



Student Complaints Policy

Policy owner Student Engagement,
Conduct, Complaints
and Appeals

**Approval date and
body**

Academic Council,
5 May 2016
Last Updated 21 April 2022

1. Purpose

UCD is committed to providing an excellent education and high quality services to our students.

UCD continuously seeks to improve the student experience. From time to time problems arise, and students should be supported in expressing their dissatisfaction and seeking resolution to problems encountered. The University takes complaints seriously and endeavours to improve its processes and services by listening to, responding to, recording and resolving students' dissatisfaction. The following principles reflect the University's commitment to resolving complaints as quickly as possible with emphasis on local resolution. Students should feel free to raise concerns without risk of disadvantage and are encouraged to seek guidance and advice from a student support professional.

The University's complaint handling process comprises two levels; review and resolution at the unit level and investigation at the University level. The aim of this process is to resolve issues quickly and as close as possible to where the issue arises. Therefore, it is expected that most complaints will be dealt with to satisfactory resolution at the first stage. Where resolution cannot be reached (or in instances where a student feels that they cannot raise the complaint at the local level) a complaint can be made to the University's Student Complaints Officer, who will provide appropriate advice.

2. Definitions

For the purpose of the complaints handling policy and procedure, the University considers a complaint to be *an expression of significant or sustained dissatisfaction where a student seeks a specific action to address the issue, including an apology.*¹

3. Scope

3.1 Complaints

Students may make complaints about any unit, function or service provided by the University or on behalf of the University. The definition of a complaint is necessarily broad and therefore the list provided is intended to guide users and is not intended to be exhaustive. A complaint may relate to the following issues:

- the quality or standard of any service provided or failure to provide a service
- the quality of facilities or learning resources
- the failure of the University to follow an appropriate administrative process
- unfair treatment or inappropriate behaviour by a staff member²
- an alleged action or inaction by the University or a member of its staff

¹ Adapted from the University of Nottingham *Student Complaints Policy*.

² Those wishing to make complaints of bullying, harassment or sexual misconduct, should review the University's Bullying and Harassment Policy; and the Sexual Misconduct Policy.

Not every issue raised with the University is a complaint. For example, the following are not considered to be complaints under this policy:

- an appeal seeking a review of an academic decision on assessment, progression, standing, completion or admission. The University provides separate appeals procedures to deal with these issues for undergraduate, graduate taught and graduate research students.
- an initial request for information.
- a request under the Freedom of Information Act 2014 or Data Protection Act 2018.
- a request for information or an explanation about a regulation, policy or practice.
- a response to an invitation to provide feedback through a formal mechanism, for example questionnaire or online feedback.
- issues raised at student-staff consultative fora.

Complaints that are solely about matters of academic judgement cannot be considered under the Student Complaints Policy. Academic judgement is a judgment that is made about a matter where the opinion of an academic expert is essential. Therefore, in the context of UCD's student complaint process, academic judgement normally includes, but is not restricted to, a judgement about marks awarded, degree classification, research methodology, whether feedback is correct or adequate, and the content or outcomes of a course.³

Where a complaint is deemed to be frivolous, vexatious or where false information is submitted⁴ the Student Complaints Officer, in conjunction with the Chair of ACCSAC, will reject the complaint and the matter may be dealt with under the Student Code and the Student Discipline Process⁵. In such circumstances the student may complain directly to the Ombudsman/the Ombudsman for Children. In submitting complaints, students are reminded of the University's expectations in respect of student behaviour and conduct as laid out in the Student Code.

The *Student Complaints Policy* should be interpreted in light of the Children First Act 2015 and the University's Child Safeguarding Statement.

