



Student Complaints Policy

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1. Purpose

National and European standards for maintaining academic quality require that higher education institutions establish effective methods to handle student complaints. This policy describes how ATU will address and seek to resolve such complaints.

The University is committed to providing high-quality services in a supportive learning environment. We aim to ensure that all students have a positive and productive experience and are seen as valued members of the University community. To support this, the University promotes active, open, and honest communication between students and staff.

ATU understands the importance of giving students the opportunity, encouragement, and support to express their concerns and dissatisfaction with any part of the University's services, facilities, or environment that negatively affects their experience. This policy offers a clear, effective, and reliable way for students to do this, and endeavours to ensure that everyone involved can trust the process. The policy is designed to fairly, quickly, safely, and professionally identify, assess, and address the reasons for and validity of student complaints. It plays a crucial role in maintaining and improving the quality of ATU's services and the overall student experience.

This is a general-purpose policy meant to address a wide range of *student complaints*, except for those covered by more specific university policies. It provides a flexible, principles-based approach to manage various types of student complaints.

2. Scope

This policy applies to all registered ATU students, whether undergraduate or postgraduate, full-time or part-time, on campus, online, or blended. It also applies to those who have recently left a programme or graduated within the last three months. A separate policy exists for *applicants* to the University who wish to make complaints or challenge admission decisions.

A complaint occurs when a student, or a group of students acting together, expresses dissatisfaction with the quality of ATU's services, facilities, or any experience that adversely impacts their participation, engagement, performance, or overall well-being.

Complaints may arise from interactions with ATU staff, other students, or anyone else involved in providing university services. These complaints typically stem from experiences that have a direct negative impact on the individual(s) involved.

Complaints can vary widely, from specific issues related to the design, delivery, or evaluation of academic programmes to problems involving the quality of administrative and support services, physical facilities, or interactions with staff or peers.

This policy is specifically designed to address *general complaints* related to the quality of services and facilities, focusing on resolving issues that impact students' satisfaction and daily experiences. It does not cover *grievances*, which involve serious allegations such as discrimination, unfair treatment, or breaches of rights, and which require formal investigation and resolution under specific grievance policies and procedures.

Additionally, this policy cannot be used to address complaints or issues that are already addressed by other *targeted or specialised policies* within the University. For example, complaints related to decisions made by *Examination Boards*, such as grading or awards, are governed by the University's *AQAE005 Marks and Standards Policy*, which outlines detailed procedures for *rechecks, reviews, and appeals*.

Finally, complaints made anonymously will not be considered under this policy. In exceptional cases, ATU may decide to explore issues raised in an anonymous complaint, if there are sound reasons for doing so. For example, if the complaint raises safeguarding issues and related risks, supported by considerable evidence or a plausible narrative. However, any such exploration is outside the scope of this policy.

3. External Reference Documents

The development of this policy was informed by the following documents and publications:

- *Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG, 2015)*
- *General Data Protection Regulation EU 2016/679 (GDPR)*
- *Data Protection Act 2018*

4. Policy

Students should be able to easily initiate a complaint and access the necessary support, advice and guidance to effectively engage with the process. They should feel safe in making a complaint, confident and reassured that they will not be disadvantaged or treated unfavourably or victimised in any way for having done so. Students have an obligation not to make false or unfounded complaints. They may be subject to disciplinary procedures if found to have done so.

4.1 Guiding Principles

4.1.1 Empowerment and Protection of Students' Rights

This principle emphasises the right of students to voice complaints without fear of reprisal, ensuring they feel safe, supported, and respected throughout the process. It also underscores the responsibility of students to make truthful complaints and emphasises the importance of clear communication and easy access to the complaints process.

4.1.2 Fairness, Confidentiality, and Efficiency in Complaint Handling

This principle underscores the commitment to handling complaints impartially, confidentially, and efficiently, adhering to principles of natural justice and professional practice. It outlines the key aspects of fair treatment, including unbiased handling, confidentiality, timely resolution, evidence-based assessment, clear communication, and opportunities for resolution.

