# TITLE: *LEARNER GRIEVANCES AND COMPLAINTS POLICY*

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| **Version** | 4.1 | **Date Approved** | 3 September 2026 |
| | Inclusion of the Head of Digital Communications and Marketing within the policy and taking the lead on Stage 2 of the policy. | **Review Date** | 31 August 2028 *or as required* |
| **Approved By** | Academic Council | | |
| **Owner** | Office of the Registrar | | |

| **Version Control** | | |
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| **Version No.** | **Date Approved** | **Documented Changes** |
| 4 | 24 March 2023 | The policy was revised as part of its cyclical three-year review. There were very minor changes made to reflect a complaint made against multiple individuals and having a relative attend a meeting. |
| 3 | 13 November 2019 | Policy revised to include a clearer reference to the Learner Information and Retention Officer. |
| 2 | 3 April 2019 | Policy reviewed and significantly revised to include an updated high-level policy statement, alignment with the CCSP Policy on Policies and reflect current institutional structures. |
| 1 | 6 December 2011 | Initial Issue |

## 1. Purpose of the Policy

Carlow College, St. Patrick's (hereafter Carlow College) is committed to the development and maintenance of a positive learning environment for all learners, to the encouragement of communication between staff on issues of mutual concern, and to ensure there is a prompt response when a grievance matter is raised by a learner. This Policy is an important part of the College's quality assurance mechanisms, providing a forum for learner complaints to be resolved in accordance with principles of natural justice, fairness and equality. This Policy is intended to assist both learners and staff in the resolution of complaints promptly and fairly.

It is the intention of the College to encourage learners and staff to resolve learner related issues. The College endeavours to foster a learner environment and learner relationships in which the informal resolution of issues is the norm. It is for this reason that the Procedures

provides for several stages, both informal and formal, in the handling of a grievance. The purpose of the Procedures is to ensure that grievances and complaints are resolved amicably in so far as possible and to the mutual satisfaction of both the complainant and the respondent. It is expected that the majority of grievances will be resolved at the informal stage. Learners are always encouraged to maintain close contact with their Programme Directors and Academic Advisors, as appropriate. These staff should be the first contact points for discussion of any queries or concerns. It is recognised, however, that from time to time issues may arise which need more formal arrangements to ensure a satisfactory and effective solution. In such cases, the formal learner grievance and complaints procedures will be utilised.

The College has put in place a range of policies and procedures covering the functioning of the College. The Policy should be read in conjunction with the College's quality assurance framework including, but not limited to, those policies identified at Section 7 below.

## 2. Definitions

*Learner* is a person who is a 'registered student' of the College or who, for the purposes of this policy, was a registered student of the College at the time of the alleged grievance.

*Learner grievance* is a concern or issue that has been presented informally or formally to a member of the academic and related staff of the College by a learner.

*Complaint* is a spoken or written dissatisfaction brought to the attention of a member of the academic or related staff.

*Complainant* is a learner who has presented a complaint or grievance.

*Respondent* is a member of the academic or related staff about whom a learner has made a complaint.

*Academic and related staff* are the staff of the College directly involved in the provision of educational programmes or related educational resources.

## 3. Scope of this Policy

The *Learner Grievance Policy* shall apply to all learners of Carlow College who wish to have a grievance addressed. This Policy is also open to any person who was a registered learner, provided they invoke the Procedure within 3 months of leaving Carlow College and the subject matter of the grievance relates to acts or omissions that occurred whilst the person was a registered learner.

Moreover, a complaint under this Policy must relate to a specific concern or issue related to an academic programme and / or the actions of a member or members of the academic or related staff. This Policy can be invoked on an individual or collective basis. However, it can only be invoked by the aggrieved person(s). It cannot be invoked on someone's behalf, nor can it normally be invoked anonymously. However, in exceptional circumstances, the College may deem that it is necessary and appropriate to consider an anonymous grievance.

Carlow College has the ultimate authority to determine whether a particular grievance brought forward under this policy falls within its remit; the College may determine that the grievance falls under the remit of another policy. The following are examples of matters that may fall within the scope of this Policy:

- learner grievances in relation to discrimination by the College or members of the academic or related staff;
- learner grievances in relation to the delivery of academic programmes of study by the College or members of the Academic or related staff;
- learner grievances relating to the professional conduct of members of the Academic or related staff;
- learner grievances relating to College facilities; and / or
- learner grievances relating to Student Services, both academic or non-academic, including the Students' Union.

