

PETERHOUSE, CAMBRIDGE
Junior Members' Complaints Procedure

1 INTRODUCTION

- 1.1 The College expects that normally complaints will be dealt with informally in the first instance. Junior Members 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 normally within one calendar month. The procedure has three stages, and the College further expects that most issues will be resolved in the first two stages by informal process. The three stages are:
- Discussion and Advice
 - Informal Process
 - Formal Process
- 1.2 Junior Members have standing to make a complaint under this Procedure only while they are existing junior members of the College. Junior Members who have graduated and left the College do not have standing to make a complaint other than in exceptional circumstances at the sole discretion of the College.
- 1.3 Complaints will not be treated as though lodged against the College unless that is stated to be the case. The Junior Member should not suffer any retaliation for making a complaint in good faith. Any Junior Member who believes that he or she has suffered a reprisal should raise the matter with their Tutor.
- 1.4 The College recognises that it has a duty to provide fair and objective procedures for investigating 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.
- 1.5 The procedure in case of any particular complaint shall be confidential, except where the complaint and/or the identity of the Junior Member must necessarily be disclosed to another person or body. This will be required in certain circumstances in order to investigate the complaint or to enable others to understand and participate properly in the complaints process, in which case the Junior Member will be notified in advance that the disclosure is to be made.
- 1.6 A Junior Member must make the complaint in good faith. The College reserves the right not to continue with the complaints procedures if the complaint is conducted in a way which is abusive, offensive, defamatory, aggressive or intimidating; or pursued in an unreasonably persistent or vexatious manner. If the College reasonably considers that the Junior Member is not conducting the complaint in an appropriate manner, the Junior Member shall be investigated under the Disciplinary Procedure for Junior Members and the complaint shall be suspended pending the outcome of the disciplinary process. If the Junior Member's conduct is found to warrant disciplinary action, the College may decide to close the complaint.
- 1.7 Where appropriate, the College will make reasonable adjustments to this procedure in accordance with the College's duties under the Equality Act 2010.
- 1.8 This procedure may not be used for complaints of harassment or sexual

misconduct. Complainants in such cases should instead refer to the Harassment and Sexual Misconduct Procedure.

2 INFORMAL PROCEDURE

- 2.1 The College welcomes comments and suggestions about the services it provides. Junior Members are encouraged to communicate any causes for concern, either academic or non-academic. Junior Members should, where possible, first raise the concerns with the Junior or Senior Member of College or member of staff directly concerned, or by contacting the member of staff who is the Head of the relevant Department.
- 2.2 If informal discussion does not resolve the situation satisfactorily, the relevant Director of Studies, Tutor or other College Officer should be approached. Advice about resolving the complaint informally can also be sought from the individuals set out in Appendix 1.
- 2.3 The College member investigating the complaint will ordinarily be expected to investigate it informally so as to be able to take a considered view as to whether or not the complaint should be upheld, in whole or in part.
- 2.4 The following remedies may be expected where an informal complaint is upheld:
- An explanation.
 - An apology and remedial action as and when justified and practicable.
 - A change of practice or policy.
- 2.5 An initial response to any complaint made during Term can normally be expected within 10 days of its receipt. A considered response to the complaint, in writing, giving reasons for the decision, and setting out the details of any remedy, may normally be expected within three weeks. If it is not reasonably possible for the College member dealing with the complaint to reach a conclusion within those timescales, he/she will write to the parties to inform them of this and the timescale by which the process will be concluded. The person against whom the complaint is made will also be informed of the outcome of the complaint. These written records will be kept by the Senior Tutor in a confidential file separate from employment or student files. Any consequent remedy will be implemented with the minimum of delay.
- 2.6 If the Junior Member is dissatisfied with the outcome of such an informal process, he or she may consider whether to raise the matter formally.

3 FORMAL PROCEDURE

- 3.1 Junior Members must exhaust informal routes before making a formal complaint, or give a good reason for not doing so. If informal routes do not appear to have been exhausted, a formal complaint may be referred for informal resolution.
- 3.2 In a case where the Junior Member feels that the nature of the complaint is too serious to be dealt with informally by himself or herself or through a Tutor, or where an approach under the informal process has not produced a satisfactory conclusion, a formal complaint should be made in writing to the Senior Tutor using the Formal Process Application Form. If the complaint involves the Senior Tutor, or if the Senior Tutor has dealt with the matter at an earlier stage, then the formal complaint should be addressed to the Master. Receipt of the Application Form will be acknowledged in writing.

