if applicable, appropriate redress to the student;
- c. dismissal of the complaint in whole or part with reasons given to the student in writing.

2.22 Stages 1 and 2 of the complaint process shall be completed and a written response to the complaint shall be sent to the student within 8 weeks of the complaint first being received. The response will also inform the student of their right to request a review of the complaint by Durham University where applicable as set out in Stage 3 below.

2.23 If any recommendation made following the upholding of a complaint is not implemented within six months, this shall be reported by the Adjudicator to the Common Awards Management Committee of the South Central TEI

3. Review by Durham University (Stage 3 of the process) – available only to students registered on the Common Awards programmes, for matters classed as 'academic complaints'

3.1 If the student is dissatisfied with the outcome of Stage 2, and believes that the complaint has been handled improperly or unfairly according to this policy, the student may request that the complaint is reviewed by Durham University.

3.2 The student can request a review by writing to Durham University no later than 10 working days after the date of the Stage 2 response.

- 3.3 The student must provide the following information:
- a. details of the complaint (including relevant correspondence from Stages 1 and 2, and any further new supporting documentation);
 - b. details of why the student remains dissatisfied;
 - c. details of the form of resolution or redress sought.
- 3.4 Receipt of the request for a review will be acknowledged by the University within five working days. This acknowledgement will advise students that they may seek advice from the Durham Students' Union (DSU) throughout the Stage 3 process.
- 3.5 The University will determine whether to review the complaint to ascertain whether the TEI's policy and processes had been implemented correctly.
- 3.6 The possible outcomes include:
- a. if procedural irregularities are identified: the complaint will normally be referred back to the TEI for re-investigation;
 - b. if the complaint is deemed to be outside the parameters of an 'academic complaint' (as defined in para. 1.5, above): the complaint will be referred back to the TEI for investigation as a complaint that is outwith the Common Awards provision;
 - c. if the TEI's policies and processes had been implemented correctly: the complaint normally will be dismissed, the reasons for dismissal will be provided to the student in writing, and a completion of procedures letter will be issued.
- 3.7 The student will be notified of the University's decision within 28 days of the University's receipt of the request for a review.
- 3.8 If the University dismisses the review request there shall be no further opportunity for the complaint to be pursued within the University.
- 3.9 The University's formal response at the completion of Stage 3 will advise the student that they can refer their complaint to the Office of the Independent Adjudicator.

4. Office of the Independent Adjudicator (OIA)

- 4.1 If Stages 1-3 have been completed and the student remains dissatisfied with the outcome, the student may complain to the Office of the Independent Adjudicator (OIA) within 3 months of the issue of a completion of procedures letter by the University.
- 4.2 Information about the OIA and the procedure for submitting complaints can be obtained from Durham University's Academic Support Office, the Durham Students' Union website, or from the OIA website: www.oiahe.org.uk.