The following will generally fall outside the scope of this Policy and Procedure and should be pursued using the channels indicated alongside below:

- appeals in relation to academic assessment and decisions of examination boards pertaining to learner progression, assessment and awards. Such matters are dealt with under the College's *Regulations in Relation to Assessment and Standards*;
- matters relating to learner discipline and complaints about learners. Such matters are dealt with under the *Learner Code of Conduct and Disciplinary Policy*.
- learner grievances against members of staff which relate to matters that fall outside of the scope of the professional relationship between staff and learners. Due to their unique circumstances, the procedure to be followed for grievances of this nature shall be determined by the Carlow College *Grievance Policy and Procedures (Staff)*.

Where a grievance relates to the College itself, rather than a particular member of staff of the College, it should be raised with the Vice President for Academic Affairs and Registrar in the first instance, who will determine who should act as the respondent to the complaint on behalf of the College.

## 4. Policy Statement

The College intends that the *Learner Grievances and Complaints Policy* and its associated documents provide a comprehensive method for the resolution of learner grievances and complaints.

The dignity of all persons involved in a complaint will be respected at all times and all complaints will be handled with appropriate discretion. The process, as conducted, will be cognisant of the rights of learners and staff members and appropriate support will be provided to both. In the operation of this Policy, the College will be mindful of and operate in accordance with all legal obligations, including its obligations under equality legislation.

Issues raised under this Policy will be processed in accordance with the principle of full consultation during the process and in accordance with the general principles of natural justice and fair procedures that include:

- the learner concerned has the right to a fair and impartial determination of the issues concerned, taking into account any relevant or appropriate evidence, factors or circumstances;
- a learner has the right to be accompanied by either a learner colleague or a Carlow College Students' Union representative at either the informal or formal stage of this procedure;
- in some cases, the learner may request that they are accompanied by a family member. A decision on this will be made by the Assistant Registrar for Academic Affairs.
- a learner will not be penalised in any way for raising a grievance matter in good faith, regardless of whether or not the complaint is upheld;
- every effort will be made to adhere to the time limits prescribed in the procedure;
- all relevant documentation concerning the grievance will be made available to all parties involved at all stages of the procedure; and
- a learner may withdraw a complaint at any stage of the procedure.[1]

*4.1 General Process for Making Learner Complaints*

Complaints should be raised by the learner (the "**Complainant**") as soon as possible after the matter giving rise to the complaint occurred, to ensure that complaints are dealt with fairly and within a reasonable timeframe.

Complaints that have not been made within 3 months after the matter which gave rise to the complaint occurred, or 3 months after the last recurring incident giving rise to the complaint occurred, will not normally be processed under this Policy. However, the College may in its discretion extend the timescale where there is good reason, supported by evidence, as to why the student could not submit the complaint within the timescale or where the College needs to make a reasonable adjustment to the timeframe to meet its obligations under Equal Status legislation subject to due process and the principles of natural justice.

It is the responsibility of the Complainant and the person(s) named in the complaint (the "**Respondent(s)**") collectively referred to as the "**Parties**" to respond to written correspondence in a timely fashion and to attend meetings (if any) of which they have been duly notified.

[1] At Stage 2 of the Complaint Procedure this approval to withdraw will be at the discretion of the Assistant Registrar for Academic Affairs.

All complaints will be handled sensitively and in accordance with this Policy with due consideration to confidentiality with respect to both learners and staff. Information arising from the grievance process will only be shared with individuals who require it to carry out their duties, and in accordance with the College's *Data Protection Policy*.

The College will not ordinarily investigate anonymous complaints as the making of a complaint anonymously significantly impedes an investigation and also constrains the communication of the outcome. However, the College reserves the right to investigate anonymous complaints in its discretion where it deems this necessary.

If a complaint is upheld, either in whole or in part, the College will take prompt action to implement any recommendations, insofar as it is practicable and possible to do so.

Where a complaint is not upheld, the Complainant will be notified of the decision and the reasons for the decision.

The Office of the Registrar and the Learner Information and Retention Officer will keep records of the complaint, including any informal complaint, in compliance with data protection legislation and the College's *Data Protection Policy* and the *Records Management Policy*. These records will be kept for the duration of the complainant's studies plus seven years.

## 5. Roles and Responsibilities

### *5.1 Learner Information and Retention Officer (LIRO)*

LIRO's primary role is to Listen, Inform, Refer and Record. Where an informal route is taken, LIRO has a role of communicating with relevant parties and sometimes to facilitate meetings and identify a mediated course of action.

Within the Grievance and Complaints Procedures, the primary roles of LIRO are:

- to provide advice to learner in relation to the workings of this Procedure; and
- to act as a mediator at the informal stage of the Procedure (Stage 1, detailed below),

LIRO does not have authority to make any decisions as to whether a complaint should be upheld or not, or to take any action where a grievance is upheld or dismissed.