3.2 Complainants

- Those eligible to make complaints under this policy are students who are currently registered as a UCD student or within 20 working days of ceasing registration as a UCD student. Those seeking to submit a complaint beyond 20 working days of ceasing registration are required to include an explanation as to why they did not submit the complaint prior to their registration having ceased.
- Where a complaint relates to UCD's actions in initiating or managing a collaborative relationship the complaint will be considered by UCD.
- Third party complaints on behalf of a student are not normally accepted. However, if a student is unable, because of incapacitation, to raise a complaint on their own, the student may authorise another individual to have access to personal information in order to pursue the complaint on their behalf subject to the requirements of the GDPR. If a student is unable, because of incapacitation, to authorise another individual to pursue a complaint on their behalf, such event will be dealt with in good faith by the University on a case by case basis subject to the requirements of the GDPR.
- Students under 18 years of age may authorise their parent/guardian to pursue a complaint on their behalf.
- Anonymous complaints will not be considered under the *Student Complaints Policy*.
- The normal expectation is that students will submit a complaint relating to their own experiences only. However, in the event of a number of students being impacted upon by the same issue, the University has the

³ Definition adapted from OIAHE Rule 30 <https://www.oiahe.org.uk/about-us/our-scheme/our-rules/guidance-on-the-rules/rule-4-and-rule-5/#para30>

⁴ The OIAHE define frivolous or vexatious when in the reviewer's opinion, the complaint 'has no serious purpose, or is intended to cause disruption or annoyance,' <https://www.oiahe.org.uk/resources-and-publications/good-practice-framework/handling-complaints-and-academic-appeals/factors-for-providers-to-consider/>

⁵ [UCD Student Code of Conduct](#); [UCD Student Discipline Procedure](#)

possibility of allowing collective consideration. In such cases, the University will put in place the procedures necessary to ensure compliance with GDPR requirements.

3.3 Alternative Complaint Policies and Processes

- The University provides separate policies and processes for certain categories of complaint. Students should seek the advice of a University student support professional for guidance about which is the appropriate complaint mechanism. Alternative University complaint processes are subject to the same complaint handling principles outlined in section 2. Complaints of bullying, harassment and sexual misconduct are dealt with under the [Bullying and Harassment Policy](#) and the [Sexual Misconduct Policy](#)⁶.
- Complaints about the conduct of students are normally handled under the [UCD Student Code of Conduct](#).
- Complaints under the Equal Status Acts 2000 - 2018 may be made pursuant to the procedures set out at [Irish Human Rights and Equality Commission](#).
- Complaints relating to non-compliance with legislation where, under the legislation, the University must appoint a special inquiry officer. For example, under the Disability Act, 2005.
- A complaint relating to an alleged clinical error by UCD Healthcare staff: where this has not been resolved locally with UCD Healthcare Services, a student may raise their complaint to the [appropriate](#) professional or statutory body.
- In the event that matters of a staff disciplinary nature arise they will be dealt with separately, at the discretion of the University, through the agreed staff disciplinary process.

Where a student wishes to make a complaint about services/activities carried out by persons on behalf of the University in the performance of duties, work or other University activity, the student shall, where possible, raise the complaint with the service provider in the first instance. Where this is not possible, the student shall raise the complaint directly to the Student Complaints Officer who may then refer the complaint to the relevant body for resolution at the University's discretion.

Where a complaint involves an individual member of staff that member of staff has a right to respond as part of the complaints handling process at local and University stages. It is acknowledged that some situations can involve a combination of issues, some of which are complaints and others are not. In such circumstances more than one University process may be applicable. In such circumstances the Registrar or their nominee shall decide which of the University's processes should have priority or be the most appropriate in the circumstances and may direct the continuation of some processes and the suspension of others pending the outcome of the former.

In addition, where the Investigating Officer and the Student Complaint Officer are in agreement that the matter would be more appropriately dealt with by An Garda Síochána or another statutory body, the Student Complaints Officer will inform the student and the respondent. In such cases the matter will be suspended by the University, pending the outcome of any external investigation.

