

Newman University Complaints Procedure for members of the public

1. Purpose

- 1.1 Newman University are committed to providing high quality services. Complaints will be dealt with promptly and fairly. Where a complaint is upheld, an appropriate remedy will be offered, within the bounds of what is reasonable and practicable for the University to provide.
- 1.2 Newman University welcomes feedback as this can bring to our attention concerns that could be resolved before they become a cause for complaint.

2. Definitions – what is a complaint?

- 2.1 The University regards a complaint as any expression of about our action or lack of action, or about the standard of service provided by or on our behalf.
- 2.2 The person (member of the public) bringing the complaint will be referred to within this Procedure as the complainant.

3. Scope and Principles

- 3.1 This Procedure applies to members of the public.
- 3.2 This policy is not intended for 'whistle blowing'. Whistle-blowing is where a disclosure is made which a person believes to be in the public interest about suspected wrongdoing at in an organisation. The University has a separate Whistle-blowing procedure that should be following in such circumstances.
- 3.6 The complainant will not have the right to have the same case heard again through a different route. If after initial investigation, it appears that the complaint falls within the scope of any of the above procedure, reclassification of the complaint will be discussed with the complainant and the appropriate referral made.
- 3.7 Complaints will normally be considered individually. Where complaints raised by a number of complainants involve the same issue, the complaints may be considered collectively, subject to any confidentiality requirements. In such circumstances, the individual complainants involved will normally be invited to nominate one of their number as a spokesperson to facilitate the process (see Section 10 below).
- 3.8 In order to enable the full investigation of a complaint and communication of the outcome, the University will not accept anonymous complaints.
- 3.9 In considering complaints, the University will apply the Procedure in accordance with its Equality and Diversity Policy. In particular, reasonable adjustments will be made for those with disabilities, specific learning disabilities, or long-term medical conditions.
- 3.10 All personal information will be processed in accordance with the Data Protection Act 1998.

- 3.11 Complainants can complaint about things like:
- a) the quality and standard of any service the University provides or fails to provide
 - b) the quality of the University's facilities and resources
 - c) failure of the University to follow an appropriate administrative process
 - d) perceived unfair treatment or inappropriate behaviour by a student or staff member as an expression of a concern about such individuals in their capacity as staff or students of the University.
- 3.12 There are some things that the University cannot deal with through its complaints handling procedure. These include:
- a) a routine first-time request for a service
 - b) a request for information or an explanation of policy or practice
 - c) a request under the freedom of information or data protection legislation
 - d) an issue which is being, or has been, considered by a court or tribunal
 - e) an attempt to have an issue reconsidered where the University has already given a final decision following an investigation.
- 3.11 All parties to the complaint and individuals who are involved in any related investigation and/or administration of the complaint must observe the requirement for confidentiality. Whilst confidential information may need to be disclosed in order to consider the complaint, this will only be to those staff involved in consideration of the complaint if judged necessary by a qualified member of staff.
- 3.12 Any person named in a complaint has a right to be informed of the substance of the complaint and will have the right to reply as part of the investigation.
- 3.13 The University expects that complainants will not engage in frivolous, vexatious or malicious complaints as outlined in the bullets below. In such cases, the Secretary & Registrar or nominee reserves the right to terminate consideration of the complaint. The complainant will be given an explanation, in writing, of why their complaint has been terminated and details of any further right to complain.
- complaints which are harassing, repetitive or pursued in an unreasonable manner;
 - insistence on pursuing non-meritorious complaints and/or unrealistic or unreasonable outcomes;
 - complaints designed to cause disruption or annoyance;
 - demands for redress which lack any purpose or value.
- 3.14 Information which comes to light as a result of a complaint may lead to Newman University or other agencies taking other kinds of action. This includes staff and student disciplinary procedures and civil or police investigations. If this happens the resolution of the complaint may be delayed until that other action has been taken.

