JESUS COLLEGE
CAMBRIDGE

Procedure for dealing with comments, suggestions and complaints from students

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Overview

The College welcomes comments and suggestions from students about any aspect of College provision. Students wishing to make a suggestion or comment about the College's provision, either academic or non-academic, can do so informally at the point of delivery, or by contacting the person in charge of the relevant area (see Appendix 2), or where it seems appropriate by raising the matter with the Senior Tutor, their Director of Studies, or a Tutorial Adviser.

Occasionally, however, students may wish to make a complaint about College provision. The College subscribes to the guidelines agreed by the Senior Tutors' Committee for the handling of student complaints, and this document sets out the procedure for making a complaint to the College. It is in five parts: informal procedure, formal complaints procedure, external review (including reference to the Office of the Independent Adjudicator for Higher Education), guidance on matters falling outside the complaints procedure or for which there is supplementary provision, and monitoring and review provisions.

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 in

good faith, even if it is not upheld, but the College expects that students will not make frivolous, vexatious or malicious complaints. Where a complaint is against a person, it must be recognised that the rights of the complainant and the rights of the person complained against are equally

important. Every effort will be made to ensure that both parties are treated with equal fairness and dignity.

The College anticipates that complaints will normally be dealt with informally in the first instance. 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 calendar 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.

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. The College will endeavour to inform an individual complainant of the extent to which her or his identity is likely to be revealed at each stage of the procedure.

To assist in the process of auditing the quality of its services and responsiveness to student comments, suggestions and complaints, the College will monitor complaints. The College undertakes to respect the confidentiality of complainants in this exercise.

The complainant may withdraw a complaint and stop the process at any time or, if it has proceeded to the formal stage, ask to return to the informal process (although a person complained against may request to have her or his name cleared).

A student may of course wish to complain about a matter that is not within the control of the College but within that of another institution, e.g. the University or another College. The University has its own student complaints procedure1 that covers Faculties, Departments, and other University institutions, and Colleges each have their own written procedures. In this case the first thing to do will be to identify the appropriate point of contact within the Faculty, Department or College. You may either contact that person directly or ask the Senior Tutor of Jesus College, your Director of Studies, or a Tutorial Adviser to take up the matter on your behalf. If the complaint relates to the examination process then you should refer to the document "Student complaints and appeals: overview of University procedures and related guidance"2 published on the web by the Student Registry. The College has a responsibility to help its students identify mechanisms and to offer appropriate assistance in making a complaint within the University. If it is unclear to you where responsibility for the matter lies, you may seek advice from any of the persons listed in Appendix 1.

Complaints relating to the behaviour of contractors and others working for the

College should not be taken up directly with the individual concerned but should be made either by the student herself or himself or through the Senior Tutor or a Tutorial Adviser to the College Office responsible for the contract (generally the Domestic Bursar's Office).

1 www.admin.cam.ac.uk/students/gateway/appeals/
2 www.admin.cam.ac.uk/students/studentregistry/current/newstud/comp_app/overview.html

Complainants will be invited at the outset to indicate the form of remedy they are seeking, without prejudice to the final remedy determined. Where a complaint is upheld, appropriate remedies may include one or more of the following:

- A written and/or verbal explanation and/or apology;
- A change in practice or policy;
- Financial compensation;
- Disciplinary or other appropriate action against students, staff or Fellows.

If she or he wishes, a student may seek advice from a person of her or his choosing, when considering making a complaint or at any stage of the procedure. Persons from whom advice may be sought include (but are not limited to) those set out in Appendix 1. A complainant shall also be entitled to be accompanied by another person of her or his choosing at any interview or meeting during any stage of the procedure. During the informal stage, both the complainant and any person accompanying her or him will be expected to respect the informal nature of that stage of the procedure.

Informal procedure

Stage one: A student who experiences a problem with any aspect of College provision should, where possible, first raise the matter with the individual who has handled the matter or the person responsible for the area to which the complaint relates, either directly or, if preferred, through her or his Director of Studies or a Tutorial Adviser. Complaints should be dealt with promptly (normally within 7 days) and reasons will be given for any delay.