4. Complaint Handling Principles

The purpose of the *Student Complaints Policy and Procedure* (appendix 1) is to support students and staff in situations where a student makes a complaint about their experience at UCD. In this, the policy sets out the following principles that govern how UCD handles complaints:

4.1 Principles

- **Accessible and user-focused:** *clearly communicated, easily understood and places the complainant at the centre of the process.*
- **Simple and timely:** *involves limited steps and wherever possible seeks early resolution to the satisfaction of all.*

⁶ Definitions of bullying, harassment and sexual misconduct are included in the Bullying and Harassment Policy; and the Sexual Misconduct Policy.

- **Robust and fair:** *provides thorough evidence-based investigations in which the complaint handling principles are consistently applied.*
- **Supports improvement:** *analysis of outcomes will support improvements in service quality and decision-making.*
- **Supportive and compassionate culture:** *fosters a culture that encourages and supports students to come forward with concerns and complaints if they are experiencing issues*

4.2 Timelines

To enable prompt resolution complaints should be raised as soon as problems arise. The University expects that concerns will normally be raised within 20 working days, starting from when the complainant first became aware of the problem. The submission of formal complaints to the Head of School/Unit for local review and to the Student Complaints Officer for university investigation should normally be raised within 15 days of the last engagement in relation to the concern; and within 15 days of receipt of the formal response from the Head of School/Unit, respectively. The University will exercise discretion in consideration of complaints beyond this time limit.

The University will respond to and deal with complaints as quickly as possible. At the local level heads of unit should ensure that their staff acknowledge and respond to complaints promptly. It is expected that complaints will be resolved within 15 working days of receipt of complaint at local level, and within 15 working days of receipt of complaint for review by the head of unit. At the University level complaints will be acknowledged within 5 working days and full responses should normally be provided no later than 30 working days after receipt of the complaint.

4.3 Confidentiality

All complaints will be handled with sensitivity and discretion, and access to information about individual investigations will only be shared with those with a legitimate access requirement and in line with the requirements of the GDPR. All staff and students who become aware of any of the issues involved in a formal complaint are required to keep this information confidential, except insofar as is necessary to progress, investigate or respond to the complaint and any investigation. Data collected as part of a complaint will be treated in accordance with the GDPR and will be retained in keeping with the University's records retention schedule.⁷

4.4 Evaluation and Reporting

The University will evaluate and analyse information collected under the student complaint process for statistical purposes. It will not be possible to identify any individual from data collected for statistical purposes and such data will be anonymised. The statistical data will be used to identify trends and highlight opportunities to address identified issues.

5. Roles and responsibilities

All Staff

All staff should be aware of the University's Student Complaints Policy and process and how to handle and record complaints at the local resolution stage. As the majority of complaints are likely to be dealt with locally, staff should be appropriately equipped to respond to complaints, including being given appropriate authority, training and supervision. Staff need clear guidance from their head of unit about the type of complaints they can deal with directly and those that should be escalated. See [Staff guidelines on complaint handling](#).

Head of Unit / School

Local responsibility for the implementation of this policy (i.e. Stage 1) lies with the head of unit/school. The head of unit/school will receive appropriate training and guidelines. Responsibilities of heads of unit/school in respect of

⁷ Adapted from the University of Edinburgh *Student Complaints Procedure*; University College Cork, *Student Complaints Policy and Procedure*. For further information please see SECCA Privacy Statement: UCD Student Engagement, Conduct, Complaints and Appeals

complaint handling include:

- Ensuring staff within their Unit are provided with information and guidelines on complaint handling, including good practice guidelines and other relevant publications that may be produced by the Office of the Ombudsman/Office of the Ombudsman for Children.
- Ensuring that students are provided with information on the Student Complaints Policy and promoting a supportive and compassionate culture in the event that issues arise.
- Ensuring that the unit complies with the recommendations for resolution made by the Investigating Officer.
- Ensuring that student complaint records are established and maintained and that data in relation to complaints is provided and reported to the Academic Council Committee for Student Appeals and Complaints (in the form of an annual report), investigating officers or the Student Complaints Officer as required.
- Heads of Unit/Schools may delegate consideration of a stage 1 complaint to a relevant staff member. However, the Head of Unit/School retains responsibility and must approve the findings and proposed response.
- In the event that a Head of Unit/School finds that they have a conflict of interest in relation to a stage 1 complaint, for example where the matter complained of directly relates to their own actions or interactions with the complainant, the Stage 1 review should be conducted and formal response provided by the Head of Unit/School's line manager or their line manager's nominee. The Head of Unit/School should seek advice from the Student Complaints Officer in this regard.

