

Policy name: Student Complaints Policy and Procedure

Approved: 9th November 2018

Revision 3 approved by Trinity Academic Council 13th May 2020

1. Context

- 1.1 The Royal Irish Academy of Music, hereinafter referred to as RIAM or the Academy, aims for the highest standards of quality in all its activities. It takes legitimate student complaints seriously and aims to resolve them in a clear, fair and timely manner.

2. Purpose

- 2.1 The Academy aims to resolve complaints by following the procedures outlined below, although these may be adapted if necessary to enable the fair and efficient resolution of a particular complaint. If a complaint falls under the definition of an academic appeal the student will be advised to follow the Academy's Academic Appeals Policy. Overall, the Academy aims to resolve complaints with a minimum of formality but in a way which is reasonable and transparent in all circumstances. A complaint will be considered to have been resolved when the student accepts any response and/or redress offered by the Academy in respect of the complaint and decides not to pursue the complaint further.
- 2.2 A complaint should be distinguished from feedback. The Academy seeks and welcomes the views of its students. A student may provide feedback which will be useful to the Academy when reviewing its policies and operations, without invoking the complaints procedure.

3. Scope

- 3.1 A complaint may be made by a single student or collectively by a group of students. For the purpose of this policy a 'student' is defined as a person who has been accepted to study at the Academy, a student registered for a Programme of the Academy, or a former student who has left the institution within the last two calendar months. In the case of collective complaints one student is required to identify his/herself as the main contact for the purposes of communications only.
- 3.2 The complaints procedure spans many aspects of the student experience: for example, teaching and academic facilities, academic services, student support services, administrative services, alleged actions or inaction by the Academy or a member of its staff. It should be noted that the traditional principles of academic freedom of staff shall not be restricted or impinged as a result of a complaint.

4. Benefits

- 4.1 The Academy is committed to the continuing review and enhancement of its provision and welcomes regular feedback from its students. It is also committed to providing an environment within which students are encouraged and feel able to raise any matters of concern in an informal manner as soon as they arise. This often removes the need for formal complaints.

5. Policy

- 5.1 Students are encouraged to raise a concern or complaint as soon as possible, and in any case within eight weeks of the events or actions (or lack of actions) which have prompted the complaint to enable the matter to be addressed in a timely manner. The Academy will not normally consider complaints made after this period, unless there is good reason for the delay.
- 5.2 All information received as a result of a complaint investigation will remain confidential to those involved in the process. However, it should be noted that, in the interests of natural justice, parties to a complaint have the right to know the full details of the complaint.
- 5.3 At any meeting held as part of the complaints procedure, the student will have the right to be accompanied by a person of their choice (student, representative of the Students' Union or member of staff not involved in the matter), who may participate with the permission of the student, as will any other parties to the complaint.
- 5.4 If it is suspected that the matter of the complaint is a criminal offence, the student is strongly advised to report the matter to the Gardai. Where criminal proceedings are under way, the Academy may delay the progression of the complaint until the outcome of such proceedings is known.
- 5.5 In the event that a complaint gives rise to an allegation of staff misconduct, this element will be dealt with separately through the staff disciplinary procedures.
- 5.6 Due to the need to be able to fully investigate a complaint, the Academy expects to be able to collect appropriate information from all parties involved. Anonymous complaints will not therefore be accepted.

6. Procedure

- 6.1 Stage 1 - Informal Complaints Procedure
 - 6.1.1 Wherever possible, complaints should be dealt with and settled at an early stage by discussing the matter informally at the earliest opportunity. A student should therefore bring the matter to the attention of an appropriate member of staff, for example, if the complaint concerns academic matters (including first study teacher or Head of Faculty), a student might wish to take this up with the student liaison officer or relevant/another Head of Faculty. If the complaint is about an Academy service or department, then the student should talk to the Administrative Officer, Registry. If there is any doubt regarding who to contact the student should contact the Administrative Officer, Registry for advice. If the complaint is about the Administrative Officer, Registry, then the student should contact the RIAM Secretary.
 - 6.1.2 Recipients of informal complaints are responsible for addressing them promptly and fairly. The recipient will normally let the student know within five working days of receiving the initial complaint what steps (if any) will be taken to address the complaint and the expected timescale, and advise them to whom they should submit a formal complaint if they are not satisfied with this outcome.

6.1.3 Only when an attempt at informal resolution has failed should the Stage 2 procedure outlined below be followed. A formal complaint will not normally be considered until the informal procedure has been used, unless the matter is particularly serious.

6.2 Stage 2 - Formal Complaints Procedure

6.2.1 Where a complaint is not resolved to the student's satisfaction through the informal process, the student should invoke the formal complaints procedure by submitting a written complaint in the form of a completed Student Complaints Form to the Administrative Officer, Registry within 10 working days of receiving the outcome of their informal complaint. At any stage after the formal process has commenced the student may choose to return to the informal procedure to resolve the matter.

6.2.2 The Administrative Officer, Registry should acknowledge receipt of the complaint within five working days.

6.2.3 The student must make clear in their written submission the relevant facts and matters which it is considered give cause for complaint, together with any relevant documentation, and should state the resolution they are seeking (although the latter information will not restrict the resolution which may be granted under the procedure, it will be helpful to those dealing with the complaint). The student should keep a copy of their complaint and any other documents submitted for their records.