Stage two: In cases where a student feels that the nature of the complaint is too serious to be dealt with informally by herself or himself or through her or his Director of Studies or a Tutorial Adviser, or where, after the relevant Head of Department has been approached, a satisfactory conclusion has not been reached, a complaint should be made in writing to the Complaints Officer (who shall normally be the Senior Tutor). The written complaint should, if possible, comply with Appendix 3, although this is not essential in the informal procedure.

In some cases the first stage of the informal procedure may already involve the Senior Tutor as Head of Department. Should the complaint remain unresolved at the end of that stage, or in the event that a complaint is against the Senior Tutor, the complaint should be sent to the Master, who will appoint another senior member of the College to act as Complaints Officer.

The Complaints Officer will interview the complainant and investigate the matter as soon as possible. If the written complaint does not comply with Appendix 3, the Complaints Officer will after an initial interview with the complainant (who shall be entitled to be accompanied by another person of her or his choosing), ask her or him to amplify it as necessary, in particular so as properly to record in writing the nature of the complaint and the remedy sought. The Complaints Officer will also invite a written statement from the person or persons complained against. An initial response to any complaint can be expected within 7 days of its receipt, and a considered response to the complaint, in writing giving reasons for the decision, and setting out the details of any remedy, should be received within three weeks. Any subsequent remedy will be implemented with the minimum of delay.

Formal complaints procedure

It is hoped that very few complaints would remain unresolved after the informal stage. However, should this be the case, the complainant can request that the Complaints Officer refers the matter to the Master; such request should be made in writing (an email communication qualifying in this regard). If the written complaint provided at the informal stage did not comply with Appendix 3, the complainant must now also provide a written complaint that does so.

The Master will ask the College Council to appoint a Student Complaints Committee to undertake an independent assessment of the case and come to a conclusion on the matter. The Committee shall consist of the Master and either two Fellows, or one Fellow and one junior member of the College (who shall normally be the President of the JCSU or the MCR) it being up to the complainant to decide whether or not she or he wishes there to be student representation on the Committee. No person who has had, or may have had, any personal involvement in the matter to which the complaint relates shall be a member of the Student Complaints Committee. In the event that the Master is thus debarred from acting, his place on the Committee shall be taken by a Fellow chosen by the College Council; in the event that the President of the JCSU or the MCR is debarred from acting, her or his place shall be taken by another junior member chosen by the College Council.

The timetable to be adopted for the formal procedure, including the date(s) of the Committee's meeting(s), shall be determined by the Committee; however, it is the intention that the Committee shall give its decision as soon as practicable, but in any event within four Full Term weeks of the date on which the Committee was appointed by College Council under this procedure.

The Master (or his deputy on the Committee) shall write to the complainant informing her or him of the composition of the Committee and the date on which it is to meet, and soliciting any further submissions in writing that the complainant may wish to make. The Master (or his deputy) shall at the same time write to any person or persons against whom the complaint is made, informing them of the complaint which has been made, of the composition of the Committee and the date on which it is to meet, and inviting them to make submissions in writing for

the Committee to consider. The complainant and any person or persons against whom the complaint is made shall have the right to challenge the appointment of any person as a member of the Committee. The College Council shall consider any such challenge and may remove and replace the Committee member concerned if they think it appropriate to do so.

The Student Complaints Committee shall receive a copy of all documentation relating to the informal stage of the complaints procedure, any written complaint provided under paragraph 3.1 and any further submissions in writing provided pursuant to paragraph 3.4.
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Copies of all written submissions and other paperwork relating to the complaint shall also be sent both to the complainant and to any person complained against at least 7 days before the meeting of the Committee. No documents will be taken into consideration as evidence, which are not made available to both the complainant and any person complained against.

