



Student Complaints and Disciplinary Procedure

1. Purpose

The College seeks to ensure a positive learning experience for all students and does this through actively monitoring student support systems, the UniHaven International Foundation Pathway Programme (“the programme”), and administrative systems to continuously improve the quality of academic and non-academic services provided to students. Should an issue or grievance arise, student complaints are taken very seriously, and the College aims to resolve them in a transparent, fair and timely manner and as required by QQI¹². It is for this reason that this procedure provides for several stages, both informal and formal in the handling of a grievance, complaint or concern that a student raises with College staff, directly or indirectly.

The purpose of this procedure is to:

- Clearly outline the process by which a complaint can be raised.
- To respect the students involved in the complaint.
- To ensure that teaching and support staff are fully guided during complaint handling procedures.
- To minimise the number of formal complaints for the mutual benefit of students and staff through active management of the informal stages.
- To address possible improvements and recommendations which may arise.

2. Roles and Responsibilities

Despite our best efforts, you may have real cause for complaint about any aspect of student life with us in instances where we have not complied with our expectations as outlined in the College Student Charter. Complaints and grievances can be aired directly to any of our staff, via the student representative channel of communication, via student survey forms or through this Student Complaints Procedure. Such complaint channels will be publicised on our website

¹ Statutory Quality Assurance Guidelines developed by QQI for use by all Providers (2016), section 5.2

² Code of Practice for Provision of Programmes of Education and Training to International Learners (2015), section 3.4.1



and LMS. All complaints and subsequent actions will be recorded and stored on the College servers under the control of the Programme Manager.

This procedure applies to all registered students at the College. Students who have graduated within the previous academic year are also entitled to submit a complaint. It is the responsibility of any academic staff member in receipt of an informal complaint to investigate and respond to the student. All informal complaints are passed to the Programme Manager who is responsible for ensuring they are logged and securely stored on the College IT Systems/Servers. Regarding formal complaints, the Programme Manager is responsible for acknowledging student complaints, investigating them, and responding appropriately. Should the complaint be made against The Programme Manager, a member of the College's Executive Management Team (EMT) is responsible for acknowledging student complaints, investigating, and responding appropriately under this procedure but if an EMT member is the subject of the complaint, another EMT member will investigate and handle the complaints process. All complaints will be treated confidentially with only those who need to know and/or who are needed to help the College to respond appropriately, including anyone who is the subject of the complaint, being informed.

Where allegations are made which suggest activity of child protection or criminal nature, the College reserves its right to refer the matter to Tusla and/or An Garda Síochána if it is considered appropriate to do so. In such instances, legal requirements under Irish law will overwrite the duties and responsibilities of the College to the student concerning the privacy of their data under GDPR policies, if relevant. In this sense, full confidentiality is not guaranteed in all circumstances.

3. Documentation

UFORM010 UniHaven Student Complaints Form Rev 1 is necessary to execute this procedure should a student wish to make a complaint...see Appendix.



4. Procedure

This section details the procedures for dealing with informal complaints, formal complaints, and disciplinary procedures.

Informal Complaints Procedure

It is the responsibility of any staff member in receipt of an informal complaint to investigate and respond to the student. In the interests of efficiency and good management, students are encouraged to approach the staff member who is closest to the disputed matter in the first instance. This informal approach may be made in person or through written communication.

A member of staff who receives an informal complaint should undertake an investigation and then respond to the student within 5 working days. Records will be kept of all students' complaints by the Programme Manager on the College server where they are securely stored. Should a member of staff receive a complaint they may, if they feel appropriate, pass the complaint to a more senior member of staff but ensure that the student's confidentiality is maintained.

The response should give the student an indication of the outcome, providing explanations for the perceived problem or, if the complaint is justified, the actions are taken to remedy the problem. In some, relatively rare, cases, it may not be possible to rectify the matter to the benefit of the student who has complained. The complaint should be resolved to include implementation of any corrective action within a maximum of 20 working days from its receipt.

Notwithstanding that response, students may proceed to submit a formal complaint.

