

Wadham College: Student Complaints Procedures (SCP)

Wadham has a proud tradition of being at the forefront of advancing equality of opportunity, and celebrates vigorous debate, independent thought, and academic excellence. We seek to create a welcoming, accessible, and secure environment in which to work, study, live, and visit. Our community embraces people of all ages, backgrounds, races/ethnicities, nationalities, beliefs (including religious beliefs), genders, sexualities, dis/abilities, and appearances. This diversity, underpinned by mutual respect and consideration, enriches us all.

Wadham College Values Statement (agreed 2017)

A. INTRODUCTION

1. The SCP may be used by graduate, undergraduate or visiting students of the College who wish to bring to the attention of the College matters of serious concern or dissatisfaction. The SCP sets out how those matters will be investigated and responded to.
2. The majority of cases will be settled without resorting to the procedures set out below by the means of the student complainant discussing their concern with the applicable member of staff, the staff member's line manager, or a student representative. If a student is unaware with whom to discuss their concern, they should consult the [Warden's EA](#).
3. Where this has not been possible or has not resolved the issue, student complainants should follow an **informal** procedure (see Section B) and if necessary then proceed to the **formal** procedure (see Section C).
4. All complaints will be given full consideration and students will not be disadvantaged for making a genuine complaint. However, the College expects students not to engage in malicious or vexatious complaints. All parties involved in an SCP process are expected to act reasonably and fairly towards each other and to treat the process with respect.

Who may make a complaint?

5. Those eligible to make a complaint under the SCP are:
 - (a) Current students of the College (undergraduate, graduate or visiting students);
 - (b) Students currently temporarily suspended by the College (whether or not a condition attaches to their return);
 - (c) Former students of the College where the complaint relates to a matter that arose whilst they were either a current student or a temporarily suspended student.
6. The complaint should be raised as soon as possible after the action or lack of action which prompted it. If there has been a delay, the student complainant should explain why this is the case. The College will not normally consider complaints made more than three months after an isolated incident occurred or, in the case of a gradually emerging problem, more than three months after the issue(s) that according to the complainant brought the issue to a head.

When does the SCP apply?

7. A complaint under the SCP will relate to:
 - (a) the College's academic provision;
 - (b) the College's pastoral provision;
 - (c) the College's domestic provision;
 - (d) the College's financial provision;
 - (e) the College's provision for students with a disability (as defined by the Equality Act 2010);
 - (f) the behaviour of any of the College's employees (i.e. non-academic staff, Fellows, lecturers) or any individual providing teaching or a service on the College's behalf; or
 - (g) any other aspect of College life, where the matter is alleged to have specially impacted on the individual student complainant.

When does the SCP not apply?

8. A complaint about any of the following should **not** be made via the SCP:
 - (a) any complaint involving criminal allegations, which should normally be reported to the Police; if the student concerned is unsure about this course of action, the Dean or Welfare Dean is available for consultation;
 - (b) another student (including visiting students) of Wadham College (*instead see the College's [Disciplinary Procedures](#)*);
 - (c) the actions of any Wadham SU officers, representatives or committees (*see the [SU Complaints Procedure](#)*);
 - (d) bullying or harassment (*see the College's [Harassment Policy and Procedure](#)*);
 - (e) a person who is not a member of the College, an employee of the College or an individual providing teaching or a service on the College's behalf (*instead see the [University SCP](#)*);
 - (f) a service which is not provided by the College (*instead see the [University SCP](#)*);
 - (g) a private dispute with a member of the College (i.e. a matter not arising from the member's role at the College);
 - (h) a disciplinary decision made by the College (*instead see the College's [Disciplinary Procedures](#)*);
 - (i) a matter affecting a wider circle of students, where there is no special individual impact on the complainant (*please raise instead via the relevant SU or MCR Committee member*);
 - (j) admissions decisions for graduate or undergraduate courses; or
 - (k) requests for new or different services or provision.

Anonymity

9. Complaints following the informal SCP may be made on a student's behalf via a student or staff representative from the College if that student wishes to remain anonymous.
10. Under the informal SCP, a complaint may initially be made in confidence, without the need to inform any person or body about whom or which the complaint is being made of the fact of the complaint, or the identity of the student complainant.

