

Complaints Policy and Procedure for Learners (ED-Pol-065)

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| Document Title | Complaints Policy and Procedure for Learners |
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| Related Documents | <p>ED-Pol-063 – Academic Integrity Policy for Learners</p> <p>ED-Pol-066 – Disciplinary Policy and Procedure for Learners</p> <p>Ed-Pol-075 – Dignity and Respect Policy and Procedure</p> <p>QA-Pol-097 – Programme, Monitoring and Review Policy</p> |

1. Purpose

The purpose of this policy is to enable a learner to raise complaints in relation to treatment believed to be wrong and unfair or where a learner has a concern relating to the terms and conditions of their education programme.

2. Scope

This policy can be used by learners enrolled on education programmes (hereafter referred to as complainant). Complaints related to bullying and harassment must be dealt with under the Dignity and Respect Policy (ED-Pol-075).

Examples of possible complaints that may be raised to RCPI under this policy include:

- Unfair treatment outside definition of bullying and harassment
- The quality of any service, facility, resources or supports provided by RCPI
- Serious concerns relating to the terms and conditions of their education programme

3. Principles

The following principles apply to all stages of the procedure:

- The complainant is advised and encouraged to address issues or complaints promptly, in the first instance with the person concerned (if applicable) or with the Programme Coordinator / Manager and/or the Education Development Manager.
- Every effort will be made to address complaints quickly and fairly.
- The complainant will not be penalised for making a complaint in good faith, regardless of whether the complaint is upheld or not.
- Before invoking formal proceedings, the complainant should consult the other RCPI policies and procedures relating to education programmes to determine the most appropriate pathway for the complaint. The complainant may contact the Programme Coordinator / Manager for guidance as to how best to proceed.
- RCPI will deal with a complaint in as confidential manner as possible. However, in some circumstances, it will be necessary to disclose the content of the complaint to third parties – for example, where the complaint has the potential to adversely impact another person, they are entitled to fully understand any allegations made against them and have a right to respond. RCPI will consult with the complainant before sharing information about the complaint with other parties. RCPI will retain information about the complaint on the complainant's file.
- In most circumstances the raising of a complaint should not affect the complainant's continuing participation in their education programme.

- It is the responsibility of the complainant and the person named in the complaint to respond to written communication in a timely manner and to attend scheduled meetings.
- RCPI will not ordinarily investigate anonymous complaints.
- Where it is found that a complaint has been vexatious or malicious, it may be addressed as a disciplinary issue.

4. Process

4.1 Informal Discussions

Most routine complaints should be capable of being resolved on an informal basis. The complainant should, where possible, raise the matter informally with the Programme Coordinator, Manager, Faculty or the Education Development Manager. If the complainant does not wish to follow an informal route, or if the informal discussion either does not resolve or is not an appropriate means of resolving the issue, the formal procedure may be initiated by the complainant.

4.2 Formal Complaint: Lodging a Grievance

The complainant should refer the grievance in writing to the Programme Coordinator / Manager in the first instance using the [Complaint Form \(ED-F-065b\)](#). The Programme Coordinator / Manager acknowledges receipt of the complaint to the learner within 5 working days.

4.3 Stage One: Preliminary Review

When received, the Programme Lead and Programme Manager will review to determine if the grievance is eligible to be reviewed under the procedure (as set out below) or whether the grievance would be more appropriately, justly and efficiently resolved by reviewing the matter under another policy or procedure.

In instances where the grievance relates to the Programme Lead, an alternate Programme Lead will oversee the procedure outlined below.

4.4 Stage Two – Investigation Meetings

4.4.1 The Programme Lead will nominate an investigation panel of three persons:

- a) Teaching, Learning & Assessment Lead
- b) A member of Faculty
- c) RCPI staff member

4.4.2 None of the panel should have any substantiative professional, academic or personal relationship with the complainant or any person who is the subject of the complaint.

4.4.3 A meeting will be arranged to consider the matter in detail and produce recommendations.

4.4.4 Investigation Process:

- The Panel will review all the relevant documentation prior to meeting with the complainant.
- The Panel will meet with the complainant and ask a series of questions to determine what has occurred from the perspective of the complainant and to explain their concerns and desired outcomes.
- The panel may initiate additional investigations as they consider appropriate to the grievance. This may involve meeting with other persons, reviewing additional documentation and any other steps that the Panel consider to be relevant. Meetings with other relevant stakeholders will generally only occur having first met the person raising the grievance.
- For all grievances made, RCPI shall retain all notes recording the nature of the grievance and the outcome of the process in a folder with the appropriate security measures in keeping with GDPR and for the duration stated in the RCPI Retention Policy.

4.4.5 Once all investigations have been completed, the Panel will make a decision and inform the complainant (and, if relevant, other persons) of their findings.

4.4.6 If the Panel finds that a grievance is not upheld or that the evidence is not sufficient to make any judgement, a full explanation of reasoning will be supplied to the Programme Board. If the Panel finds that the grievance is upheld, it will make recommendations to the Programme Board and seek approval.

4.4.7 The Programme Lead will inform relevant parties of:

- Findings of the Panel
- The basis for the decision
- Recommendations and action by any party.

5. Appeal

The complainant has a right to appeal the Panel's decision within 10 working days. The complainant may appeal the decision under the Appeals Policy (ED-Pol-071).