### *5.2 Head of Digital Communications and Marketing*

The Head of Digital Communications and Marketing conducts a formal investigation under Stage 2 (see Appendix 1). Once the formal investigation is complete, the Head of Digital Communications and Marketing will communicate, in writing, the outcome of the investigation.

*5.3 Office of the Registrar*

The Office of the Registrar is responsible for convening the Learner Grievance and Complaint Appeals Panel. This Office will keep all relevant written documentation of the Learner Grievance and Complaint Appeals Panel.

*5.4 Learner Grievance and Compliant Appeals Panel*

The Learner Grievance and Complaint Appeals Panel shall be appointed by the Office of the Registrar and may normally comprise of:

- the Vice President for Academic Affairs and Registrar, who shall act as Chair;
- a Programme Director not previously involved in the complaint;
- an independent person; and
- the Secretary to the Panel, appointed by the Office of the Registrar.

The President may change the constitution of the Learner Grievance and Complaints Appeals Panel if he / she deems it appropriate given the nature, context and circumstances of the specific complaint.

As part of its review, the Learner Grievance and Complaint Appeals Panel will have access to all prior records and documents relating to the initial complaint. This Panel will normally request to meet with all parties involved in the grievance, individually or collectively.

## 6. Associated Documentation

- Appendix 1: Learner Grievance and Complaint Procedures
- Appendix 2: Appeals Procedure for Learner Grievances and Complaints
- Appendix 3: Learner Complaint Form

## 7. Referenced Policies

- *Assessment of Learners Policy*
- *Dignity and Respect Policy*
- *Equality Policy*
- *Grievance Policy and Procedures (Staff)*
- *Learner Code of Conduct Disciplinary Policy*
- *Library Admission and User Services Policy*

- *Research Ethics Advisory Policy*
- *Learning and Teaching Policy*

## 8. Monitoring and Review

The Policy will be formally reviewed by the Office of the Registrar as required but at a minimum every three years.

**Appendix 1: Learner Grievance and Complaint Procedure**

## Learner Grievance and Complaint Procedure

Learners should, in the first instance, should contact the Learner Information and Retention Officer (LIRO). LIRO's primary role is to Listen, Inform, Refer and Record. This is a confidential service established to guide and support learners in how best to deal with issues that are causing them difficulty in college.

**STAGE 1: INFORMAL LEARNER COMPLAINT PROCEDURE**

The College is committed to ensuring that learner grievances are resolved in a co-operative, rather than adversarial, manner. Accordingly, it is expected that the majority of grievances can be resolved at this stage through the complainant first raising their grievance with the respondent. This can be done by:

- telephoning the respondent to discuss the grievance;
- making an appointment to see the respondent to discuss the grievance; and / or
- writing to the respondent to outline the grievance.

The grievance should be raised as soon as possible, normally **within five working days** of the incident that prompted the grievance.

In outlining their grievance, the complainant should state the time, date and briefly describe the incident that prompted the grievance. It is also necessary for the complainant to clearly outline / explain the outcome that is expected.

Every effort should be made by the parties at this stage to arrive at a solution by consensus.

When the complainant meets with the respondent with a view to resolving the matter the meeting should be under mutually agreed conditions, with or without friends / colleagues or witnesses present, as agreed. Such colleagues may include the Learner Information and Retention Officer (LIRO).

If both sides are agreeable, the parties may opt for the LIRO to act as a mediator to any discussions at the informal stage of the Procedure. LIRO does not have any decision-making role in this context. His / her role is confined to facilitating the parties in reaching a mutually agreeable solution if this is possible.

It is recognised that there may be exceptional circumstance in which the complainant considers they cannot approach the respondent directly. In this case the complainant may go to LIRO to informally discuss the grievance and seek advice in relation to the steps that may be taken by him/her to informally resolve the grievance.

It is also open to a learner to initiate his/her complaint directly at Stage 2 below if he / she feels it will not be possible to resolve the matter informally through Stage 1.

**STAGE 2: FORMAL LEARNER COMPLAINT PROCEDURE**

If the complainant is unable to resolve the issue at the informal stage they should submit a Learner Complaint Form to the Head of Digital Communications and Marketing. A copy of this form can be found in Appendix 3.

In the event that the Head of Digital Communications and Marketing is unavailable, the Vice President for Academic Affairs and Registrar shall appoint another person to act in his / her place in relation to the conduct of Stage 2.

On the Learner Complaint Form, the complainant is required to briefly outline the grievance and to include dates, times, the nature of the incident and any individual(s) involved. The learner must also state the outcome he / she is hoping to achieve and mention any attempts made to informally resolve the grievance. A copy of the submitted Learner Complaint Form will be provided to the respondent(s).

