



## North London College

### COMPLAINTS AND APPEALS PROCEDURE

The College welcomes comments and suggestions from students about the services it provides. Students wishing to make a suggestion or comment about the College's policies or services, either academic or non-academic, can do so informally:

- at the point where the service is provided, or
- by contacting the person in charge of the relevant area, or (where it seems appropriate)
- by raising the matter with a student union representative
- With their College Tutor.

Occasionally however, students may wish to make a complaint about the services they receive. This document sets out the procedure for making a complaint to the College. The College recognises that it has a duty to provide fair and objective procedures for examining and resolving complaints, and to ensure that its procedures are free from partiality arising from personal or institutional conflict of interest or other sources of bias. No student will be disadvantaged by having raised a complaint, but the College expects that students will not make frivolous, vexatious or malicious complaints.

This document covers complaints from students only in areas that are within the control of the College. Some areas about which students may wish to comment or make a complaint are covered by other policy documents issued by the College Below is a brief guide to the different procedures. If you are unclear about where the responsibility lies for the matter that you wish to raise, then you should seek advice from your Tutor.

The College is responsible for all the services it provides for students, and comments or complaints about these should follow the procedures outlined in this document. This includes student-to-student complaints if these cannot be sorted out informally by the students themselves or by the Welfare Officer, who may be consulted about this type of complaint.

#### **Harassment and Bullying**

The College has policies and procedures for dealing with racial and sexual harassment and bullying. The College's policy on these matters, and the procedures for dealing with complaints, are provided below.

### **Academic Matters: All students other than Postgraduates.**

If students have any comments or complaints relating to supervision then these should be addressed either to the Tutor concerned or to the Academic Board. If they wish to make comments about lectures, seminars, etc. organized by the College then these may be addressed directly to the department.

### **Academic Matters: Postgraduates**

For postgraduate students academic matters are dealt with, primarily, by the Academic Board. Comments or complaints about courses, supervisors, etc, should, therefore, be addressed to the Board. The Board will be responsible for such matters as dates of submission, extensions of time, leave to work away, removal and reinstatement on the Register of Postgraduate Students and any other matters relating to study for higher Qualifications. If, however, you feel you need advice about the appropriate procedures to follow in these matters then you should discuss the issue with your Tutor.

### **Internal Examination Appeals**

For all students a separate procedure exists for appealing to the College in a case where a student feels he or she has been disadvantaged or unfairly classified in a College Examination., any student who wishes to appeal should first consult their Tutor.

For postgraduate students any appeal relating to any test for the Master's degree or the PhD Research Methodology has to be made through the Academic Board.

## **COLLEGE MATTERS**

The College expects that complaints will normally be dealt with informally in the first instance. It should be possible to resolve most problems quite quickly in this way, avoiding stress and saving time. Students with a complaint should seek to bring it to the attention of the College, using the procedure outlined here, as soon as possible following the occurrence of a problem, and ideally within one month. Many complaints can be dealt with quickly and effectively in this manner, without recourse to formal procedure. The College's procedures have been developed with this in mind.

At the outset a student with a complaint to make will be invited to suggest the remedy they are seeking, without prejudice to the outcome.

## **Confidentiality**

Every attempt will be made to maintain the confidentiality of a complainant. However, where a complaint is of a personal nature against an individual, it is likely that the complainant's identity would have to be revealed at some stage in all but the most exceptional cases in order for there to be a fair investigation. For example, where a complaint is made against an individual, that person has the right to know who is complaining against them and what the nature of the complaint is. The College will endeavour to inform an individual complainant of the extent to which their identity is likely to be revealed at each stage of the procedure.

## **INFORMAL COMPLAINTS**

Students who experience a problem with any service provided by the College or anything else within the control of the College can, under the informal procedure, raise the matter in a number of ways.

Either:-

They can raise the matter directly with the individual who has given cause for complaint. If informal discussion does not resolve the situation satisfactorily the person responsible for the area to which the complaint relates can be approached. If that still does not resolve the issue then students should consult a Tutor.

Or:-

If they prefer, they can raise the matter with a Tutor immediately.

If the matter relates to a student-to-student complaint a similar course of action can be followed. The matter can be raised directly with the student who is giving cause for complaint. If informal discussion does not resolve the issue then the matter can be raised with either of the college welfare officers or with the student union president, and if that still does not resolve the issue the student should consult a Tutor. Alternatively the student could consult a Tutor immediately.

