

7.2 Student Protection, Complaints and Appeals Policy

The purpose of this policy is to ensure that all learners are provided with adequate systems to make complaints, whether they are about ICD, its teaching, learning, and assessment environment, or about ICD staff or students.

Regarding the appeal of grades, please refer to ICD QA Policy section 5.2.1.5 (Grade Appeals Policy). Regarding other complaints, please see section 7.2.1 of the ICD QA Policy.

All enrolled learners will be made aware of the complaints policy and procedure in the student handbook and via the student Moodle document store. These are to be continuously updated as required.

7.2.1 Student Protection and Student Complaints

Student and staff protection and welfare are paramount at ICD. Students who have concerns or are experiencing problems during their studies are encouraged to, in the first instance, feel free to contact any members of ICD staff (lecturers, administrative staff, Registrar, Student Liaison Manager, Programme Director) they wish, to discuss concerns.

In the event that a student has a complaint, ICD follows QQI guidelines in this regard. QQI adopts the QAA definition of 'complaint.' According to the UK's QAA (2013 p. 4), a complaint is "the expression of a specific concern about matters that affect the quality of a student's learning opportunities." According to QQI (2013b section 4.10), "in the context of the assessment of learners, a complaint is an expression of a concern that a particular assessment procedure is unfair or inconsistent or not fit-for purpose."

If a learner has a concern or disagreement about a grade, they have received they should refer to ICD's grade appeals policy (section 5.2.1.5 of the ICD QA Policy).

Academic process or academic opportunities complaints:

In accordance with QQI (2013b section 4.10.2), the learner may complain if they have a specific issue (other than the grade received) relating to (but not limited to):

- The assessment process
- The conduct of the assessment process
- The assessment criteria
- The relevance of the assessment tasks to the intended programme learning outcomes
- Learning opportunities

Non-academic complaints

These complaints relate to students' welfare, safety, and security. If students are faced with any of the following issues, they have valid grounds to raise a complaint with the Registrar and ICD will do all it can to investigate and find a resolution to the issue:

- Students concerns about general health and safety related to their education
- Student is being bullied by another student or staff member
- Student is being harassed or victimised by another student or staff member
- Student is being endangered by the actions of another student or staff member

Whether a student has a complaint relating to the academic process or a non-academic complaint, the following complaints procedure applies.

Student Complaints Process:

- **Stage 1:** the student should contact the Registrar to explain the issue. The Registrar will endeavour to find a solution with the student. If this is not possible, the Registrar may move to Stage 2. If the student is not happy with the outcome of Stage 1, they may request Stage 2.
- **Stage 2 – the Complaints Committee:** In order to request stage 2 of the complaints process, the student must complete and submit the complaints form (see Appendix 7.2.1) to the

Registrar. As a result of receiving a complaints form, under coordination of the Registrar, a special complaints committee, which reports to the Academic Council, is formed. This Complaints Committee will deal with unresolved student complaints. The Complaints Committee will consist of the Chairperson of the Academic Council (or nominee) and two other members of staff. These staff may be from administrative roles or academic roles, depending on the nature of the complaint, and will be selected as ideally placed to hear a specific complaint, depending on the nature of the complaint. If a student complaint relates to a specific member of ICD staff (academic or non-academic), then that specific staff member is precluded from being a member of the Complaints Committee in this instance. As the coordinator of the complaints process, liaising between the student and the Complaints Committee, the Registrar is precluded from being a member of any Complaints Committee. The Complaints Committee will meet the student to discuss the complaint. **It is not the role of the Complaints Committee to reassess a student's work or overturn an academic judgement/grade, but if there has been a procedural problem regarding an assessment, the Complaints Committee will make decisions to rectify the problem.** The outcome of this process will be communicated to the Registrar and the Academic Council. Any required actions will be overseen by the Academic Council.

- At both stage 1 and stage 2 above, the student has a right to request representation from the student body.

If a student complaint is upheld and the nature of the complaint(s) relates to another student engaging in misconduct, then please refer to section 7.2.2 of the QA policy.

7.2.2 Student Misconduct Sanctions (General non-academic misconduct)

This section relates to, but is separate from, ICD QA Policy on sanctions relating to academic misconduct, and examination and assessment regulations.

General (non-academic) student misconduct cases arise when:

- A student is found to endanger staff, students, or any other visitor to ICD

- A student is engaging in criminality
- A student is bullying a staff member or student
- A student is harassing a staff member or student

The above examples of misconduct may be reported by students (e.g. through the complaints process detailed in section 7.2.1 of the QA policy) or by staff to the Registrar.

