Notes for Guidance on the Conduct of a Complaint Hearing
(to be provided to all parties)

1. Purpose

1.1 The purpose of the Complaint Hearing shall be to hear both the complaint and the response. Taking into account previous attempts to resolve issues, the Panel shall determine whether the student's complaint is justified and whether the Department/member(s) of staff has provided a reasonable response or resolution.

2. Process

2.1 A Complaint Hearing may be convened by the Head of Registry or nominee following a request in writing by the student who has brought the complaint, as Part I or Part II of the formal elements of the complaints procedure.

2.2 Membership of the Panel, which shall be determined by the Head of Registry or nominee in consultation with senior colleagues, shall consist of a Dean, Director or Head of Department as Chair, one other member of staff and a representative of the Students’ Union. The Chair and staff members shall be drawn from outside the Department involved in the complaint and may be academic or support staff, depending on the nature of the complaint. The Head of Registry or nominee shall act in the capacity of technical adviser and note-taker to the Panel.

3. Documentation

3.1 The Panel will have access to all previous documentation in connection with the complaint. In addition, the complainant and the Department/member(s) of staff are each asked to produce an A4 synopsis in Arial 12, single line spacing, of their case for distribution to the Panel and the other party, together with statements from any witnesses pertinent to the case. The synopsis must be in Registry five working days prior to the hearing. No additional documents may be tabled at the hearing.

3.2 Witnesses will not normally be required to attend the hearing as their evidence will be considered by way of statement but, from time to time, it may assist the Panel’s understanding of the case if a personal appearance is made. In such circumstances, the panel will request that a witness or witnesses should appear, or may so request upon receiving a request from the complainant or the Department/member(s) of staff.

4 Order of Proceedings

4.1 The Order of Proceedings is as follows:

   i) Introduction of those present – noting that, at the discretion of the Chair of the Panel, not everyone involved in the process need be present for all the time.
   ii) The Chair outlines the purpose of the complaint hearing and explains the format of the hearing.
iii) Confirmation of the documents.
iv) A4 synopsis summarising the main points of their case distributed by both parties. To be in Registry from both parties five working days prior to the hearing. No documents may be tabled at the hearing.
v) Complainant presentation.
vi) Opportunity to question complainant’s presentation by Panel and Department/member(s) of staff.
vii) Department/member(s) of staff presentation.
viii) Opportunity to question Department/member(s) of staff presentation by Panel and complainant.
ix) If appropriate the witness for the complainant joins the hearing to give evidence and leaves the hearing following any questions from the panel/student.
x) If appropriate the witness for the Department/member(s) of staff joins the hearing to give evidence and leaves the hearing following any questions from the panel/student.
xi) Complainant summing up.
   New evidence is not admissible at this time.
xii) Department/member(s) of staff summing up.
   New evidence is not admissible at this time.

xii) Adjournment - Chair and Panel to consider the submission in private
   Either side may be required to be available to provide further information or clarification of matters to the Panel.

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4. Conclusions and Recommendations

4.1 Should the Panel uphold the complaint, it may make any recommendations which it sees fit to the Department.

4.2 Recommendations may also be made to University committees.

4.3 It may be determined that the Department or member(s) of staff has no case to answer and acted reasonably during the earlier part of the complaints procedure.
4.4 Any conclusions and recommendations will be communicated in writing to the complainant and the appropriate Dean/Director/Head of Service simultaneously. In the case of a student, the Head of Registry or nominee will communicate the response. Where the complaint involves individual members of staff, the Dean/Director/Head of Service will personally report the findings to those members.