

St Cross College Complaints Procedure

1. This document lays out procedures for students who wish the college to consider and, if necessary, respond to serious dissatisfaction with their tuition, or other aspects of college life, in cases that do not involve harassment as defined in the College's Code of Practice Relating to Harassment (see Student Handbook).
2. Complaints may be discussed initially with any Senior Mentor, member of staff or Student Representative including in particular the College welfare advisers (The Senior Tutor, The Equality and Welfare Officer) or University Councillor. For a complaint to be registered formally, a College Officer will need to be approached.
3. The relevant College Officers are as follows:
 - o for academic matters: the Senior Tutor;
 - o for issues involving accommodation: the Bursar;
 - o for issues involving college staff, food and financial matters: the Bursar;
 - o for behavioural or non-academic disciplinary matters: the Dean;
 - o for complaints about a College Officer: the Master (or Vice-Master).
4. The College Officer will (a) seek to offer sympathetic and confidential advice; and/or (b) 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).
5. On the advice of the College Officer the student may decide that it would be best to drop the complaint and that the matter be dealt with informally. To indicate the moment at which the procedure becomes formal, complainants will have to sign a statement indicating their wish formally to register a complaint and produce a written statement within 5 days describing the nature of the complaint in detail.
6. Complainants may at any stage be accompanied by a friend or an adviser (e.g. an officer of the SRC).
7. If the complainant does not wish to be identified, the initial approach may be made through another student (e.g. an officer of the SRC) or through a Fellow. However, it must be understood that certain kinds of complaint will not be easy to make or sustain anonymously. Any initial approach to a College Officer will be in confidence, and the complainant will be advised of how far further action will involve others knowing his or her identity. Complaints may be withdrawn; but in some circumstances investigation will have to carry on to allow someone complained about to have the opportunity to clear their name, or so that the College can be satisfied that nothing improper has occurred. The plaintiff will be made fully

aware of the complaint against him or her. Both parties should be informed, in writing, what action will be taken next.

8. If the College Officer approached is unable to resolve the problem to the satisfaction of the complainant, the complainant may approach the Master (or Vice-Master, or, for a complaint that involves both, the Senior Tutor, not being the Vice-Master). He or she will consider what remedy is desirable, and if necessary convene a Panel to consider the case, this Panel to consist of three Fellows drawn from the members of the Disciplinary Committee (*see St Cross College Bylaws on Discipline*) who, so far as practicable, shall have not previously been involved in the case, and two students, who likewise are independent of the case to ensure that the panel is free of bias. These students will be chosen by lot by the senior Fellow on the Panel from a list of eight names submitted by the Student President. All those chosen will be bound by requirements of confidentiality. A member of the panel should be responsible for gathering relevant documentation including interviewing witnesses – parties should be informed in advance what will be discussed with a third person present to take full clear notes which should be agreed and signed by the witness. A Charge Sheet should be prepared for the Plaintiff setting out:

- Allegations made
- A summary of evidence in support of the allegations
- Details of how the alleged conduct constitutes a breach of discipline, referring to the relevant code of conduct, terms and condition etc.
- Explain the potential consequences

A bundle of documents, including the relevant contractual and policy documents, notes taken at interviews, the investigator's report and other background material should be passed to the panel within five days with a copy to the Complainant. A further five days should be allowed for the panel to familiarize themselves with the evidence before the panel meets to consider the evidence. At the hearing both parties should be heard, either in person or in the form of a written statement.

9. The College will provide the complainant with a written outcome to the complaint and full minutes of the hearing within five days. The decision should be:
 - Based on relevant material
 - Consistent with the evidence given
 - Proportionate to the complaint
 - Consistent with the College's approach in other comparable cases
 - Reasonable and fair in all circumstances, taking into account any evidence of mitigating circumstances put forward

If the complainant is dissatisfied, the complainant may appeal to the Conference of Colleges Tribunal within ten days. On completing consideration of a complaint, the Tribunal will issue its decision. The issuing of this decision will conclude the College procedures for the formal examination of a complaint.

If the complainant is living in College accommodation and the complaint relates to accommodation, and the complainant is dissatisfied, the complainant may appeal to the Office of the Independent Adjudicator.

10. When the College procedures for the formal examination of a complaint are concluded, whether or not by consideration by a Panel or the Tribunal, the complainant will receive a formal Completion of Procedures letter from the College. That letter will make clear that the complainant, if dissatisfied with the outcome, may be able to complain further to the Office of the Independent Adjudicator for Higher Education (OIA) within three months of the date of the Completion of Procedures letter. This same process will apply to complaints raised in relation to procedures under the Harassment Code, and under the College's academic and non-academic disciplinary procedures. The right to take a complaint to the OIA only arises once all the available appeal procedures have been concluded. The OIA will not entertain appeals in certain areas, most notably on matters of academic judgment or admissions. Leaflets and other material relating to the OIA are available from the OIA website: www.oiahe.org.uk

11. Each College Officer will keep a register of formal complaints made in an academic year, and a summary of numbers and outcomes will be collected by the Master's Secretary and submitted to Governing Body at the beginning of each Michaelmas Term. The registers will indicate how many formal complaints have been registered, and what stage they reached (resolved by the College Officer; taken on by the Master (or Vice-Master); taken to a Panel; taken to the Tribunal; taken to the Office of the Independent Adjudicator; still unresolved; withdrawn).