Both the complainant and any person against whom the complaint is made shall have the right to attend in person at the meeting of the Committee in order to make oral submissions, although the Committee's deliberations, following hearing of the submissions, shall be held in private. The complainant and any person against whom the complaint is made shall, if attending in person, be entitled to be accompanied by another person of her or his choosing: this might be e.g. a Director of Studies, a Tutorial Adviser or other senior member, a student including one of the officers of the JCSU or MCR, an officer of CUSU or the Graduate Union, a member of the College staff or any other person. The Committee may require the attendance of, and hear evidence from, any other person or persons as it thinks fit. The procedure to be adopted at the meeting shall be determined by the Committee.

The Committee shall come to a decision as soon as possible after the hearing of the case, and shall, as soon as practicable, but in any event within four Full Term weeks of the date on which the Committee was appointed by College Council under this procedure, give to the complainant and to any person or persons against whom the complaint is made a full written statement of its response to the complaint, giving reasons for its decision, and setting out the details of any remedy. Any such remedy shall be implemented with the minimum of delay.

Promptly after the above procedure has been completed, the College shall issue to both the complainant and the person complained against a "Completion of Procedures Letter" complying with the Rules of the Student Complaints Scheme administered by the Office of the Independent Adjudicator for Higher Education (OIA); such a letter shall not constitute an acceptance that the complaint is eligible under those Rules.

External review

OIA

If a complaint is eligible to be considered by the OIA, then if the complainant is not satisfied with the decision made by the Student Complaints Committee under the formal procedure, he or she may be able to complain to the OIA. Details of how to make such a complaint will be contained in the Completion of Procedures Letter, and may also be obtained from the OIA's website (www.oiahe.org.uk).

Independent Expert

It may not be possible to make a complaint to the OIA because the complaint is not eligible to be considered by the OIA, or the complainant may, for her or his own reasons, not wish to make a complaint to the OIA. In addition, it does not seem possible for the person complained against to make a complaint to the OIA. Accordingly, should a complainant or the person complained against not be satisfied with the decision made by the Student Complaints Committee under the formal procedure, he or she may (instead of making a complaint to the OIA) appeal to an independent individual (the Expert). If it is desired to make such an appeal, then the person wishing to do so must so notify the College by sending a written notice to the Master within three months of the date of the Completion of Procedures Letter. In that event, the procedure will be as follows:

- The Expert shall be appointed jointly by the College and the complainant, or (in the absence of agreement as to such appointment within 7 days after the first nomination of a proposed Expert by either the College or the complainant to the other) by the chair for the time being of the Colleges' Standing Committee, on application to the said chair by either the College or the complainant.
- The Expert shall act as an expert and not as an arbitrator and her or his decision shall be final and binding on the relevant parties.
- The Expert shall determine her or his own procedure, provided that the complainant and the person subject to the complaint shall each be allowed a full and fair opportunity to make representations and to comment on any relevant evidence.
- The Expert shall form her or his own judgment of the merits of the complaint after full and careful review of all available evidence and in the light of the representations made by the parties. The Expert shall be required to provide to the relevant parties the reasons for her or his determination.
- The Expert shall have the power to confirm, amend or rescind the original decision.
- The costs of the Expert and, if appropriate, of the said chair, shall be borne by the College. Each party shall bear her or his own costs.

The Visitor

The College Statutes do not provide for appeals by students to the Visitor, who is the Bishop of Ely. In any event, the Higher Education Act 2004, section 20, now expressly excludes the Visitor's jurisdiction in relation to student complaints.

Matters falling outside the Complaints Procedure

- College discipline
- Statute XIV and Regulation C deal with the procedure relating to College discipline, including decisions to require students to go out of residence either temporarily or permanently.

Harassment

Students with a complaint relating to harassment of any kind – that is, conduct which any reasonable person would consider offensive or intimidating – can find information and guidance in the College's Policy and Guidance on Harassment, a copy of which is available on JNet. Complaints relating to harassment will be handled in accordance with the procedure laid down in that policy document.

Criminal offences

Where a complaint includes an allegation that an offence has been committed of a criminal nature it may, of course, be reported by the complainant to the Police; there may be circumstances where it would be better for the matter to be handled by the police rather than through these procedures. In so far as there is no conflict of interest the College will seek to offer advice and support in such cases, and the complainant may wish to seek legal advice. In cases of physical assault, please see Section 5 of the College's Policy and Guidance on Harassment.