11. However, it must be understood that certain complaints will not be easy to make, or be capable of being investigated or resolved, on an anonymous basis. Moreover, for the complaint to be effectively investigated, the subject of a complaint will often have a right to be notified and respond. If a complaint is found to be justified, anonymity may make it difficult for effective remedies or solutions to be identified and pursued. Student complainants will be advised in advance if the relevant College Officer or departmental manager decides that further investigation and action would require that the complainant's identity be disclosed to others, or that the subject of the complaint be informed of the complaint.
12. Formal SCP complaints will never be permitted to be made anonymously, and any individual who is the subject of such a complaint will need to be informed of the identity of the complainant at this stage, if not earlier in the informal procedure.

Support

13. In exceptional circumstances (e.g. severe illness), an informal or formal complaint may be made and/or pursued by another person (a “**nominee**”) on behalf of an eligible individual. This does not entitle the complainant to any right of anonymity they would not otherwise have (see clauses A9-12 above), and if the complaint proceeds to a formal stage then the complainant must authorise the nominee to make and/or pursue the complaint in writing. The authorisation should make clear the extent to which the student affected wishes to be informed of the progress and resolution of the complaint by the nominee or by a College Officer, and whether the student affected wishes to be re-engaged in the process at any stage, including the resolution of the complaint.
14. The student complainant may be **accompanied** by a current member of the College or a member of staff from the Oxford SU Advice Service, the Oxford University Welfare and Support Services, or the University's Disability Advisory Service for meetings at any stage of the complaint process.
15. The SCP is internal to the College, and does not have the same degree of formality as a court of law. It will not be appropriate, in most cases, for any party to be legally represented at any stage of the SCP. Any application to make an exception to this policy should be addressed to the Sub-Warden, stating the ground for the necessity for legal representation. The decision of the Sub-Warden shall be final. Where the Sub-Warden is the subject of a complaint, the decision will be taken by the Warden.

Withdrawal of a complaint

16. Complaints may be withdrawn at any stage by the student complainant, but in some circumstances investigations will need to continue regardless, so that the College can satisfy itself that no further action is required for the good of the College community.

Records

17. Records of both informal and formal complaints under the SCP, any resulting report and supporting documentation, and the outcome must be retained by the College in line with

the Data Protection Act 2018. Student complainants are therefore asked not to include unnecessary personal information, particularly about third parties, in their complaints.

18. Governing Body will annually review the number of complaints and a summary of outcomes in the Unreserved section of business, to allow consultation with SU and MCR representatives.

B. STAGE ONE: INFORMAL

19. The informal procedure is intended to encourage discussion and understanding of the issue, and in most cases will lead to its resolution without submission of a formal complaint.
20. The informal SCP is deemed to have been initiated by a student when a complaint is made in writing to one of the College Officers or a departmental manager as laid out below (see clause B.22), at which point the student complainant will be issued with a copy of the SCP.
21. Where an attempt has already been made to resolve an issue informally, and if that attempt has already involved the relevant College Officer or departmental manager (as laid out below), then the College and the student may agree that it would be appropriate to waive the informal procedure and move straight to the formal procedure set out in Section C.

Initiation of the informal procedure

22. The complainant should raise the issue as soon as possible in writing with the College Officer or departmental manager who seems the most appropriate to deal with it, for example:
 - (a) academic matters: [Senior Tutor](#), [Tutor for Graduates](#), [Tutor for Undergraduates](#)
 - (b) pastoral / welfare matters: [Welfare Dean](#)
 - (c) domestic (including accommodation, catering and security) matters: [Domestic Bursar](#)
 - (d) financial matters: [Finance Bursar](#)
 - (e) disability matters, as defined by the Equality Act 2010: [Domestic Bursar](#), [Senior Tutor](#)
 - (f) for [Sarah Lawrence Programme](#) students: [Sarah Lawrence Director](#).
23. Where the subject of the complaint is one of the above Officers, or the Warden, then an issue can be raised with the [Sub-Warden](#).