## FORMAL COMPLAINTS

**Stage One:** If the matter cannot be resolved satisfactorily a complaint should be made in writing to the Principal, who will acknowledge receipt and ensure that the matter is looked into as soon as possible. An initial response to any complaint can be expected within 7 to 10 days of its receipt, and a considered response to the complaint should be received within a further three weeks, with any subsequent remedy implemented with the minimum of delay.

In some cases the informal procedure set out above may have already involved the Principal. In that case, or if the complaint is against the Principal, the complaint should be put in writing to the Academic Board who will appoint another senior member of the College to act in the place of the Principal.

**Stage Two:** It is hoped that very few complaints would remain unresolved after this stage. However should this be the case, the complainant can request that for non-academic matters the Principal refers the matter to the Academic Board who will arrange for a disciplinary committee to undertake an independent assessment of the case and come to a conclusion on the matter. To do so the Academic Board will appoint two of its members and a student representative if the complainant so chooses, or otherwise three members of the Board, to consider the matter and respond. None of those appointed to do so will have been involved in the matter previously. A full and considered response to the complaint should be completed within six weeks and any subsequent remedy implemented with the minimum of delay.

If a student is required to attend in person as part of the investigation into a complaint, they are entitled to be accompanied at any stage by a member of the College: this could be a Tutor or other senior member, or a student including one of either the welfare officer, or an officer of the Student Union.

Throughout any formal complaints procedure a written record of the complaint will be recorded and made available on request to anyone involved in the matter, subject to what is said about confidentiality above. At Stage 1 above the written record will be maintained by the Principal; at Stage 2 it will be the responsibility of the members of the Academic Board to arrange for one of their number to keep a written record.

### **Final Arbitration.**

The College provides for an independent review of appeals and complaints through the Board of Directors. If the complainant remains dissatisfied, having followed all the appropriate appeal or complaints procedures, it may be open to them ultimately to refer the matter to the Board of Directors for final hearing.

## **Bullying and Harassment**

The College has issued the following advice to students about racial or sexual harassment and bullying which is intended to ensure that the College provides a working environment that is free from all unlawful discrimination, including racial or sexual harassment and bullying. Any complaints will be investigated thoroughly and without delay. The College will respect the particular sensitivity and confidentiality of complaints about racial, sexual harassment and bullying and their consequences.

### **1. The College's Policy**

The following principles are fundamental to the College's policy and practice in dealing with harassment and bullying:

\* Racial, sexual and disability harassment, and bullying, of one member of the College community by another is wholly unacceptable behaviour. The College will take any incidents seriously and will act appropriately.

\* The College will seek to ensure that all its members are aware of the fact that harassment and bullying are unacceptable and undermine dignity, self confidence and self esteem.

\* All members of the College, without exception, have a positive duty to comply with the policy, to prevent harassment and bullying and to ensure that their colleagues are treated with respect and dignity.

\* The College will seek to promote a working and learning environment in which harassment and bullying are unacceptable and do not occur.

\* The College reminds members that racial, sexual and disability harassment may constitute unlawful discrimination or be a criminal offence.

\*Complaints will be considered with all possible speed and the College will take appropriate action as quickly as possible, if necessary by using the formal disciplinary procedures set out in the Statutes and Ordinances.

It is quite understandable that someone subjected to harassment or bullying may be reluctant to draw attention to the fact but unless a complaint is made, the College may not be able to take steps to prevent or eliminate future cases. It is therefore extremely important that the appropriate College personnel are informed of any potential complaint. This can be done under terms of strict confidentiality at the initial stage.

## **2. Definitions:**

### **Racial and Sexual Harassment:**

Racial and sexual harassment are difficult to define in terms of what is acceptable or unacceptable behaviour. Either form of harassment may consist of behaviour taking place over a period of time or a single incident. The following statements may help in understanding the behaviour that can come under the definition of harassment.

Racial harassment has three elements:

- a) A hostile or offensive act or expression, or a series or combination of such acts or expressions, against a person relating to colour, race, nationality, or ethnic or national origins. It also includes derogatory name-calling, insults or racist jokes, racist graffiti, verbal abuse ranging from belittling or suggestive remarks to threats, physical attack, and ridicule of an individual for cultural differences.
- b) The effect of such acts or expressions on the recipient is to create an intimidating, hostile, or offensive environment for study, or for social life, of which any reasonable person can justifiably complain.
- c) Racial harassment can occur even if the offence is not intended. Differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as racial harassment by one person may not seem so by another. The defining features, however, are that the behaviour is offensive or intimidating to the recipient, is unwanted by the recipient, and would be regarded as racial harassment by reasonable people.