6.2.4 A complaint received from a student will be investigated by the Administrative Officer, Registry who will arrange to meet with the student to discuss their complaint in detail. Prior to this meeting, the Administrative Officer, Registry will seek further information as required from those involved in the complaint as noted in the Student Complaints Form. Where the complaint involves a member of academic staff, the Administrative Officer, Registry may meet with the relevant Head of Faculty as appropriate. If the complaint is about a Head of Faculty, then the Administrative Officer, Registry, will meet with another Head of Faculty. If the complaint is about the Administrative Officer, Registry, then the RIAM Secretary will, where applicable, assume the role of the Administrative Officer, Registry in the above process (see 6.1.1 above). If at any point during the above process, a complaint is shown to be frivolous, vexatious or motivated by malice, disciplinary action may be taken against the complainant under the provisions of the Student Code of Conduct Policy. Students who make legitimate complaints under this procedure will suffer no disadvantage.

6.2.5 At the meetings provided for at 6.2.4 above, the student may be accompanied by a person of their choice, as provided for at 5.3, who may participate with the permission of the student. Other parties to the complaint may also be invited to attend the meeting at the discretion of the person investigating the complaint. A member of administrative staff will be attendance to minute the meeting.

6.2.6 If the student is at a distance and a face-to-face meeting is not possible, alternative arrangements shall be made, which may include a virtual meeting.

6.2.7 The student will receive a full written response to their complaint, which should detail the nature of the complaint, the findings of any investigation and the points covered in the meeting. The Administrative Officer, Registry (or the RIAM Secretary, see 6.1.1 and 6.2.4 above) will write to the student within 20 working days of initiation of the

formal complaints procedure with the outcome of the process, setting out what, if any, redress is offered to the student in respect of the complaint, and explaining either why any redress offered is considered to be appropriate, or why no redress has been offered. If this is not possible, the student will be informed in writing of the progress being made towards the consideration of their complaint and given a timescale for completion.

6.2.8 The Academy shall not normally reimburse expenses incurred by students in the event of a complaint being upheld.

6.3 Stage 3 - Review by the Director

6.3.1 If the Administrative Officer, Registry's proposal is not accepted by the student under Stage 2, he/she may apply to the Director to request a review of the outcome of the complaint and/or propose an alternative redress to any offered by the Administrative Officer, Registry. Such a request must be in writing within 10 working days of the non-acceptance. The request should state the grounds for review, which should meet one of the following criteria:

- (i) that there were procedural irregularities in the investigation of the complaint; or
- (ii) that fresh evidence can be presented which was not or could not reasonably have been made available at the time of the investigation; or
- (iii) that the finding of the investigation was inappropriate in light of the evidence.

6.3.2 If the Director is satisfied that a review is justified he/she will receive for review copies of all documentation relating to the complaint held by the Administrative Officer, Registry, including the student's original written submission of the complaint and minutes of the meeting with the student. The Director may, in addition, request meetings with the student and/or the other parties involved in the matters giving rise to the complaint, and request further documentation from the Academy or the student.

6.3.3 The student will be given at least five working days' notice of such a meeting, and may be accompanied as provided for at 5.3. The Director will make a decision regarding the outcome of the Stage 3 review, which may confirm any redress previously offered by the Administrative Officer, Registry or offer alternative resolution. The decision of the Director is the final internal stage in the Academy's Student Complaints procedure.

6.3.4 If the complaint is about the Administrative Officer, Registry, the RIAM Secretary will assume the role of the Administrative Officer, Registry in the above process.

7. Office of the Ombudsman

7.1 The Academy is a public body under the [Ombudsman \(Amendment\) Act 2012](#) and as such the Ombudsman may examine complaints in relation to the 'administrative actions' which occur on or after 1 May 2013.

7.2 If the internal Academy complaints procedures have not resulted in the resolution of a complaint to the student's satisfaction, they have the option to pursue it with the Ombudsman, who *inter alia* handles individual student complaints against higher education institutions, if

the complaint is eligible under its rules, and once all internal procedures have been concluded. Thus, students must complete the internal Academy complaints procedure before applying to the OIA.

8. Responsibility

8.1 The RIAM Secretary is responsible for overseeing this policy and its operational procedures.

9. Legislation and Regulation

9.1 [Ombudsman \(Amendment\) Act 2012.](#)

9.2 [Qualifications and Quality Assurance \(Education and Training\) Act 2012.](#)

9.3 [Standards and Guidelines for Quality Assurance in the European Higher Education Area \(2005\).](#)

9.4 [Code of Practice for Provision of Education and Training to International Learners \(2015\).](#)

9.5 [National Framework of Qualifications \(NFQ\).](#)

10. Related Documents

10.1 Student Code of Conduct.

10.2 Academic Appeals Policy and Procedure.

10.3 Academic Programmes: Responsibilities of Students Policy.

11. Document Control

Approved by Board of Studies 9th November 2018.

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Next review: Academic year 2020/21.