Investigation and resolution

24. The College Officer to whom the complaint is directed should normally arrange a meeting with the complainant within five working days of receiving that complaint.
25. Where the Officer in receipt of the complaint feels that they are not the most appropriate Officer to deal with the issue, they may, in consultation with the student, transfer the handling of the complaint to another Officer.
26. The Officer should:

- (a) seek to understand the nature of the issue and determine whether it falls under the SCP;
- (b) conduct any relevant inquiries involving the subject of the complaint, where that involvement is required in that Officer's sole judgement, after notifying the complainant, in accordance with clause A11 above;
- (c) offer advice, whether to the complainant or to the subject of a complaint, or to both;
- (d) if the complaint is found to have merit, try to find a remedy satisfactory to both parties and/or effect mediation/conciliation where the relevant parties do not object to this course; and
- (e) record the outcome in a written response to the complainant. If the subject of the complaint has been involved, they should also be informed of the outcome, verbally.

C. STAGE TWO: FORMAL

27. The formal procedure will normally be used only when the informal procedure has not achieved a resolution or the student complainant is not satisfied with the suggested resolution. The formal complaint procedure must be initiated by writing to the relevant College Officer, as described below, within twenty working days of the complainant being informed of the outcome of an informal complaint by the relevant College Officer.
28. Where the student complainant has adopted the formal approach immediately, the Officer may refer the complaint back for informal resolution (see Section B). This does not preclude the student complainant from making a further formal complaint in the event that they are dissatisfied with the outcome of the informal procedures.

The Formal Complaint

29. A formal complaint must be made in writing and identified as such by the heading "formal complaint". It should be directed to the most appropriate College Officer:
- (a) academic matters: [Senior Tutor](#)
 - (b) pastoral / welfare matters: [Welfare Dean](#)
 - (c) domestic matters (including accommodation, catering and security): [Domestic Bursar](#)
 - (d) financial matters: [Finance Bursar](#)
 - (e) disability matters: [Senior Tutor](#) or [Domestic Bursar](#)
 - (f) matters relating to the administration of the Sarah Lawrence Programme: [Sarah Lawrence Link](#) or [Senior Tutor](#).
30. Where the subject of the complaint is one of the above Officers, or the Warden, then an issue can be raised with the Sub-Warden.
31. The written complaint must include:
- (a) a description of what gave rise to the complaint including dates and times;
 - (b) if applicable, the name of the person or body within the College about whom or which the complaint is being made;

- (c) details of steps already taken to try to resolve the complaint; and
 - (d) if applicable, an explanation of why the student complainant is dissatisfied with the outcome of the informal procedure.
32. The College Officer to whom the complaint is directed within ten working days of its delivery must acknowledge receipt of the formal complaint and either:
- (a) confirm that a more detailed investigation will follow; or
 - (b) notify the student complainant (with an explanation) that the complaint falls outside of the SCP.
33. Where the Officer in receipt of the complaint feels that they are not the most appropriate Officer to deal with the issue, they may, in consultation with the student, transfer the handling of the complaint to another Officer.
34. Where a complaint is to proceed to the formal complaint procedure, the subject(s) of a formal complaint shall be provided with a copy of that complaint by the College Officer and given the opportunity to respond in writing.
35. The College Officer must notify both the subject(s) of the complaint and the Sub-Warden that the formal complaint procedure has been triggered.

Membership of the Panel

36. The Complaints Panel will have three Panel-members. One of these Panel-members will chair the Panel.
37. The following person will chair the Panel:
- (a) The Sub-Warden, unless the Sub-Warden is unavailable, or is the subject of the relevant formal complaint, or is the subject of a successful objection;
 - (b) in which case, the most senior academic Fellow of Governing Body who is available, and who does not have a conflict of interest by virtue of any academic or administrative responsibilities within the College or University, and who is not subject to a successful objection (as described below in para 40).
38. The Chair of the Panel will propose people for appointment as Panel-members, for a total of three Panel members. This proposal must be made within ten working days of receiving notification of the relevant formal complaint.
39. The following rules govern the appointment of Panel-members:
- (a) At least one Panel-member will be an academic Fellow of the College.
 - (b) At least one further Panel-member will be a Member of the College.
 - (c) Where a complainant is making the case that they have been discriminated against either directly or indirectly in relation to a 'protected characteristic' (as defined in the Equalities Act 2010), and providing that the potential Panel-member has had no previous involvement in the subject-matter of the complaint, ideally at least one of the three Panel-members will be either a serving or recent:
 - (i) Fellow for Equality and Diversity,
 - (ii) Fellow for Race, or
 - (iii) Fellow for Women.

