GUIDANCE FOR STAFF

DEALING WITH COMPLAINTS AGAINST YOU

Upon receipt of a complaint against you:

1. Seek advice and support from your Head of School/Service or other senior colleague if you need to.
2. Handle the matter in confidence.
3. Try not to over-react to the complaint, it is an increasingly normal occurrence in HE and must be handled in a professional manner. Do not assume that just because a complaint has been made against you that it will be upheld - the University needs your version of events and your evidence before any conclusions are reached.
4. Respond promptly, objectively, factually and honestly to the complaint.
   a. If there is an error that can be acknowledged, do so and offer an apology and/or any other suggestions for reparation.
   b. If the complaint is considered unfounded, explain why this is the case and what evidence supports this view.
   c. Include all relevant evidence.
5. A response is required. The University cannot ignore a formal student complaint. Students do have a statutory right to make complaints and it is the duty of all staff to assist with any investigation.

In line with the principles of natural justice, the normal steps for handling a complaint are as follows:

1. SPS receives the complaint.
2. There may also be a meeting with the complainant to clarify the nature of the complaint.
3. If appropriate, witnesses may also be contacted for information at this stage. (Information provided to witnesses will be kept to a minimum and it is unlikely that they will see the full complaint.)
4. The subject(s) of the complaint are invited to comment.
5. There may also be a meeting with the subject(s) of the complaint to clarify the response.
6. If appropriate, witnesses may be contacted for information at this stage.
7. The complainant receives the response(s) from the members of staff and is invited to comment.
8. Exceptionally when the student's response is weighty or raises many different issues the subject of the complaint may be asked for further comment/clarification.
9. If possible a decision is reached on the case by SPS. [Most cases are concluded at this stage].
10. However, if the nature of the complaint is particularly serious or if there are other relevant factors, the case will be referred to the PVC for decision.
11. The PVC may choose to convene a hearing.
12. The PVC or Panel decision is communicated by SPS. Only the complainant and the main subject(s) of the complaint will receive a copy of the outcome.

If a complaint is not upheld, the student does have the right to 3 further steps:

1. Seek an internal review via the Academic Registrar.
2. Take their case to the Office of the Independent Adjudicator.
3. Take the case to the civil courts.

*In addition to 1, a number of students tend to write directly to the VC to ask him to intervene.*

Generally at all of these stages the SPS will handle the case, only contacting staff when points of detail or clarification are required. Staff should however be mindful that if a case went to court they would have to give evidence - fortunately, court cases are very rare (non in recent history at Newcastle University).

Complaint outcomes vary, but are always made on the available evidence and a consideration of the proportionality. In general terms, this means that most complaints are not upheld. A number of complaints may be upheld in part. If a complaint is upheld in full or in part it may be appropriate for the University to consider disciplinary action against a member of staff - but this will be an extremely rare event and will reflect the serious nature of the complaint.

*Student Progress, August 2009*