Sanctions are decided upon on a case by case basis and include, but are not limited to, the following:

- Suspension of the student's studies at ICD for one semester or more
- Expulsion (removal of the student from the programme(s) and/or module(s) in question)
- Any requirements to repeat assessments or examinations or modules or stages may carry fees
- In any of the above cases, the student's result may be listed as a fail for an assessment and/or module for the relevant attempt (depending on how severe the breach of regulations is)

If the sanction results from a plagiarism detection handling process or a breach of assessment and examination regulations, please see section 5.2 (and its subsections) of the QA policy. If the sanction possibility results from general (non-academic) misconduct, then there must be a disciplinary committee formed to review the matter. **A disciplinary committee is formed as follows:**

- **Stage 1 – Disciplinary Committee:** The Registrar will invite two staff (or more) to meet to discuss a possible case of general misconduct. The student will be invited to this meeting (and has the right to representation [e.g. a student rep]). If the student does not attend the meeting, then the matter will still be reviewed by the staff in the student's absence and a sanction may result. If the student does attend the meeting, they will hear the staff concerns regarding possible misconduct and can respond. Staff must unanimously agree an outcome. Otherwise, no sanction can result. The list of sanctions is outlined above. Staff will report the outcome of the meeting to the Registrar. The Registrar will send the student a letter (or email) outlining the decision of the staff members present at the meeting including a possible sanction. The student will have one (1) week to respond whereby they either accept the outcome

letter or they request a review of the decision/sanction (see stage 2 of the present process). If the student does not respond within this timeframe, then the sanction will stand, and the student will not have a right to appeal.

- **Stage 2 – Disciplinary Review:** The Registrar will invite two staff (or more) (none of the staff members present during stage 1 can be present at this meeting) to meet to discuss a possible case of general (non-academic) misconduct and to consider the outcome of stage 1, above. The student will be invited to this meeting (and has the right to representation [e.g. a student rep]). If the student does not attend the meeting, then the matter will still be reviewed by the staff in the student's absence and a sanction may result. If the student does attend the meeting, they will hear the staff concerns regarding possible misconduct and can respond. Staff must unanimously agree an outcome. Otherwise, no sanction can result. The list of sanctions is outlined above. Staff have the option to either:
 - Uphold the decision from stage 1
 - Or apply a different sanction from the sanctions list
 - Or to remove all sanctions

Staff will report the outcome of the meeting to the Registrar. The Registrar will send the student a letter (or email) outlining the decision of the staff members present at the meeting including a possible sanction. The student cannot appeal the decision of stage 2 (a disciplinary review).

If a student receives a sanction, they will receive a letter (or email) from the Registrar. The outcome(s) of disciplinary meetings at stage 1 or stage 2 above will be communicated to the Academic Council, who are responsible for reviewing policy and procedures surrounding student misconduct regulations and sanctions for breaches of these regulations.

Appendix 7.2.1: Student Complaints Form



Student complaints form (please submit to college Registrar)

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|--|------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Name | | | | | |
| Date | | Student No. | | | |
| Programme of study (course) | | Stage (year) | | | |
| Postal and email address for correspondence about your complaint | | | | | |
| Are you submitting this complaint (please tick) | Yourselves | <input type="checkbox"/> | As part of a group* | <input type="checkbox"/> | |
| | | | | | |
| If you are part of a group, please include all student names and numbers in the box below | | | | | |
| | | | | | |
| Have you attempted to resolve this matter with your programme director or the Registrar already (stage one)? | | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

If yes, what was the outcome of that process? (if you were dissatisfied with the result of stage one, please indicate why). Please also include a copy of your initial complaint in your supporting documents.

What is the nature of your complaint?

Please set out clearly and succinctly what you are complaining about, and why. If you need more space, you may attach a longer typed statement to this document (be sure to include it in your list of supporting documents (below)).

Please include a list of all attached documentation and a short description for each

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What remedy are you seeking? (please explain what you would consider to be a satisfactory resolution of your complaint).

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DECLARATION

I have read and understood the college's student complaints procedure in the student handbook.

I confirm that all of the information and documentation provided with this form is - to the best of my knowledge – complete and accurate.

I understand that the college will collect and process the information I have provided for the sole purpose of investigating and deciding on my complaint. I consent to my complaint being disclosed to relevant members of the college to the extent necessary for any investigation.

I understand that the college reserves the right to impose disciplinary action on students who bring complaints that are judged to be vexatious or frivolous in nature.

I have attached all previous correspondence and responses relating to my complaint.

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|---------------|--|-------------|--|
| Signed | | Date | |
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REFERENCES

QAA (2013) UK Quality Code for Higher Education, Part B: Assuring and Enhancing Academic Quality, Chapter B9: Academic Appeals and Student Complaints. Quality Assurance Agency for Higher Education, UK. Available from: https://www.qaa.ac.uk/docs/qaa/quality-code/chapter-b9 - academic-appeals-and-student-complaints.pdf?sfvrsn=c002f781_8

QQI (2013b) Assessment and Standards, Revised 2013. Quality and Qualifications Ireland, Dublin.

Available from:

https://www.qqi.ie/Publications/Publications/Assessment_and_Standards%20Revised%202013.pdf