Objections to Panel Membership

40. The student complainant and any subject(s) of the complaint will be informed of the proposed Panel-members, and given an opportunity to object to any appointments on the ground of a reasonable perception of bias, within ten days of being so informed.
 - (a) Governing Body will determine the outcome of any objection to the appointment of the Panel-chair.
 - (b) If any such objection is successful, a new Panel-chair will be appointed, and will consider making new proposals for the remaining Panel-members.
 - (c) The Panel-chair will determine the outcome of any objection to the appointment of any person other than the Panel-chair.
 - (i) If any such objection is successful, within ten days the Panel-chair will propose a new Panel-member for appointment, with the student complainant and any subject(s) of the complaint having a further ten days to object to that appointment on the ground of a reasonable perception of bias, in accordance with this clause.
41. The panel may make enquiries as they see fit, which may include requesting further information from, or interviewing, the complainant, and other persons who may have relevant information.
42. The person who is the subject of the complaint will be entitled to appear before the panel if they so choose, and may be accompanied by an appropriate third party, such as a union representative or a Staff Peer Supporter.
43. Notes will be taken of all interviews. The Chair may wish to have the proceedings audio-recorded, with the permission of that particular interviewee. The investigation will be conducted as swiftly as the subject matter and the academic calendar allows (ideally within twenty working days of the panel's appointment).
44. The panel will produce a written report setting out the details of their enquiries, their recommendations and any supporting documentation or evidence. Copies of this will be provided to the complainant and to any person or body who or which is the subject of the complaint within ten working days of the panel completing their enquiries. Both parties will be invited to submit written comments or objections within a further five working days, upon the expiry of which the College Officer will be provided with copies of the report and any supporting documentation or evidence, along with any written comments or objections made.
45. The Officer will consider the complaint and make a decision as to remedies or action to be taken, basing their decision on the report and documentation provided. The student complainant and the subject(s) of any complaint will be notified of the outcome of the formal SCP, along with the reasons for it, within ten working days of the Officer receiving the panel's report.

D. REVIEW

46. If the student complainant or the subject of the complaint is dissatisfied with the outcome of the formal SCP, they can request a review by writing to the [Warden](#), using the heading “application for review of handling of formal complaint”. This should be done within ten working days of the date of the letter from the College Officer informing the complainant and the subject of the complaint of the outcome of the formal SCP.
47. If the Warden is the subject of the complaint, a review should be requested via one of the Senior Tutor, the Domestic Bursar or Finance Bursar.
48. A review will only consider:
 - (a) whether the appropriate procedures were followed at the formal stage;
 - (b) whether the outcome of the formal stage was reasonable in all the circumstances;
 - (c) whether clear reasons were provided for the decision; and
 - (d) any new and material evidence which the complainant was unable, for valid reasons, to provide earlier in the process.
49. The subject(s) of any complaint, or the complainant, as the case may be, must be notified that a review has been requested and the grounds for that request. The subject of the complaint is entitled to submit a response to those grounds. Should any new and material evidence be presented, the subject of the complaint will be entitled to view it and to provide a written response.
50. A review may overturn the outcome of the formal SCP, without the need for the complaint to go through the formal SCP again.
51. The outcome of the review stage will be communicated in writing, along with the reasons for the decision, to the student complainant and any subject(s) of the complaint, within twenty working days of delivery of the request for a review.

E. OIA REVIEW

52. Once the College’s internal review stage has been completed, the student complainant is entitled to complain to the [Office of the Independent Adjudicator](#) (OIA), an independent review body set up by Parliament, and to ask the OIA to review the outcome of the College’s complaints process. A request for OIA review should normally be submitted to the OIA within three months of the date of the written communication of the outcome of the review stage, with an outer time limit of 12 months (Section D).
53. The OIA considers issues such as whether the College followed its procedures, whether these procedures were reasonable, and whether the College’s decision was reasonable in all the circumstances.

Oct 2018, updated Michaelmas 2020; this document has been produced in line with the OIA’s Good Practice Framework on Handling Student Complaints (Revised December 2016).