

UNIVERSITY COLLEGE OF MANAGEMENT STUDIES
COMPLAINT FILING POLICY

19th February, 2019.

A) STATEMENT OF POLICY PURPOSE

This policy reflects the principles, good practice and procedures that relate to responding to students complaints and complaints made by other stakeholders including employers, partner organizations, external bodies and members of the public. For the purpose of this policy the term “student” is used to mean any student enrolled in the University College of Management Studies. Where the student is under 18, or classified as a vulnerable student, then their parent or guardian may make a representation on their behalf, with the agreement of the student.

B) APPLICABILITY

This policy applies to all services offered by the ‘UCOMS’. This policy applies to all complainants who are enrolled on University College of Management Studies (hereinafter referred to as “UCOMS”) course, stakeholders and members of the public, and applies to its services provided at all campuses and outreach centers, including its franchise partners, if any, work-based learning and assessment environments and work placements. This policy applies to all complaints, equally regardless of the race, gender, disability, religion, age or sexual orientation of the complainant and all complaints will be dealt with without fairly and openly. The time lines and principles of prompt response and right to appeal set down here apply to all complaints.

C) DISSEMINATION

This Complaints Policy and Procedure is published on the University notice board for reference by staff and on the University College website for access by all stakeholders. Dissemination within Faculties and Departments to staff and stakeholders is the responsibility of the respective management teams. Leaflets for students and other stakeholders outlining how to make a complaint are published on the University College website and available from Reception.

1) Introduction

1.1 The Complaints Policy and Procedure provides the framework within which students and potential students (including their parents, guardians or their representatives*), stakeholders and members of the public, may raise concerns about the service they have had from the University College. It does not replace College procedures for academic appeals and disciplinary action: those procedures should be used where appropriate.

*[*Representative may include an advocate, member of the Students Union or other relevant person. The College will not enter into correspondence or discussion with legal or professional representatives until the complaints policy has been exhausted.]*

2) Standards of Service

2.1 The University College's Learner Agreement, Students and Employer Charters, set-out the standards for service students and what employers could expect the University College to provide, as well as the learner's responsibilities.

2.2 Anyone not satisfied with the level of services, should be able to approach relevant staff to address their concern promptly and directly.

2.3 Every attempt should be made to resolve complaints informally through a dialogue with those immediately concerned.

3) College Accountability

3.1 All College staff have a responsibility for receiving complaints, treating them seriously and dealing with them promptly and courteously in accordance with the procedure set out below.

3.2 The Client Services Manager has responsibility for tracking, recording and reporting on the outcomes of formal complaints.

3.3 University College Management Team members have a responsibility for resolving a complaint and leading or contributing to an investigation into a complaint when this is considered appropriate.

3.4 The University College rector is responsible for resolving complaints which have reached the appeals stage.

3.5 The Governing Body is responsible for ensuring that the complaints policy is operating effectively and may become directly involved, if a complaint is directed against the Rector, the Registrar, or any other senior post holder or any member of the governing body

4) Dealing with Complaints

The procedure for dealing with complaints is contained in [Appendix One].

Complaints against the Rector, Registrar or Members of the Governing Body

- Complaints against the Rector should be addressed to the Secretary of the University Council, Copied to the Council Chairman.
- Complaints against the Chair of the Council, or any executive of the Governing Body should be addressed to the Rector and copied to the Council Secretary, when not involved in the issue.
- Complaints against the Council Secretary should be addressed to the Chair of the University Council with the Rector copied

5) Taking a Complaint Further

If a complainant remains dissatisfied with the University College's response following the appeal, they may take their complaint further with external agencies; where available and where the right of law exists. Only after all the University College procedures for dealing with complaints has been exhausted, then a complaint will be referred by the complainant to the relevant Government Agency under the juridical rules of the Republic of Ghana. This does not apply where a complaint is a subject of legal proceedings or relates to the quality of service provided by external bodies such as an examination board. (See Appendix One for further information).

6) Unsure How to Proceed

For any instances, where it is felt that the complaints procedure does not set down a precise course of action, reference should be made back to the underlying principles of natural justice and equity. When in doubt the basic principles of timely response, appeal and fair hearing should apply.

7) Record Keeping and Reporting

The Client Services Manager will maintain a record of all formal complaints and their outcomes. Issues will be fed into the University College's self-assessment and other quality improvement processes as appropriate. A monthly summary will be compiled and circulated to the Executive Team. Complainants will be advised that, while **confidentiality** will be respected as far as possible, it is not normally possible to resolve complaints without disclosing details of a complaint to relevant staff in order to allow the 'University College' a fair opportunity to resolve the issue.

[All records relating to complaints will be retained for a maximum of three years unless statutory requirements deem otherwise.]