Sexual harassment has three elements:

- a) It always involves unwanted attention or treatment which emphasizes sexual status or which has a sexual element. It includes harassment or discrimination on grounds of sexual orientation. Although it is most often found that it is women who are harassed by men, sexual harassment between members of the same sex or of men by women does also occur. It can be physical, ranging from suggestive looks to indecent assault or rape, or verbal, ranging from belittling or suggestive remarks and compromising invitations to aggressively foul language or unwanted demands for sex, or displays of sexually suggestive or degrading pictures on display. It also includes inviting or attempting to incite a person to commit an act of sexual harassment.
- b) The effect on such behaviour on the recipient is to create an intimidating, hostile, or offensive environment for study, or for social life, of which any reasonable person could justifiably complain.
- c) Any behaviour that treats the recipient less favourably on the ground of his or her sex is liable to cause offence, even if offence is not intended. An aggravating feature in some cases of sexual harassment may be the abuse of position of authority or trust. Differences

of attitude or culture and the misinterpretation of social signals can mean that what is perceived as sexual harassment by one person may not seem so to another. The defining features, however, are that the behaviour is offensive to the recipient, is unwanted by the recipient, and would be regarded as sexual harassment by reasonable people.

### **Bullying:**

Bullying is a form of psychological harassment; it is intimidation, which serves to undermine the self-esteem, confidence, competence, effectiveness and integrity of the bully's target. Bullying behaviour may include continual, undeserved criticism, belittling remarks, shouting, swearing and offensive language, constant interruption in discussion, and the display of overbearing or intrusive behaviour. Bullying behaviour may also maybe manifested by electronic means of communication such as email. Bullying is behaviour, which may take place between those of different status or those of same status. Bullying when reinforced by power within a relationship is particularly reprehensible. Behaviour which makes the recipient feel threatened, humiliated or patronised and which undermines his or her self-confidence or self-esteem is unacceptable, whatever the context. The defining features of bullying are that the behaviour is unacceptable to the recipient, is unwanted by the recipient, and would be regarded as bullying by reasonable people.

### **3. What you should do if you believe you are a target of harassment or bullying:**

There are various ways in which an individual can deal with harassment ranging from simply asking the person to stop, to making a formal complaint.

#### **Step One - Rejecting the offensive behaviour**

- I. If you think that you are being subjected to racial or sexual harassment in any form or you are being bullied, do not feel that it is your fault or that you have to tolerate it.
- II. Do not allow the behaviour to continue to a point where it becomes intolerable. Do something about it sooner rather than later.
- III. You may choose to speak to the person causing the offence about his or her behaviour and this could put an end to the matter (it is possible they were unaware of the offence caused). Or, if you prefer, you could get someone else to speak on your behalf.
- IV. In any case, it would be wise to alert someone else to your problem because the possibility of a counter accusation exists.

#### **Step Two - Seeking Advice**

- V. If you believe you have cause for complaint and the behaviour continues, keep a record of the details of any relevant incidents and then contact one of the advisers listed on the final page.

VI. They will listen to you in confidence and give you advice on how to proceed. They know how to initiate formal complaint procedures if this is necessary and will explain those procedures to you. On the other hand, they may suggest writing to the person against whom you have a complaint, being specific about what offends you. They will help compose the letter.

VII. If you choose to consult one of the advisers, you may do so in complete confidence. If you wish to be accompanied by a friend or colleague that is quite in order.

### **Step Three - Making a Formal Complaint**

VIII. It is a serious matter for both the accuser and the accused to be involved in a formal complaint procedure, and it should not be undertaken without careful thought and prior consultation with one of the advisers, but you should not shrink from taking the step if serious or persistent harassment or bullying has occurred.

IX. You may complain in writing or orally to your Tutor, the Principal, or any Senior Member of College, or to one of the Advisers who will press the complaint forward.

X. It is helpful to have available written notes of the incidents, including dates, times and location. If the incident took place in front of people who would act as witnesses please supply their names. You should also be prepared to give details of any action you took to deal with the matter.

### **Step Four: Procedures to be followed in the event of a formal complaint**

Action taken in response to a formal complaint may vary from an informal discussion with the individual named as the perpetrator, to a full disciplinary hearing according to the College policy. Penalties could range from a reprimand to suspension or dismissal.

Whatever the route of investigation and subsequent action, the person making the complaint will be allowed to have a friend or colleague with them at all stages of the procedure. Should you need advice on any of the above issues then you should contact one of the following: -

Your Tutor (if you feel you would rather discuss the matter with a Tutor other than your own personal Tutor, for example, if a woman student particularly wishes to discuss something with a woman Tutor, then you are free to do so) or

The Welfare Officers or

Peer supporters from student union