4.1.3 Clarity and Support for Staff

This principle focuses on ensuring that staff are adequately informed, trained, and supported to implement the policy effectively. It highlights the importance of clear communication and process to enable staff to fulfil their roles in handling complaints.

4.1.4 Documentation and Continuous Improvement

This principle emphasises the importance of maintaining accurate records at each stage of the complaints process and conducting periodic reviews to identify areas for improvement. It ensures transparency, accountability, and the ongoing enhancement of the policy based on evidence and feedback.

4.2 Definitions

Student Complaint: A complaint is an expression of dissatisfaction by one or more students regarding the quality of services, facilities, or any aspect of their experience at ATU that negatively affects their ability to participate, engage, perform, or their general well-being.

Respondent: The person or department or functional area against whom a complaint is made. This could be an individual or a group within the university responsible for a service or interaction.

4.3 General Policy Provisions Relating to Student Complaints

4.3.1 The University's *Student Complaints Policy* and associated procedures and forms will be readily available and clearly communicated to students.

4.3.2 Students should have easy access to initiating a complaint, and to necessary support, advice and guidance facilitating their effective engagement with the process.

- 4.3.3 Students have a right to be accompanied, advised, or represented by a person of their choosing such as a fellow student, student representative, parent or guardian. Legal representation is not permitted at any meetings or hearings during the complaint resolution process under this policy.
- 4.3.4 Complaints will be dealt with fairly and effectively, in accordance with the principles of natural justice, fair procedure and good professional practice.
- 4.3.5 Complaints will be handled by individuals recognised as impartial and free from bias and without a conflict of interest in the circumstances of the case.
- 4.3.6 Complaints will be treated confidentially, with information shared only on a 'need-to-know' basis and consistent with good data protection practices.
- 4.3.7 Each party implicated in a complaint will be treated with respect, kept appropriately informed, and provided with a right of reply and an equal opportunity to present their case.
- 4.3.8 Complaints will be dealt with in a timely manner and early resolution at local level will be sought. Ideally, complaints will be dealt with and resolved informally, in a spirit of conciliation.
- 4.3.9 Consideration of the validity and merit of a complaint will be evidence based, grounded in a comprehensive and balanced assessment of the circumstances of the case.
- 4.3.10 Clear reasons will be given for decisions reached.
- 4.3.11 Each party has a right to appeal decisions reached.
- 4.3.12 Actors in the process should behave in a professionally responsible and accountable manner.
- 4.3.13 Complaints made anonymously will not be considered under this policy.

4.4 Process for Handling Complaints

The student complaint handling process is structured into stages that escalate if issues are not resolved at an earlier stage in the process. The process can thus involve up to four distinct stages as follows:

1. *Pre-complaint Stage*
2. *Informal Resolution Stage*
3. *Formal Resolution Stage*
4. *Appeal Stage*

Detailed guidance on each of the above stages is documented in *AQAE055 Procedure for Handling Student Complaints*, the essence of which is outlined in the sections that follow.

4.5 Pre-complaint Stage

Before proceeding to stages 2 and / or stage 3 and / or stage 4 the student is encouraged to engage in a period of reflection to consider whether their concern or situation constitutes a complaint as provided for in this policy, and whether it needs to be addressed at stages 2 – 4 as provided for below. Students may wish to also reflect on:

4.5.1 Starting the Conversation

Where relevant and appropriate, students are encouraged to first discuss a potential complaint with an ATU student-support service such as a Class Representative, the Students' Union, Health and Counselling Services or the Chaplaincy. These services may be able to provide advice, guidance, and support. Alternatively, students may prefer to share their issue of concern with a staff member they trust, such as a lecturer, programme coordinator, or mentor. This approach may allow students to express their concerns in a safe and supportive environment.

4.5.2 Timelines

It is important for current students to raise a complaint as soon as possible, ideally not later than six months after the incident that led to their dissatisfaction.