[APPENDIX ONE]

Procedures for Dealing with Complaints in the University College

1. Stage One - Informal

- 1.1 Concerns should be raised in the first instance with the Dean of Academics, then to the Registrar who has the most direct responsibility for the management of the University College services provided to the students.
- 1.2 This should be done as soon as possible and not later than within ten days of the incident being reported. Complaints made beyond this timeline will not however be rejected for being out of time but may prove more difficult to resolve satisfactorily.

1.3 Verbal complaints to Reception and staff in public areas and requests to meet with the Rector should be referred to the Vice Rector who, if not able to deal with it informally, will deal with the initial complaint and as appropriate, make a written submission on behalf of the student and forward to the Client Services Manager.

2. Stage Two – Formal

2.1 If a complaint cannot be resolved at the informal stage then the complainant should make a formal complaint in writing, or seek support from a member of staff to submit a formal complaint in writing. A written complaint may be received in any format including complaint cards, email (info@ucom.edu.gh), letter or other relevant medium. Complaint cards are available from reception and faculty office. A complaint submitted in an alternative format does not require an additional form to be completed.

2.2 If the complaint is submitted directly to the correct Faculty or Department, it must be acknowledged by the relevant member of the University College Management Team, notwithstanding the exceptions below in 2.4. Within 3 working days. A copy of the complaint and acknowledgement letter should be sent to the Client Services Manager for monitoring.

2.3 If the complaint is submitted to a central point, it should be forwarded to the Client Services Manager who will acknowledge the complaint within three (3) working days and advise the student to which head of department, faculty or administrative staff, the matter must be referred to. This will normally be the member of the University College Management Team with the most relevant responsibility notwithstanding the exceptions below in 2.4.

2.4 Additional referral points for complaints.

- If a complaint is about alleged serious misconduct or behaviour of a member of staff, including safeguarding concerns, the referral should also be copied to the Director of Human Resources.
- If a complaint is about alleged bullying or harassment, this should be dealt with by means of the bullying and harassment policy.
- If the complaint is about an exam or assessment outcome, then the relevant academic appeals policy should be used.
- If the complaint is about the manager, who would normally investigate the complaint, it will be referred to the relevant Executive member who will investigate the complaint and respond.

2.5 Where appropriate, a meeting will be offered between the person making the complaint and the area they are complaining about to reach an agreed resolution.

2.6 The Director or Manager to whom the complaint has been referred will investigate the complaint fully (or delegate a person to do this on their behalf whilst retaining responsibility for the outcome) and must make an initial written response within ten working days with a copy to the Client Services Manager.

The response will be one of the following:

- Advise that a further 10 days is required to investigate **OR**
- Dismiss the complaint as unfounded, giving reasons **OR**
- Mediate an amicable settlement **OR**
- Uphold or partially uphold the complaint identifying the actions to address the issue

2.7 If the complaint cannot be resolved within the initial 10 working day period then a maximum and a further 10 working days is allowed for further investigation and resolution.

2.8 Any communication of an outcome must make reference to the right of appeal and the timescale.

3. Stage Three - Appeal - The Rector

3.1 If a complainant remains dissatisfied with the Sub-management response of the University College's to their complaint, they may appeal in writing to the Rector. The appeal must be received within 10 working days of the outcome being communicated to the complainant.

3.2 The Rector (or on his / her behalf a member of the Executive Team) will review all the available evidence gathered in the initial investigation and the Sub-management University College's response, herein termed as the committee. As a result of this they will respond within 5 working days and decide to:

- Uphold the decision of the Rector / Vice Rector
- Dismiss the complaint or
- Uphold or partially uphold the complaint
- The complainant will be advised to write for the outcome within five working days.

3.3 The decision of the Rector is final on management issues except where there is a statutory provision of appeal to the University Council and thereafter an external body as below.

4. External Contact – Mediation and Arbitration Center Services

Where a complainant remains dissatisfied but has exhausted all avenues of complaint through the University College resolution avenues, he/she may be able to refer their complaint to recognized mediation or arbitration center

The Agency will consider the following types of complaint:

- The quality or management of learning provision, undue delay or non-compliance with published procedures
- Poor administration by the provider
- Equality and diversity issues (except where there is a more appropriate mechanism for dealing with the matter than through the courts, tribunals or other organizations)
- Health and safety concerns (unless these are matters for the Health and Safety Executive)

The Agency cannot consider the following types of complaint:

- Examination results or curriculum content where a more appropriate form of redress would be the examining body or the Office of Qualifications and Examinations Regulation.
- Individual employment issues (not in the wider public interest) which are a matter for the employer and the employee, where employment law provides appropriate remedies
- Contractual disputes such as those arising from a contractual agreement between the complainant and the provider
- Matters that are the subject of legal action, or where legal proceedings are the most appropriate way of resolving the dispute.