4. Outline of Procedure

- 4.1 The Complaints Procedure comprises two stages: an informal stage for early resolution; a formal stage if a complainant was not able to resolve their complaint informally.
- 4.2 Complainants must bring the issue they are complaining about to the University's attention within 3 months of the matter occurring.
- 4.3 The investigation process (Stage 2) will be given reasonable and appropriate priority, and the Investigating Officer will strive to avoid delay. Even so, the time required to complete the investigation will be influenced by a number of factors including the nature of the concerns raised, the number and availability of potential interviewees/witnesses, and the volume and nature of evidence to be gathered.
- 4.4 The consideration of a complaint is about fact-finding. Consequently, individuals subject to any element of an investigation should not see this part of the process as adversarial or necessarily questioning of their judgement.
- 4.5 A complainant can withdraw their complaint at any point providing the Secretary & Registrar (or nominee) is advised in writing, but may not later re-launch the complaint at a later date.

5. INFORMAL STAGE/FRONTLINE RESOLUTION (Stage 1)

- 5.1 The University aims to resolve complaints quickly and close to where the service was provided. This could mean an on-the-spot apology and explanation if something has clearly gone wrong, and immediate action to resolve the problem. Where possible, concerns should be raised with the relevant staff member. This can be done face-to-face, by phone, in writing or by email.
- 5.2 The University will give a decision at Stage 1 in 20 working days or less, unless there are exceptional circumstances.
- 5.3 If complainants are not satisfied with the response we give at this stage, complainants will be informed what they can do next. If they choose to, complainants can take their complaint to Stage 2 of the complaints procedures.

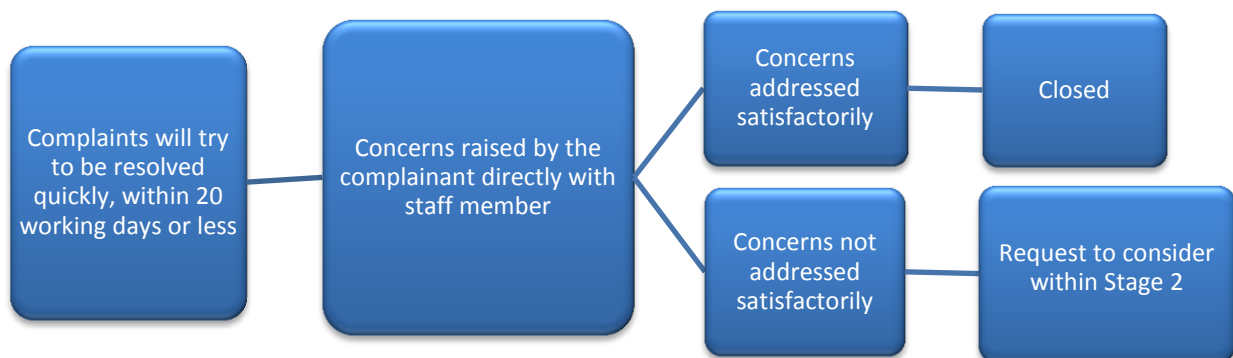
6. Investigation (Stage 2)

- 6.1 Stage 2 deals with two types of complaint: those that have not been resolved at Stage 1 and those that are complex and require detailed investigation. The complainant must submit the completed Complaint (Stage 2) form (www.newman.ac.uk/policies/2288/complaints-policies) and any supporting documents to the complaints@newman.ac.uk within three months of the matter occurring. The complainant will need to outline what informal (Frontline Resolution) has been undertaken and the outcome of this and clearly define the resolution they are seeking. The form is designed to assist clarity and the investigation process. The complaint form and any supporting documents will be seen by the person investigating the complaint, by anyone named in the complaint and by relevant staff in the department(s) being complained about.
- 6.2 When using Stage 2 the University will:

- Acknowledge receipt of the complaint within 7 working days or less and tell the complainant who is dealing with the complaint.
- Discuss the complaint with the individual complainant to understand why the individual remains dissatisfied and the outcome they are looking for.
- Will provide a full response to the complainant as soon as possible and within 20 working days. If the investigation takes longer than 20 working days, we will inform the complainant. The University will agree revised time limits and keep the complainant updated on progress.

7. Overview to the University Complaints Procedure

Stage 1: Frontline Resolution



Stage 2: Investigation