Student Complaints Officer

The Student Complaints Officer is responsible for managing student complaints made at stage 2 of the process and complaints which cannot be appropriately handled at the local level (i.e. stage 1). The Student Complaints Officer will:

- Manage complaints received by their office through the process (including logging and tracking of complaints through to completion).
- Review complaints to ensure that they fall within the scope of the policy and refer complainants to alternative processes, as relevant, and make determinations on complaints ineligible for consideration under this process.
- Liaise and communicate with complainants, respondents and Investigating Officers and others as appropriate relating to complaint investigations and their outcomes.
- Track the implementation of recommendations arising from complaint investigations by seeking reports from relevant areas.
- Report incidents of non-compliance with outcomes of an investigation to the Chair of the Academic Council Committee for Student Appeals and Complaints.
- Produce information and reports for the Academic Council Committee for Student Appeals and Complaints and support and liaise with the Chair of the Committee as necessary.
- Ensure that a record of the nature of the complaint, the time taken to deal with it and the outcome will be maintained.
- Maintain and update the Student Complaint Procedure as required.

Investigating Officer

The Investigating Officer is a suitably trained staff member responsible for the conduct of the complaints investigation and is responsible for leading the investigation and co-ordinating the response to the complainant. This includes preparing a written report, including any recommended procedural changes to service delivery. Investigating Officers must have a clear remit to investigate effectively and reach clear and well reasoned decisions on complaints, including more complex matters. This also requires clear direction and support from the Academic Council Committee for Student Appeals and Complaints on the extent and limits of discretion and responsibilities in investigating and recommending resolutions to complaints. The Investigating Officer will submit all reports and recommendations to the Academic Council Committee for Student Appeals and Complaints for final decision.

The Investigating Officer will have had no prior involvement with a case or otherwise have a conflict of interest, including at stage 1.

Academic Council Committee for Student Appeals and Complaints

Primary functions of the Committee in relation to Student Complaints include:

- Provide oversight of student complaints management and operation of student complaints handling.
- Report to Academic Council annually.
- Approve and maintain panel of Investigating Officers.
- Make final decisions in all student complaint cases.

- Monitor and review the student complaint policy and procedure, making recommendations for revisions where relevant.
- Establish sub-committees as necessary for the effective execution of its functions.

The Chair of the Committee will also liaise with the Student Complaints Officer on issues arising in relation to individual cases where necessary.

Complainant

In submitting a complaint in relation to an issue they have encountered, complainants are required to:

- Familiarise themselves with the Student Complaint Policy and Procedures and associated documentation.
- Refrain from pursuing complaints that are frivolous or vexatious in nature, or which include false information.
- Include relevant supporting documentation when submitting a formal complaint. Complaints submitted at Stage 2 of the process must be accompanied by a completed Student. Complaint: Head of Unit Review form and the written response from the relevant area, except in exceptional cases where the complaint cannot be handled at local level.
- Maintain the confidentiality of the outcome of the complaint process.
- Take note of guidelines provided to complainants in relation to outcomes sought.

All students and staff engaged in the pursuit and resolution of student concerns and complaints are required to do so in a manner that upholds the dignity and respect of all members of the University community.