The University will endeavour to conclude resolution (informal and / or formal) within 30 days of receipt of a complaint which falls within the scope of this policy.

If, after this reflection period, the student decides to proceed with a complaint, they should proceed to Stage 2 (Informal Resolution Stage). Engagement with and completion of stage 2 is necessary before advancing to Stage 3 (Formal Resolution Stage) as it often resolves issues without the need for more formal processes.

4.6 Informal Resolution Stage

4.6.1 Students are encouraged to address their complaint directly with the individual(s) involved, where appropriate, to seek an immediate resolution.

4.6.2 If direct discussion is not possible or appropriate, the student should approach an alternative contact such as a Head of Department, or student support services.

4.6.3 If the direct or indirect discussions suggested above do not resolve the complaint, the student may escalate the complaint to the formal resolution stage.

4.6.4 Additionally, if the agreed resolution reached at the informal stage is not subsequently adhered to and the cause of the complaint recurs, the student may initiate the formal resolution stage.

The detailed *procedure* to give effect to this aspect of policy is described in *AQAE055 Procedure for Handling Student Complaints*.

4.7 Formal Resolution Stage

4.7.1 Initiation (or escalation to) of Formal Complaint

The formal resolution stage is initiated when a student submits a Student Complaint Form (SCF) to the University's *Complaints Handling Office*.

4.7.2 Guidelines for Submission

The required content and format of the SCF are detailed in *AQAE055 Procedure for Handling Student Complaints*, ensuring students understand how to properly formulate their complaints.

4.7.3 Review of Complaint

The AQAE055_001 Student Complaint Form will be initially reviewed in a timely manner by the University's *Complaints Handling Office*. This office is responsible for ensuring that the complaint is valid, complete, and falls within the scope of allowable complaints as outlined earlier in this policy. If the complaint is found to be incomplete, lacks necessary details, or is outside the permissible scope, the student will be notified and may be asked to provide additional information or directed to an appropriate alternative resolution process.

4.7.4 Referral of Valid Complaint for Resolution

Complaints validly falling within the scope of this policy will be referred to the relevant Head of Function responsible for overseeing the area relevant to the complaint. This referral initiates a formal inquiry and process aimed at resolving the issues presented.

4.7.5 Inquiry and Resolution Process

The Head of Function to whom the complaint has been formally referred will conduct a preliminary inquiry into the complaint. This includes notifying the respondent of the complaint, providing them with an opportunity to respond in writing, and facilitating meetings to discuss the complaint. The primary role of the Head of Function is to conduct the inquiry with a view towards resolution through agreement between the parties, through mediation, or through an adjudication (by the Head).

If the complaint cannot be resolved through these initial efforts, or if the complexity of the issue demands deeper investigation, the process will extend to a comprehensive investigation of all relevant facts and evidence. The Head of Function will oversee this investigation, and upon conclusion, will deliver a formal adjudication based on the findings. All parties involved will be informed of the outcome, and appropriate actions will be implemented in response to the investigative results.

4.7.6 Record Keeping

Throughout the process, all communications, findings, and outcomes will be documented and retained in accordance with the University's record-keeping, policies, and in compliance with general data protection regulation (GDPR) requirements.

The detailed procedure to give effect to this aspect of policy (formal resolution of a student complaint) is described in *AQAE055 Procedure for Handling Student Complaints*.

