

National College of Ireland			
Procedure Title:	Student Complaints Policy	Version: 4.1	Date: Apr 2013
Purpose: To ensure that learners have a method to feedback issues at an individual level not dealt with by other mechanisms..			
Staff Involved: Deans of School, Registrar			
Reason for Update:	Incorporated new remit of Ombudsman's Office		

National College of Ireland is committed to ensuring that Students have a positive Student experience. The College constantly monitors and evaluates its academic courses, administrative systems and student support services with a view to improving their quality.

The student complaints process seeks to provide an accessible, fair and straightforward system to resolve, in a timely fashion, any legitimate complaints which students may have in relation to the provision of courses and services to them.

Most concerns can be addressed successfully in informal means (before writing a formal complaint); however, if informal resolution is unsuccessful, the formal process is available.

Complaints should be made by the person who has had a negative experience and not by someone else. Confidentiality will be maintained where appropriate and retaliation or victimisation as a result of a complaint will not be tolerated. Complaints found to be **malicious or vexatious will be dealt with under the College's disciplinary procedures.**

1. Scope of the Procedure

The Procedure can be used to complain about any aspect of the academic or other services provided by the College and is open to all students enrolled in the College. It does not, however, cover the following categories of complaint, for which separate procedures exist:

- Grievances relating to personal harassment or discrimination on gender, civil status, family status, age, disability, race, religious belief, sexual orientation or membership of the traveling community
- Requests for reviews of academic decisions;
- Complaints relating to the Students' Union;
- Appeals against decisions taken under disciplinary proceedings;

The procedure is for the use of currently enrolled students of the College. Additionally, any person who was a registered student but who has graduated or otherwise left the College may also avail of the procedure providing that any such complaint is made within three months of the individual leaving the College and that the acts or omissions being complained of occurred whilst they were a registered student

1 Process



The following process is designed to resolve concerns as speedily and effectively as possible. Most concerns can be addressed successfully in informal means (before writing a formal complaint); however, if informal resolution is unsuccessful, the formal process is available.

We will respectfully deal with each concern and deal with it in the context of our policies and resources.

There are five steps in expressing a complaint:

Step 1: **Approach the person responsible for the Learner's** complaint.

The Learner should first address concerns directly to the person responsible to attempt to resolve the matter informally

Step 2: Approach the person responsible for the area about which the Learner has the complaint.

This may be the Learner's Programme Director, Dean of School or Head of relevant Service. Many concerns can be dealt with informally by explanation and discussion. If the Learner needs help in expressing the Learner's concern, or are reluctant to approach the person(s) responsible, the Learner can seek advice from the Learner's Programme Director, Student Support Officer, the Students' Union Executive or the Registrar.

Step 3: Make a formal complaint in writing.

If it is not possible to resolve the Learner's concern informally by discussion and explanation the Learner can lodge a formal complaint with the Registrar. A formal complaint must be made in writing. Please give the following details in a letter:

- **The Learner's name and where we can contact the Learner**
- The nature of the complaint
- What action, if any, has already been taken by the Learner to attempt to resolve the concern
- Any prior action by the College in regard to this matter
- say what the Learner would expect to be done to resolve the Learner's complaint

Please send the written formal complaint to:

- The appropriate Dean of School if the Learner has a complaint about academic matters
- All other formal complaints should be sent to the Registrar

Step 4: Acknowledgement of the complaint.

The Learner can expect to receive a written acknowledgement of the Learner's complaint within 20 (Twenty) working days of its receipt. The Learner can expect to be kept informed if there is undue delay in coming to a conclusion on the Learner's complaint. If the person dealing with the Learner's complaint thinks it would be better dealt with by



someone else, or that it should be dealt with under some other procedure, the Learner will be informed what is happening.

Step 5: Investigation of the complaint and response

The Learner's complaint will be investigated as quickly as possible and the Learner will receive a written response upon completion of that investigation that details what action, if any, is to be taken.

1.1 Appeals

If the Learner remains dissatisfied after the conclusion of the investigation described above, the Learner can write to the President who will investigate him/herself or will identify a suitable person (or body), who has not been involved in dealing with the **Learner's complaint, to investigate further. Please note that the President cannot be involved in complaints at an earlier stage.** The President is the final point of appeal within the College and complaints addressed to him/her which have not previously been investigated by the Registrar/Dean of School normally will be referred to the appropriate person.

1.2 Monitoring and feedback

All formal complaints will be monitored by the Registrar. Annual reports on complaints will be made to the President and presented to Academic Council for consideration.

1.3 Referral to the Ombudsman's Office

From the 1st May 2013, NCI comes under the remit of the Ombudsmans's Office. **Learners may direct a complaint to the Ombudsman's office** if they do not feel that the complaint was dealt with appropriately.

Complaints from or on behalf of children or young persons under 18 should be addressed to the **Ombudsman for Children's Office. By law the Ombudsman for Children's Office can investigate complaints about any of our administrative actions or procedures as well as delays or inaction in dealings with us.** The Ombudsman for Children provides an impartial, independent and free complaints handling service.

1.3.1.1 *Ombudsman's Office Approach to Complaints*

The Ombudsman will

- Examine if there is maladministration and any adverse affect
- If there is then:
 - determine appropriate redress
 - ensure learning and prevent recurrence



- First and foremost a complaint handler but secondary role to drive improvement in public administration (sometimes systemically)
- Not an advocate for either part

1.3.1.2 Powers available to the Ombudsman

The Ombudsman may investigate any action taken by or on behalf of National College of Ireland in the performance of administrative functions if that action has resulted in an adverse affect.

The action must or may have been

- taken without proper authority
- taken on irrelevant grounds
- the result of negligence or carelessness
- based on erroneous or incomplete information
- improperly discriminatory
- based on an undesirable administrative practice
- a failure to comply with section 4A of the legislation or
- otherwise contrary to fair or sound administration

A complaint is excluded from the Ombudsman's jurisdiction:

- if a person has already initiated court proceedings or has a right of appeal to another body, national security, terms and conditions of employment or where a complaint is not made within 12 months of the action occurring

1.3.2 Process and Outcome

The Ombudsman' Office takes an enquiry and will assess and examine the issue at hand.

When the Ombudsman decides to carry out an investigation he or she must inform both the complainant and NCI of the results

NCI must be afforded an opportunity to consider the matter and make representations before any adverse finding or criticism is made

Where it appears to the Ombudsman that a response to a recommendation is not satisfactory, he or she may make a special report on the matter to the Oireachtas

1.3.3 Contact Details

Ombudsman's Office

18 Lwr Leeson St., Dublin 2

Ms. Ciara Burns, 01 6395648, ciaraburns@ombudsman.gov.ie

Ombudsman for Children's Office

52-56 Great Strand St

Dublin 1



Free Phone: 1800 20 20 40 ococomplaint@oco.ie

www.oco.ie

NCI Ombudsman Liaison Officer
Mr. John McGarrigle, Registrar

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