6. Related documents

- [UCD Bullying and Harassment Policy](#)
- [UCD Sexual Misconduct Policy](#)
- [UCD Assessment Appeals Policy](#)
- [UCD Student Appeals Procedure](#)
- [UCD Student Code of Conduct](#)

7. Version history

Approval Body	Date	Summary of revisions
Academic Council	6 March 2014	Approved subject to agreed amendment
Academic Council	5 May 2016	Updated to include definitions of bullying and harassment in accordance with UCD Dignity and Respect Policy Updated weblinks
Academic Council	25 April 2019	Updated to reflect outcomes of Policy Review
Academic Council	21 April 2022	Updated to reflect outcomes of Policy Review



University College Dublin Student Complaints Procedure

1. INTRODUCTION

As set out in our Student Complaints Policy, UCD is committed to providing an excellent education and high quality services to our students, but recognises that, from time to time problems may arise. The University takes complaints seriously and endeavours to improve its processes and services by listening to, responding to, recording and resolving students' dissatisfaction. The following procedures set out the range of options available to students in seeking resolution, in accordance with the University's complaint handling principles as articulated in the Complaint Policy.

Complainant behaviour

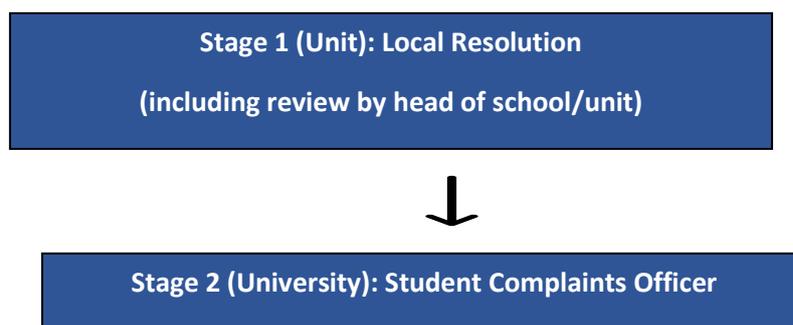
University College Dublin is committed to the promotion of an environment for work and study which upholds the dignity and respect of the individual and which supports every individual's right to study and/or work in an environment which is free of any form of harassment, intimidation, bullying or other misconduct. Students are supported by the University in expressing dissatisfaction but are expected to conduct themselves in a courteous and respectful manner, and to refrain from unreasonable demands or persistence.

Should a complainant engage in behaviour that is deemed unacceptable, this will be drawn to their attention and they will be given the opportunity to modify their behaviour. Should unacceptable behaviour persist, the University may be required to restrict or suspend contact with the complainant, and/or have recourse to the [Student Code of Conduct](#) as appropriate.⁸

The following procedures should be read in conjunction with the [Student Complaint Policy](#).

2. PROCESS (see flowchart below)

The aim of the University's complaint handling process is to resolve problems quickly and as close as possible to where the issue arises. It is expected that most complaints can be dealt with to satisfactory resolution at the first stage (at the school/ unit/ service provider where the issue arises). Where resolution cannot be reached a complaint can be made to the University's Student Complaints Officer.



2.1 Stage 1 – Local Resolution / Unit Review

Students are advised to raise concerns as soon as possible (and normally no later than 20 working days) after becoming aware of an issue, directly with the area (school, unit or service provider) in which the issue has occurred. At this stage complaints may be made face-to-face, by phone, by email or letter or using the specified local process. Students should explain the nature of their complaint clearly and concisely, provide as many relevant details as

⁸ Adapted from the University of Edinburgh *Student Complaints Procedure*; Kingston University *Student Complaints Procedure*; Office of the Independent Adjudicator *Good Practice Framework*.

possible and indicate what outcome they seek.

Actions under local resolution include review by the relevant head of unit/school/service provider, (or the head of unit/school/service provider's line manager/line manager's nominee in the event of a conflict of interest), where a complainant is not satisfied with the initial response received. Requests for review should be submitted no later than 15 working days after receipt of the initial response. The [Student Complaints Form: Head of Unit Review](#) should be completed in such cases.