Formal Complaints

The Programme Manager is responsible for acknowledging student complaints, investigating them, and responding appropriately all while maintaining student confidentiality. A student who is dissatisfied with the outcome of an informal complaint, or who does not wish a



complaint to be handled informally, may proceed with a formal written complaint using UFORM010 UniHaven Student Complaints Form Rev 1. This will be made available on the College website.

1. The student will receive acknowledgement of receipt of the complaint from the Programme Manager within 3 working days. The complaint will be investigated and assessed by the Programme Manager.
2. The Programme Manager or EMT member will present a written report to the Academic Director suggesting recommendations to resolve the issue within 10 working days of the complaint being acknowledged. If the nature of the complaint necessitates longer investigation periods, the timelines for investigating and reporting to the Academic Director must be notified to the student within this same 10 working day period but not be any longer than an additional 10 working days.
3. Once approved by the Academic Director, the outcome of the complaint with any corresponding action for implementation and follow-up outlined will be communicated to the student within 5 working days of the report being received by the Academic Director.
4. The student has a period of 14 working days in which they must respond.
5. The complaint should be resolved within a maximum of 60 working days including the implementation of any corrective actions.

Disciplinary Procedure

Student-related policies are communicated to students publicly on the website, on the College learning management system (LMS), and through UDOC002 Student Handbook. The College's expectations of students concerning their general, academic and personal conduct and behaviour will have been communicated in UDOC008 UniHaven Student Charter Rev 1. Both Handbook and Charter documents will be provided to students at their induction. Academic Misconduct suspicions or allegations are dealt with under UPRO008 UniHaven Academic Misconduct Procedure Rev 1 with repeat offences being covered by this procedure.



Attendance-related disciplinary issues are covered under UPRO011 UniHaven Attendance Monitoring Procedure Rev 1.

All students must comply with College policies and with the expectation set out for them in UDOC008 UniHaven Student Charter Rev 1. This is to ensure that a friendly and safe environment exists for all staff and students and one in which mutual respect is promoted for all. This procedure exists to cover areas where students are in breach of their commitments under this charter or breach of College student policies generally and to cover any other issue that warrants investigation and action, including gross misconduct. The College reserves the right to suspend a student who is suspected of gross misconduct whilst the investigation into the incident is being carried out. Investigations will be conducted promptly to limit the academic impact on the learner as much as possible. The College will inform the student in writing of their suspension in such situations.

The key steps in this procedure are as follows:

- An investigation will be carried out by the Programme Manager with a written report drawn upon completion. The report will detail the background to the case, the context applying, and the reasons why the matter needs to be dealt with formally.
- This written report is forwarded to the College Student Disciplinary Committee where a hearing will take place to consider the matter. The full terms of reference for this committee are outlined in UniHaven Quality Assurance Manual, chapter 2, and no staff or external member can be a member of this committee that had any involvement in the matter under investigation and being heard. The student will be called to attend this hearing when it sits.
- The student will be given 5 working days' notice in writing of the date of the hearing stating the need for him/her to attend and the student will be given a copy of the findings of the initial investigation.



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- The student has the right to be accompanied at the hearing by a member of staff or a fellow student or to have legal or translator representation and to present their case. If someone other than a member of staff or a student accompanies the student, the College must be informed in advance of the hearing as to the name, role and purpose of this person attending the hearing. If the student fails to attend or chooses not to attend the hearing, the hearing shall proceed in their absence.
 - Once a decision on the case has been reached, the Student Disciplinary Committee will apply a penalty appropriate to the offence committed or dismiss the allegation if it finds such allegations to be unwarranted. All hearings will be conducted sympathetically yet in a way that enforces the College policies and protects the integrity of the College.
 - The student is entitled to appeal the decision to the Appeals Board. In such cases, the application of the disciplinary penalty may be suspended pending the outcome of the appeal depends on the nature of the matter under consideration. For example, if a student was suspended for a misconduct complaint about being drunk and disorderly, their return to class pending their appeal may not be approved.

Appeals

The result of a Student Disciplinary Committee may be appealed to the Appeals Board on the following conditions:

- Procedural irregularity which, had not occurred, might have impacted significantly the validity of the original hearing and the subsequent penalty.
- New evidence could not reasonably have been made available at the initial disciplinary hearing.
- That the penalty levied by the Student Disciplinary Committee was too severe when viewed in the overall circumstances of the case.