The Head of Digital Communications and Marketing shall acknowledge receipt of the Learner Complaint Form **within 7 working days** of receipt of the submitted Form and shall investigate the matter. This will normally include meeting with the respondent (s). Separate meetings should be held with each respondent. As part of the investigation, the complainant will normally also be asked to attend a meeting to discuss the complaint in greater detail. The Head of Digital Communications and Marketing may also request a meeting at which both parties (and their respective colleagues) will be present.

The complainant may request withdrawal of the grievance at any stage. Approval to withdraw at Stage 2 will be at the discretion of the Head of Digital Communications and Marketing.

Following the conclusion of an investigation, the Head of Digital Communications and Marketing makes a decision as to whether or not the complaint should be upheld and whether any action is necessary. The precise nature of any action to be taken will depend on the circumstances of each case. Such action may include:

- recommending that the College take certain specified steps to resolve the complaint;
- directing that the respondent apologise to the complainant;
- directing that the respondent amends his / her behaviour or practices as appropriate;
- directing that the complaint be withdrawn;

- directing that the complainant apologise to the respondent for making a vexatious, malicious or mischievous complaint;
- warning parties as to future conduct and detailing possible action for further infringements; or
- recommending that the matter should be progressed further through other College Policies and Procedures as appropriate.

The Head of Digital Communications and Marketing shall endeavour to conclude the investigation under this Step 2, make his / her decision and communicate same in writing to the relevant parties **within 15 working days** of having acknowledged receipt of the Learner Complaint Form.

Where the investigation is unable to be concluded within this timescale, the complainant and respondent shall be informed in writing of the revised timescale for receiving a response and the reason(s) for the delay.

The decision and any action taken by the Head of Digital Communications and Marketing at this stage of the process shall be recorded on the Learner Complaint Form.

A copy of the Learner Complaint Form shall be appended to the written response sent to all parties, with the Office of the Registrar retaining the original for information and for the recording of complaints. The Head of Digital Communications and Marketing shall communicate the outcome of the Formal Learner Complaint Process to LIRO.

**Appendix 2: Appeals Procedure for Learner Grievances and Complaints**

## Appeals Procedure for Learner Grievances and Complaints

If the complainant or respondent is dissatisfied with the decision and / or action taken under Stage 2, an appeal can be made by the complainant or the respondent to the Office of the Registrar.

The appeal should be submitted to the Office of the Registrar in writing detailing the reasons for wishing to take the complaint to this stage. This should normally be done **within 10 working days** of receipt of the response from Step 2. The Office of the Registrar will acknowledge receipt of the request and convene a meeting of the Learner Complaint and Grievance Appeals Panel normally **within 15 working days** of receipt of the request. The other party to the original grievance will also be given a copy of the written appeal.

The Learner Grievance and Complaint Appeals Panel should endeavour to have completed its review **within 30 working days** of receipt of the response from Stage 2. Having completed its review, the Panel will make a determination as to whether the original decision should be upheld, overturned or modified. The Panel has the authority to take the same action as the Head of Digital Communications and Marketing under Stage 2.

In accordance with the *Instrument of Governance* 2017, Section 6.1(d), appeals concerning the expulsion of a learner in accordance with regulations of the College will be heard by the Governing Body.

The parties, including the relevant Programme Director or Head of Student Services will normally receive written confirmation of the Panel's determinations **within 7 working days** of the hearing. A written summary of the hearing will be kept with any other relevant paper in the Office of the Registrar.

**Appendix 3: Learner Complaint Form**

## LEARNER COMPLAINT FORM

**Learner Name:**

**Contact Address:**

**Telephone Number (if any):**

**E--Mail Address:**

**College ID Number:**

**Date:**

_____

**Nature of Complaint** (attach additional sheets, if required)

Please ensure that all relevant details are provided here, including the date, time and place of the incident, if relevant. Learner s are encouraged to limit their submission to 1200 words. Additional relevant supporting documentation may also be included if required. Please note that where another staff or student member is named under the principles of natural justice it will be necessary to share any comments or details relating to them.

**Outline any steps taken to resolve this grievance** (attach additional sheets, if required)

**Remedy you are seeking** (it is very important that you complete this section as failure to do so may result in a delay in dealing with your complaint – please continue overleaf if necessary)

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I, the undersigned, fully understand that a copy of this completed form may be provided to any member of staff who is the subject of this grievance or who may be otherwise involved.

**Signed: _____**

**Date:**

**Completed forms should be returned to the Head of Digital Communications and Marketing electronically and in hard copy.**

| **FOR OFFICE USE ONLY** | |
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| **Received by Head of Digital Communications and Marketing on:** | |
| **Acknowledgement sent on:** | |
| **Forwarded to:** | **Date:** |
| **Acknowledged by:** | **Date:** |
| **Decision made:** | **Date:** |
| **Action taken:** | |