

MOUNTVIEW

Non-Academic Concerns and Complaints Procedure

PRINCIPLES

Mountview is a fantastic place to study, and we are proud of the quality of our teaching and learning. Our Student Charter describes the character and culture of the Academy, and these are important factors in how we deal with problems. We are a small institution, in which students and staff get to know one another very well and work closely together in a climate of trust, professionalism and commitment.

When things go wrong, we will be clear and honest about what happened, and work together to put things right and learn from any mistakes. We aim to do this in most cases without triggering a formal process.

Students who raise concerns or make formal complaints will not experience any negative treatment and will be supported in making their case.

This Procedure is intended to allow students formally to raise concerns about matters which are the responsibility of the Academy, but which do not fall clearly under the UEA Partner Institution Academic Appeals and Complaints procedure.

This procedure applies to enrolled students and may be used by individuals or groups of students. This

Procedure should not be used for the following:

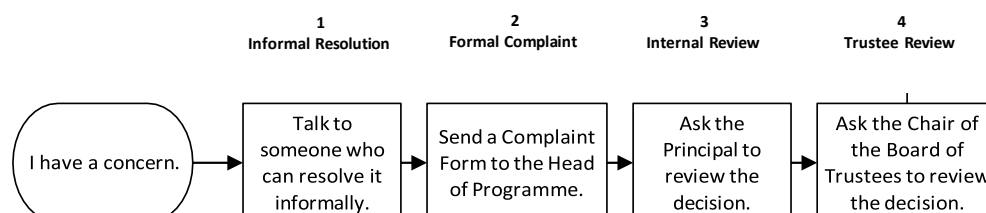
- Appeals or complaints about academic results or the circumstances relating to them (e.g. required withdrawal from a course; a verdict of plagiarism and/or collusion; a penalty applied in respect of plagiarism and/or collusion; a refusal to permit the late submission of work for assessment or to approve a delayed assessment).
- Academic complaints which relate to any aspect of a student's academic experience.

For further information please refer to the *UEA Partner Institution Academic Appeals and Academic Complaints Regulations* available on the Key Policies & Procedures section of the Mountview website: mountview.org.uk/courses/life-at-mountview/key-policies-procedures

If a complaint is against the Principal, The Chair of the Board of Trustees will appoint suitably independent individuals to perform the roles in each formal stage of this procedure.

THE CONCERNS AND COMPLAINTS PROCESS

There are up to four steps in dealing with concerns and complaints:



Most concerns are resolved informally by the people involved. If this is not possible, they become formal complaints and follow the process described below.

Advice: Students who are unsure about the process or whether they should make use of it can seek advice from their Personal Tutor, their Head of Course, or the Student Welfare Manager

1. Informal Resolution

The aim of this is to resolve concerns quickly with as little formality as possible. Students should raise concerns with their Personal Tutor, Course Leader, or the Student Welfare Manager. This can be done face to face or in writing.

The member of staff may ask for evidence and speak to other people but will not undertake a formal investigation of the complaint themselves. A course of action to resolve the concern may be suggested or, if this is not possible, they will write to the student within 10 working days explaining the situation and the option of raising a Formal Complaint.

Advice: *Concerns are best dealt with as soon as they arise.*

It is helpful to be as clear as possible about your concern and how it could be resolved. It is usually best to explain the situation face to face, rather than in writing, but you might find it helpful to make some notes for your own use. Be as specific as you can about what happened, times, dates, people involved etc.

If you are especially nervous, or if you have a learning support need, or a disability, support can be provided by your Personal Tutor or the Student Welfare Manager. They won't talk to anyone else about your concerns without your agreement.

2. Formal Complaint

When concerns cannot be resolved informally, students may raise a Formal Complaint by sending a Complaint Form (Appendix 1) to their Head of Programme. In cases where the complaint is against their Head of Programme, or involves them in some capacity, the student should send their Complaint Form to the Principal to be allocated to another member of staff.

The Head of Programme will either carry out the investigation personally or appoint an independent and appropriately experienced Investigator. Where the complaint relates to difficulties with a member of staff the Investigator may be external.

The Investigator is responsible for informing the student of the approach they will take and the outcome of the process.

