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 following a request in writing by the student who has brought the complaint, as Stage 2 of the complaints procedure.

2.2 Membership of the Panel, which shall be determined by the Head of Registry 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 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 5 working days prior to the hearing. No additional documents may be tabled at the hearing.

4. Witnesses

4.1 If the student wishes to supply witness statements, it is the responsibility of the student to supply the witness statements and to ensure that any witnesses are informed of the date of the hearing and that they are available to attend. The student should also inform the Head of Registry of any witnesses he/she wishes to call. Students should be advised that the names of service users or any other means of identifying service users should not be included in their statement or those of their witnesses. Any details identified in documents received from the student will be removed prior to the hearing.

4.2 Vulnerable persons will not normally be asked to produce statements or attend the hearing. For example students who fear intimidation, harassment or other reasonable fear of reprisal may request via the Registry that their names and addresses be removed from any statements provided to the hearing and the student.
4.3 The evidence provided to hearings may be oral or in writing. It is expected that anyone wishing their evidence to be heard would attend a hearing. In the event that a person having provided evidence does not wish to attend a hearing, any statement submitted must be signed and dated. In these circumstances panels must give due consideration to the fact that the witness has not been present to respond to questioning.

5 Order of Proceedings

5.1 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 the duration of the hearing.

ii) The Chair outlines the purpose of the complaint hearing and explains the format of the hearing.

iii) Confirmation of the documents.

iv) Complainant presentation.

v) Opportunity to question complainant's presentation by Panel and Department/member(s) of staff.

vi) Department/member(s) of staff presentation.

vii) Opportunity to question Department/member(s) of staff presentation by Panel and complainant.

viii) If appropriate the witness for the complainant joins the hearing to give evidence and leaves the hearing following any questions from the panel/student.

ix) 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.

x) Complainant summing up.

New evidence is not admissible at this time.

xi) 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.
6. Conclusions and Recommendations

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

6.2 Recommendations may also be made to University committees.

6.3 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.

6.4 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 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.