4.8 Appeal Stage

- 4.8.1 The student complainant and the respondent each have the option of lodging an *Appeal* if they are dissatisfied with the outcome of the formal resolution stage.
- 4.8.2 An application for an appeal should be made in writing to the University Complaints Handling Office. This office then refers the application to the Vice President Academic Affairs & Registrar (VPAAR) and advises the VPAAR on the process to date. The party submitting the appeal should set out the reasons for the dissatisfaction and the remedies sought.
- 4.8.3 If the complainant or respondent perceives that the VPAAR might have a conflict of interest in the case, they may submit the application to the President, explaining their reasons for doing so.
If the VPAAR has an actual, potential, or perceived conflict of interest in the case, they should declare the conflict and ask the President (or President's Nominee) to deal with the Appeal.
- 4.8.4 The VPAAR will establish an *Appeal Committee* for the case, comprising two members of Academic Council, a member of the senior management team and a suitably qualified independent person from outside the University.
- 4.8.5 The role of the Appeal Committee is to consider whether the grounds for lodging the Appeal have validity. In particular, the Appeal Committee will consider whether the way in which the complaint was handled was fair and impartial, whether the outcome of the formal resolution stage was reasonable and appropriate in the circumstance, and whether any change to the outcome is required.
- 4.8.6 The findings and recommendations of the Appeal Committee supersede the outcome of the formal resolution stage.
- 4.8.7 The Appeal Committee may exercise discretion in the scope of their findings and recommendations. It is open to the committee, for example, to uphold or overturn the outcome of the formal resolution stage in whole or in part, to require amendments to the remedies recommended, and to propose that recommended remedies be made available to students or staff not party to the complaint but similarly affected.
- 4.8.8 The Appeal Committee will report in writing to the VPAAR on their findings about the conduct and outcome of the Appeal stage, the reasons for their findings, and recommendations for any remedial actions necessary.

The detailed procedure to give effect to this aspect of policy is described in *AQAE055 Procedure for Handling Student Complaints*.

4.9 Roles and Responsibilities

4.9.1 The Student

Students are encouraged to address complaints directly with the individual(s) involved to seek an immediate resolution.

The student:

- must not make complaints that are vexatious,
- must engage truthfully and ensure all information provided in the complaint and during any part of the resolution process is accurate and truthful,
- maintain confidentiality and respect the privacy of all parties involved in the complaint process,
- must adhere to the prescribed procedures and guidelines set forth by the university for handling complaints,
- must participate constructively in all discussions and mediation efforts related to resolving the complaint,
- must communicate respectfully with all individuals involved in the complaint process, regardless of the nature of the complaint,
- may escalate the complaint to the formal resolution stage if the informal process does not resolve the issue, or if an agreed resolution is not adhered to,
- must be available to attend meetings and participate in discussions as required to facilitate a resolution to the complaint,
- must observe all timelines and deadlines associated with the complaint process,
- should submit all necessary or requested documents and evidence related to the complaint in a timely manner,
- should be prepared to accept the outcome of the complaint process, understanding that it may not always result in a decision in their favour.

4.9.2 Complaints Handling Office

The Complaints Handling Office:

- receive and process Student Complaint Forms (SCF),
- where necessary, ensure students understand the required content and format for the SCF,
- conduct initial timely reviews of submitted complaints,
- verify that complaints are valid, complete, and within the permissible scope,
- notify students if complaints are incomplete, lack necessary details, or are outside the permissible scope, and guide them on additional information or alternative resolution processes, and

- refer valid complaints to the relevant Head of Function for formal inquiry and resolution.

4.9.3 The Respondent(s)

In the context of this student complaints process, the respondent is typically the person or party against whom the complaint is lodged. This could be an individual, such as a faculty member, staff member, or another student, or it could be a department or service within the university.

The respondent:

- is expected to engage in discussions directly with the student to address and attempt to resolve the complaint,
- should respond promptly to a complaint by providing all relevant information and perspectives regarding the issue,
- is required to attend a meeting, if so arranged by a facilitator, to discuss and seek a mutual resolution at the informal stage (stage 2),
- is required to actively participate in the complaint resolution process, which may include attending meetings, mediation sessions, or hearings, and engage constructively and cooperatively to seek a resolution,
- must respect the confidentiality of the complaint process by not disclosing information about the proceedings or the parties involved outside of the necessary channels,
- must communicate respectfully with all individuals involved in the complaint process, regardless of the nature of the complaint, and
- will accept and comply with the outcomes of the complaint process, including any required actions or changes following a resolution or decision.