Where the complaint concerns relationships with other students or staff, the Investigator may recommend mediation. If all parties agree to this, the investigation will be suspended. At the end of the mediation the complaint will either have been resolved or the investigation will be resumed. Complaints of sexual misconduct will never involve a recommendation of mediation.

The Investigator will consider information from all key people involved in the complaint and any other relevant material before reaching a conclusion on the balance of probabilities and their judgement on what is reasonable in all the circumstances. They will then write a report supporting one of the following recommendations:

- the complaint is fully upheld, and a remedy is proposed;
- the complaint is partially upheld, and a remedy is proposed for the successful part;
- the complaint is not upheld;
- the case is so complex that the findings would benefit from discussion by a Complaint Panel consisting of three members of staff.

Where a Panel is recommended, it will be appointed by the Principal. The Panel will receive the report of the investigation and the student's original written complaint. It will determine on the balance of probabilities whether to uphold all or part of the complaint and any remedy to be made. A short report will be produced by the Chair of the Panel outlining the key points of the discussion and the conclusions.

The Investigator will provide the Principal with a brief report on the handling of the complaint and any recommendations for improvement. We aim to complete this stage within 30 working days of receiving the complaint.

3. Internal Review

Students who are not satisfied with the outcome of their formal complaint may write to the Principal within 10 working days of receiving the outcome to request an Internal Review, on one or more of the following grounds:

- the decision of the Investigator or the Panel was unreasonable;
- the investigation was not conducted properly;
- there is new evidence that could not have been provided to the Investigator.

The Principal will consider the case and decide one of the following:

- to set up a second and final investigation by a panel of two members of staff and one Trustee;
- to propose a new remedy;
- to uphold the original finding.

The Principal will write in detail to the student explaining the decision within 20 working days.

4. Review by the Board of Trustees

Students who are not satisfied with the outcome of the Internal Review may request a review by the Board of Trustees. The nature of this review will be determined by the Chair of the Board. It may result in either a new remedy being proposed or the upholding of the previous finding.

The Chair will write to the student explaining the decision within 20 working days. There is no appeal against this decision.

GENERAL CONSIDERATIONS

- a) The primary method of written communication will be email, for which students and Mountview must use only Mountview email accounts. Students must check their accounts regularly.
- b) Students may withdraw a complaint at any time, ending the process.
- c) Students have the right to be accompanied to any meetings by a friend (but not by a lawyer or barrister).
- d) Mountview may at any stage engage external advice or support in order to ensure that a complaint is being handled properly and fairly.
- e) Where a student brings a series of complaints, or complaints are associated with other matters (such as academic appeals, or misconduct, or disciplinary issues), the Principal will determine in which order the matters will be considered.
- f) This procedure allows all forms of reasonable remedy and apology where a complaint is upheld.
- g) At all stages of this procedure, we will take into account the Student Charter (available on the Student Intranet) and the balance of responsible behaviour expected by both the Academy and students.
- h) Anonymous complaints will not be considered.
- i) Students who make complaints that are primarily intended to cause annoyance or hurt (vexatious) or are completely unfounded may be subject to misconduct proceedings. The procedure will be halted immediately if an Investigator judges a complaint to be vexatious.

APPENDIX - STUDENT COMPLAINT FORM

Personal Details

Name:

Course and year:

Contact number (optional):

Note that we will respond to your Mountview email address.

Your Complaint

Please clearly state the nature of your complaint and how it affected you.

The Remedy Sought

Please state what reasonable actions you would like Mountview to consider if your complaint were to be upheld.

Declaration

I confirm that I have read and understood the Non-Academic Complaints Procedure and I understand that Mountview will not accept complaints from third parties or anonymous sources. I understand that Mountview will assess my request on the basis of the information I have submitted. I confirm that the information given on this form and the supporting evidence is true and accurate.

I understand that if my complaint is believed to be unreasonable, vexatious or malicious it may lead to disciplinary action being taken against me by Mountview.

I understand that Mountview may need to share information with other persons or organisations as part of any investigation to resolve my complaint.

By signing this form (or sending it from my Mountview email address) I authorise Mountview to investigate my complaint.

Signature **Date.....**

Send this form along with any supporting evidence to your Head of Programme.