- 3.3 Formal complaints must be made within one month of the informal process being exhausted, or where the informal process, or completion of the informal process is not appropriate, within two months of the matter complained of arising, The Senior Tutor and Master shall have the discretion to allow a complaint outside these time limits for good cause.
- 3.4 When submitting a formal complaint, the Junior Member should set out:
- The name of the person and/or College department against whom/which the complaint is made (if applicable);
 - The precise nature of the act/omission complained of;
 - The name of any witnesses who will corroborate the complaint, including a written statement from each to say that they have given their consent;
 - Copies of any relevant documents which evidence the complaint, together with a covering list of contents and numbered pages; and
 - An outline of what action the Junior Member would like to be taken or the form of remedy that he or she is seeking.
- 3.5 The complaint will then be referred to a Panel for consideration. The Panel will consist of three members:
- The Senior Tutor, who shall Chair the Panel; and
 - Two Fellows appointed by the Master and not connected with the subject of the Junior Member's complaint.
- In circumstances where the Senior Tutor is the subject of the complaint, or if the Senior Tutor has dealt with the matter at an earlier stage, the Master shall appoint another senior Fellow to chair the Panel.
- 3.6 The Master shall write to the Junior Member informing them of the makeup of the Panel. The Junior Member shall have a period of seven days from the date of the notification to object to the Panel's composition for good cause. The decision as to whether any objection is to be upheld shall be decided by the Master.
- 3.7 Complaints will be dealt with by written submission alone. Only in very exceptional circumstances, and at the sole discretion of the Panel, will a hearing be convened.
- 3.8 Any person or department complained of shall be invited by the Panel to submit a written response within seven days of request.
- 3.9 Notification of the Panel's decision shall be provided in writing to the parties within 40 days of receiving all relevant submissions, and any subsequent remedy shall be implemented with the minimum of delay.
- 3.10 In any exceptional circumstances where, at the sole discretion of the Panel, a hearing is to be convened, the Panel shall write to the Junior Member and any person or department complained of, giving fourteen days' notice of the date, time and location of the hearing. All relevant documentation shall be sent to the parties at least seven days before the hearing. At the hearing the Junior Member will present his or her case, and any person or department complained against will reply. The Junior Member is entitled to be accompanied at the hearing by a friend or an appropriate Senior Member of the College. Legal representation is not permitted. Witnesses or others making statements will be heard at the discretion of the Panel. At the end of the hearing the Panel shall consider its decision in

private. Notification of its findings and decision shall be provided in writing to the parties within 40 days of the hearing and any subsequent remedy implemented with the minimum of delay.

3.11 Any one or more of the following remedies may be expected where a formal complaint is upheld:

- An explanation;
- An apology and remedial action as and when justified and practicable;
- A change of practice or policy;
- Financial recompense may be made in certain circumstances (for example, where a Junior Member has paid for something which he/she did not receive).

4 INTERNAL APPEALS

4.1 If the formal procedure does not result in an outcome which is satisfactory to the Junior Member, then he or she may lodge an appeal by writing to the Master, stating the basis of the appeal. The appeal must be lodged not more than 10 days after the complainant has been notified of the decision of the Panel. If the complainant graduates and leaves the College between making the original complaint and being notified of the Panel's decision, this shall not prevent the complainant from making an appeal.

4.2 The Master will bring the matter to the attention of the Governing Body for consideration. The Governing Body will appoint a new Panel to deal with the appeal. The new Panel shall comprise the Master and two other Fellows. The Governing Body will exclude from such consideration any person who has been involved with the complaint at an earlier stage. The Appeal Panel will investigate the complaint ab initio, and reach a conclusion which will be communicated to the Junior Member by the Master. The Appeal Panel shall be empowered to determine its own procedure for considering the appeal and may conduct it either by written submissions or by convening a hearing.

4.3 A Junior Member remaining dissatisfied with the processes and/or outcome of such consideration of his or her complaint may apply to the Office of the Independent Adjudicator.

5 EXTERNAL REVIEW

5.1 The Office of the Independent Adjudicator for Higher Education (OIA) provides an independent scheme for the review of student complaints which have already been considered in full under the College's internal procedures. When communicating the final decision under 4.2 above, the Master will issue a formal Completion of Procedures letter to the Junior Member, together with details of the OIA Student Complaints Scheme. If the Junior Member is dissatisfied with the outcome of the complaints procedure within the College, he/she may bring the complaint to the OIA within three months of the date of issue of the Completion of Procedures letter, provided that the complaint is eligible under the rules of the OIA scheme. Further information may be viewed at www.oiahe.org.uk.

APPENDIX I

Teaching Provision: the Senior Tutor

Pastoral Care of Junior Members: the Senior Tutor

Behaviour of Junior Members: the Tutor for Discipline

Grants and Loans: the Senior Tutor

College Security: the Bursar

College Bills: the Bursar

College Accommodation: the Bursar

College Catering: the Steward

Information Technology: the Computer Steward

Availability of College Function Rooms and Guest Room: the Bursar

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