4.9.4 Head of Function

The Head of Function dealing with Stage 3 (Formal Stage) complaints always proceeds in a manner that protects the confidentiality and integrity of the process.

The Head of Function:

- receives referrals of valid complaints from the Complaint Handling Officer,
- ensures the formal stage / process is conducted transparently and fairly, respecting the rights of all parties involved and adhering to the principles of natural justice,
- conducts an initial review of the Student Complaint Form (SCF) to understand the issues involved,
- notifies the respondent of the complaint and provides them with an opportunity to prepare a response,
- organises and facilitates meetings between the parties involved to discuss the issues, aiming for a mutual understanding and potential resolution,

- additionally acts as a mediator when required, helping to negotiate a resolution between the complainant and the respondent that addresses the concerns raised,
- leads a comprehensive investigation if the complaint remains unresolved through initial discussions or if the issues are complex,
- examines all relevant facts, gathers evidence, and conducts interviews or consultations as necessary to reach an informed conclusion,
- makes a formal adjudication on the validity and implications of the complaint based on the findings from the investigation,
- communicates the final decision and associated actions to relevant stakeholders, explaining the rationale and the evidence considered,
- ensures that all communications, proceedings, and outcomes are documented thoroughly, and
- ensures records are maintained in accordance with university policies and GDPR requirements.

4.9.5 Vice President Academic Affairs & Registrar

The Vice President for Academic Affairs & Registrar (VPAAR):

- receives and reviews written appeals from the complainant or respondent via the University Complaints Handling Office
- must declare any actual, potential, or perceived conflict of interest and recuse themselves from handling the appeal. If there is a conflict of interest, refers the matter to the President for further handling, and
- is responsible for establishing an Appeal Committee, comprising a member of the senior management team and an independent external person.

4.9.6 Appeal Committee (and Members)

The Appeal Committee:

- assesses the validity of the grounds for the appeal,
- reviews the *Process* and *Outcome* and considers whether the original complaint handling stages and resolution were fair and impartial, and whether the outcomes were reasonable and appropriate given the circumstances, and
- issues their findings and recommendations to all parties involved, and to the VPAAR.

4.10 Policy Review

The effectiveness of this policy should be subject to formal review at least once during the lifetime of each Academic Council, based on the experience of implementation.

Arrangements for carrying out the review will be the responsibility of the Vice President Academic Affairs & Registrar.

The review should include reference to quantitative metrics and include an estimate of the resource inputs and costs incurred in handling student complaints over the period in question.

4.11 Ombudsman and Ombudsman for Children

Anyone who is dissatisfied with the outcome of the procedures or processes of the University has the right to recourse to the Ombudsman and/or the Ombudsman for Children.

The Ombudsman and the Ombudsman for Children Office function to protect the rights of individuals or groups by independently and impartially investigating complaints made about public bodies. Specifically, the Ombudsman for Children will investigate complaints made by or on behalf of children in relation to the administrative actions of public bodies like Atlantic Technological University.

Normally, engagement with the Office of the Ombudsman and/or the Ombudsman for Children Office will only occur after the internal processes have been exhausted. The Office of the Ombudsman and the Ombudsman for Children Office typically expect any person making an allegation to have first taken reasonable steps to seek redress through the standard University procedures before being contacted. Additionally, the Ombudsman will typically only deal with complaints once all existing internal procedures have been exhausted. The Ombudsman provides an impartial, independent, and free dispute resolution service. The Ombudsman can examine complaints from students about various issues. These could include for example, general decisions students perceive to be unfair or the perception that incorrect information has been provided. The Ombudsman does not consider matters of academic judgment.

5. Documents Related to this Policy

- *AQAE055 Procedure for Handling Student Complaints*
- *AQAE055_001 Student Complaint Form*

6. Revision History

Revision No	Description of Change	Approval Date
000	New Policy	Xx/xx/2024