When reviewing complaints, the head of unit or their nominee, (or the head of unit's line manager/line manager's nominee in the event of a conflict of interest), should

- Where possible, hold face-to-face discussions separately with the student, and any relevant member of staff.
- Review any documentation supplied by the student, and any information provided by any relevant member of staff.
- Determine, based on the available information, whether the complaint should be upheld, with reference to the specific action to address the issue sought by the student.
- Communicate formally in writing the outcome of the review to the student within 15 working days. The communication should inform them that if they are dissatisfied with the outcome of this process they may submit a complaint to University's Student Complaints Officer for formal investigation. It should also provide information on how they may do so and the timeframe within which the complaint must be raised (15 working days from the date of the email sent informing them of the outcome).
- Where the timeframe of 15 working days for resolving the complaint cannot be met, inform the student and respondent outlining the reasons for the delay and when it is anticipated that the outcome will be available instead.

2.2 Stage 2 - University Level Investigation

Stage 2 of the procedure deals with two kinds of complaints: complaints that could not be satisfactorily resolved at the local level (stage 1), or complaints that have been identified as requiring investigation at University level from the outset. Complaints made at stage 2 are handled by the Student Complaints Officer.

Submitting a Complaint

Stage 2 complaints should be submitted using the [Student Complaint Form: University Review](#). The University will log all complaints and acknowledge receipt of the complaint to the complainant within five working days. Submission of a stage 2 complaint will not automatically result in a University level investigation.

Complaint review

The Student Complaints Officer will review the complaint to ensure it is within the scope of the policy. Where that matter does not fall under the Student Complaint Policy and process the Student Complaints Officer will advise the complainant of this, and may

- direct the complainant to an appropriate alternative process where applicable.
- in consultation with the Chair of ACCSAC, advise that the complaint cannot be considered where the complaint is deemed to be frivolous, vexatious or containing false information.
- refer the matter back to the school or unit for further consideration where appropriate steps have not been followed at Stage 1.
- refer the matter to the Chair of the Academic Council Committee on Student Appeals and Complaints for decision where the complainant is seeking to lodge a complaint and is not within 20 working days of ceasing registration and the Student Complaints Officer is of the view that they have not provided a sufficient explanation as to why the complaint was not submitted prior to their registration having ceased.

Investigation

For Stage 2 complaints that are deemed to meet the criteria for investigation, the Student Complaints Officer will appoint a member of staff (from an approved panel of staff) as Investigating Officer.

The Investigating Officer will:

- review the complaint, taking account of any documentation supplied by the complainant and information supplied by the relevant area(s) of the University (including where the complaint involves an individual member of staff as respondent).
- where possible, meet with the complainant, the respondent and any staff named in the complaint, or those identified by the Investigating Officer as able to provide information relevant to the complaint.
- write a report, including recommendations for resolution, and submit this to a sub-committee of the Academic Council Committee for Student Appeals and Complaints for review and final decision, including any decision in relation to financial redress as appropriate.

The Student Complaints Officer will further support the investigation as follows:

- Inform the student and respondent in writing of the outcome(s) of the Investigating Officer's investigation and the final decision of the Committee.
- Inform the student that if they are not satisfied with the outcome they may raise their complaint with the Office of the Ombudsman/Office of the Ombudsman for Children.
- Where the timeframe of 30 working days for resolving the complaint cannot be met, inform the student and respondent outlining the reasons for the delay and when it is anticipated that the outcome will be available instead.

2.3 Outcomes

Recommended resolutions and the decisions of the Academic Council Committee for Student Appeals and Complaints will be detailed in a report to the Student Complaints Officer who will inform the complainant and respondent of the outcomes.

3. OFFICE OF THE OMBUDSMAN

If a student has exhausted the University's internal complaint process and remains dissatisfied with the handling of their complaint they may complain to the Office of the Ombudsman. Students under the age of 18 should refer their complaint to the Office of the Ombudsman for Children.

Information on how to complain to the Office of the Ombudsman and its processes of investigation can be found on the Office of the Ombudsman website at: <https://www.ombudsman.ie/making-a-complaint/make-a-complaint/>

Information on how to complain to the Office of the Ombudsman for Children and its processes of investigation can be found on the Office of the Ombudsman for Children website at: <http://www.oco.ie/complaints/>.