

LINACRE COLLEGE

BY-LAW 8

COMPLAINTS PROCEDURE FOR STUDENT MEMBERS AND MEMBERS OF COMMON ROOM

1 Introduction

- 1.1 This document lays out informal and formal procedures for Student Members and Members of the Common Room who wish the College to consider and, if necessary, respond to serious dissatisfaction with academic, financial or other aspects of College life. It applies to cases that do not involve harassment or disciplinary procedures, which are dealt with in the College's Code of Practice Relating to Harassment and in By-law 7 relating to Discipline.
- 1.2 Any Student Member or Member of the Common Room who believes that they have a legitimate grievance may submit a written complaint under the formal procedure set out in Section 3 to the relevant College Officer and may wish to do so immediately if the circumstances are sufficiently serious. However, complainants are strongly encouraged in the first instance to discuss their grievance directly with the relevant College Officer under the informal procedure set out in Section 2.
- 1.3 Anonymous complainants or complaints made on behalf of someone else will not be allowed.
- 1.4 If a complaint remains unresolved after the College's internal procedures have been exhausted a Student Member of the College may appeal to the Conference of Colleges' Appeals Tribunal. Thereafter, the Student Member may be able to ask for the complaint to be reviewed by the Office of the Independent Adjudicator for Higher Education (see www.oiahe.org.uk for further information).
- 1.5 The College never uses Non-Disclosure Agreements (NDAs) or any other means of preventing its members from coming forward to raise complaints or discuss their experiences, including in relation to cases of harassment and sexual misconduct. The College offers students non-contact arrangements. These are practical arrangements that recognise that students in the college community can be in conflict and that maintaining a separation between them can be helpful. They are agreed practical steps that maintain this separation but also fair and equitable access to facilities. Non-contact arrangements do not restrict students from speaking about their experiences with those who are not directly party to these arrangements, and expire when either party ceases to be a student.

2 Informal Procedure

- 2.1 Under the informal procedure, the complainant is asked to raise their complaint with the relevant College Officers. This informal procedure is intended to encourage discussion and understanding of the problem, and in some cases may lead to its resolution without submission of a formal complaint. The complainant can be accompanied at any stage by a friend, Advisor or an officer of the Common Room.
- 2.2 The relevant College Officers are as follows:

- i) for academic matters - the Senior Tutor;
- ii) for issues involving domestic College staff, accommodation and services - the Domestic Bursar;
- iii) for financial matters - the Bursar
- iv) for other behavioural matters - the Dean
- v) for complaints about a College Officer - the Principal (or Vice-Principal if the complaint is about the Principal)

2.3 To resolve the complaint the relevant Officer will:

- i) seek to offer helpful and confidential advice; and/or
- ii) try to find a remedy, or a reconciliation (in cases where relations have broken down between individuals, and the complainant does not object to this course of action);
- iii) note the withdrawal of a complaint where the complainant decides to do so;
- iv) adopt the formal procedure in cases where the informal procedure has not resolved a complainant's grievance and the complainant wishes to take the matter further.

3 Formal Procedure

It is not an *a priori* condition of using this procedure that an informal approach must be exhausted before a formal approach is adopted. All formal complaints must be made in writing to the relevant College Officer as set out in 2.2 above.

The formal procedure involves the following stages:

- 3.1 A written complaint is submitted to the appropriate College Officer.
- 3.2 The relevant College Officer investigates the complaint and sets out in writing whether the complaint is upheld or not, giving reasons for the outcome of the investigation. Wherever possible, the written report will be produced within fourteen days of the date of the written complaint.
- 3.3 Where the College Officer is unable to resolve the complaint to the satisfaction of the complainant the latter must give notice within seven working days of their dissatisfaction and also give the reasons why the grievance remains unresolved. The notice should be given in writing to the Principal (or Vice-Principal, or for a matter that involves both, the Senior Fellow, not being the Vice-Principal).
- 3.4 The Principal, Vice-Principal or Senior Fellow will convene an *ad hoc* Panel to consider the unresolved grievance. The Panel will consist of three Fellows on the Governing Body who have not previously been involved in the case, and two Student Members of the Common Room. The Student Members will be chosen by lot by the Senior Fellow on the Panel from a list of members of the Common Room Executive who are likewise independent of the case. All those chosen will be bound by requirements of confidentiality.
- 3.5 The procedure to be adopted by the Panel will be as follows:

- i) the complainant will be invited to present their case to the Panel, either in writing or in person;
- ii) if in person, the complainant may be accompanied as set out in 2.1 above;
- iii) the relevant College Officer will present their case;
- iv) both parties will withdraw whilst the Panel considers the representations from both sides;
- v) the Panel will reach a decision and communicate its decision in writing to the complainant.

3.6 The complainant may appeal against the Panel's decision in a written submission to the Governing Body. In addition, they may appear in person before the Governing Body, in which event they may be accompanied by a friend, Advisor or an officer of the Common Room. All members of the Panel who have considered the complaint should withdraw for the Governing Body's deliberations and decision. The Principal will convey the decision of the Governing Body to the complainant in writing within two days.

3.7 The Governing Body's decision will be final in the College although the complainant, if a Student Member, shall have the right to appeal the decision to the Conference of Colleges' Appeals Tribunal.

Monitoring Arrangements

The Dean will keep a register of the number of complaints made using the formal procedure in an academic year, and a summary of numbers and outcomes will be collected by the Secretary of the Governing Body and submitted to the Governing Body in Trinity Term, along with recommendations for any action required in response to the issues identified in complaints. The register will indicate how many formal complaints have been registered and what stage they reached (categorised into resolved by the Officer, resolved by the Panel and Governing Body in favour or not in favour of the complainant, appeal to Conference Tribunal, and appeal to the OIA).

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