Appeal requests must be submitted to the Academic Director no less than 5 working days following notification of the outcome of a Student Disciplinary Hearing. The decision made by the Appeals Board will be final.

Penalties

Misconduct can be classified as either a minor infringement or a major infringement. Penalties will be appropriate to the category of misconduct that the student has been found guilty of.

Minor Infringement

Where a student is deemed to have committed a minor infringement, the Student Disciplinary Committee is permitted to impose any of the following penalties, either separately or in combination:

- A reprimand and a note on the student's file.
- A formal verbal or written warning issued by either the Academic Director or the Programme Manager and such warning will be kept on the student's file.
- An order for the reparation of any damage or loss, if relevant, caused to the College or any members of staff, students, or members of the public.

Where an adjudication deems that a student has committed a minor infringement, students will be given every chance to prevent a recurrence and will be supported by staff as relevant.

Major Infringement

Where a student is deemed to have committed a major infringement, the Student Disciplinary Committee is authorised to impose any of the following penalties, either separately or in combination:



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- The expulsion of the student from their programme. This decision must be forwarded to the CEO at EMT before being implemented. Such a decision must also be notified to the Department of Justice for visa purposes.
 - The student may be suspended from the college for a stated period, or until any requirements laid down by the Student Disciplinary Committee have been sufficiently addressed.
 - The student may be excluded from specific College facilities.
 - The student may be removed from examinations or assessments for a specific period.
 - An order for the reparation of any damage or loss caused to the college or any members of staff, students, or members of the public.
 - The student may be denied an award, certificate, prize, or any other academic-related award.

Again, students will be supported by staff where possible.

6. Quality Control

The Academic Director is responsible for ensuring that policies are developed and maintained, that they remain fit for purpose, that they remain in compliance with QQI guidelines, that they are updated as per agreed timetables, and that they are being implemented as intended. In the latter context, the Academic Director will inspect a sample of policies each year to check for the correct implementation and bring the findings to AC as part of the annual QA/QQI review and reporting process.



Appendix

UFORM010 UniHaven Student Complaints Form Rev 1

Complaints must relate to a specific concern or issue related to an academic programme and/or the actions of a member of staff. Wherever possible, the College would wish to see any complaint resolved as close as possible to the disputed matter, and with a minimum of formality. The following procedure should apply where this has been investigated and found to be not possible. The form should be completed in full; any supporting documentation should be attached securely. You are also advised to retain copies of all documentation.

Full Name:	
Address for Correspondence:	
Phone Number:	
Email:	
Programme Title:	

The Complaint

Please outline the main points including times, dates, and nature of the incident. Please provide any evidence in support of your complaint and the names of the individual(s) involved. Please detail any attempts to reach an informal resolution.



Outcome Desired

Please detail how you believe your complaint could be resolved.



Declaration

By signing this below you agree that:

(a) I understand that the details of the complaint will be provided to the against whom you have made the complaint and may be provided to other individuals as well as the recipient of this form. Disclosure to other individuals will be on a strictly 'need to know' basis where it is deemed necessary by the investigator. I understand that it is usually not possible or appropriate to maintain confidentiality in all circumstances.

(b) This form contains an accurate description of my complaint.

<p>Signed: _____ Date: _____</p> <p>Student</p>	<p>Signed: _____ Date: _____</p> <p>Staff Member</p>
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Quality Assurance Manual (QAM) Chapter 8

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References/ Supporting Documentation	<p>UDOC000 UniHaven Quality Assurance Manual Rev 2</p> <p>Statutory Quality Assurance Guidelines developed by QQI for use by all Providers (2016)</p> <p>Statutory Quality Assurance Guidelines developed by QQI for Independent/Private Providers coming to QQI on a Voluntary Basis (2016)</p> <p>Code of Practice for Provision of Programmes of Education and Training to International Learners (2015)</p> <p>UPOL017 UniHaven QQI Student Support Policy Rev 2</p> <p>UDOC002 Student Handbook Rev 2</p> <p>UDOC008 UniHaven Student Charter Rev 1</p>