Matters of College policy

Complaints on matters of College policy should be directed to the appropriate College committee (see Appendix 4) through student representatives. These may be contacted through the JCSU and/or the MCR. The Student Affairs Committee has a particular function in facilitating discussion of matters of interest to students: the dates of its meetings are listed in the College Calendar.

Monitoring and review

The Complaints Officer shall keep a record of all complaints reported to him or her, including: the nature of the complaint; the ethnic origin/identity and gender given by the complainant; the procedure followed in dealing with the complaint; the time taken to resolve the complaint; and the outcome of the complaint.

The Complaints Officer shall report to a meeting of the College Council at the beginning of each academic year in respect of the complaints received during the previous academic year. The report shall in all cases observe the principle of confidentiality: in particular, neither the complainants, nor any persons complained of shall be identified in the report.

The College Council, in conjunction with student representatives, shall, at the

beginning of each academic year, review:
The adequacy of information, advice, guidance and support for students on making complaints;
The adequacy of understanding amongst Fellows, staff and students of the grounds on which a complaint might arise;
Action that may usefully be taken to prevent the recurrence of a situation that led to a successful complaint.

APPENDIX 1: Persons from whom help may be sought

Help and advice may be sought from anyone; listed below are those contacts with a specific role to assist students.

For undergraduates: Senior Tutor
Director of Studies (for any matter, but especially those relating to supervision or other academic provision)
Tutorial Adviser (for any matters)
JCSU President, Academic Affairs Officer, Welfare Officer, Women's Officer
CUSU Academic Affairs Officer, Welfare Officer

For graduate students: Graduate Tutor Deputy Graduate Tutor Senior Tutor Research Supervisor
Secretary of the Degree Committee or other Departmental Graduate Adviser
Board of Graduate Studies
MCR Officers Graduate Union

APPENDIX 2: Heads of Departments/Services

Academic	Senior Tutor; Director of Studies
Accommodation	Tutor for Rooms; Senior Tutor; Housing Manager; Maintenance Manager; Domestic Bursar
Accounts Department	Financial Controller; Bursar; Senior Tutor/Financial Tutor (for matters relating to College bills)
Admissions	Admissions Tutors; Senior Tutor
Alumni /Development	Development Director; Master
Catering	Manciple; Domestic Bursar
Cleaning	Housekeeper; Housing Manager; Manciple; Domestic Bursar; Tutor for Rooms
College Computing	IT Manager; Bursar
Conference	Manciple; Domestic Bursar
Data Protection	Data Protection Officer (Senior Bursar)
Gardens	Head Gardener; Domestic Bursar
Health Centre	College Nurse; Senior Tutor
Health and Safety	Domestic Bursar
Quincentenary Library	Quincentenary Librarian; Fellow Librarian
Maintenance	Maintenance Manager; Domestic Bursar; Senior Tutor
MCR	MCR President
JCSU	JCSU President; JCSU Senior Treasurer
Porters/Security	Head Porter; Domestic Bursar
Supervisions	Director of Studies; Senior Tutor
Tutorial Office	Senior Tutor
Tutorial Adviser	Senior Tutor

APPENDIX 3: The Statement of Complaint

The statement of complaint should include the following:

- Description of what has happened to give rise to the complaint. This should include any dates, times and details the complainant has.
- The name(s) of the person(s) against whom the complaint has been made.
- The names of any witnesses who will corroborate the complaint made. A signed note should be enclosed from each of them giving consent to her or his name being given.
- Any documentary evidence. If there are more than ten pages, a list of contents should be provided and the pages should be numbered. (Failure to do this will not invalidate a complaint however.)
- An outline of what action the complainant would like to be taken or what remedy he or she is seeking.
- The name of any person who has agreed to accompany or support or represent the complainant at any meeting or hearing.

APPENDIX 4: List of College committees with student representatives

College Council
Educational Board
Student Affairs Committee
Access Liaison Committee
Buildings Committee
Charitable Donations Committee
Environmental Committee
Health & Safety Committee
Quincentenary Library Committee
Works of Art Committee