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Introduction

Any student can be a complainant. They may complain about any aspect of their experience with the International Health Research Institute (us, our, we, IHRI, the Institute), its agents or related parties.

IHRI is the respondent to a complaint under this policy. When an Institute community member has allegedly made the Institute liable to remedy a complaint, action regarding that person will proceed under the relevant conduct policy if required.

In addition to this policy, a student has the right to an external review and legal redress.

DEFINITIONS

TERM OR ABBREVIATION	DEFINITION
Complainant	means a student who has made a complaint under this policy.
Complaint	means a student’s expression of dissatisfaction that their rights (including human rights), existing interests and/or reasonable expectations have been adversely and unjustifiably impacted because of an action, decision or omission within the control or responsibility of the Institute. Any circumstance related to Institute operations and services or the conduct of its staff, its students or people associated with the Institute may be the subject of a complaint.
Student	means a person who: <ul style="list-style-type: none"> • has engaged with the Institute or its external agents regarding admission to the Institute, from their enquiry about admission to their admission to the Institute,



	<ul style="list-style-type: none">• is admitted to the Institute, or• has been admitted to a course at the Institute.
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Principles - Policy

IHRI promotes a culture that is ready to hear student complaints and continuously improves the student experience. Students can complain to the Institute, free from reprisal or harassment.

IHRI provides an effective student complaint management system, with informal and formal procedural mechanisms that resolve student complaints.

Complaint resolution will be procedurally fair.

Complainants' rights and obligations

In making a complaint to the Institute, a complainant is entitled to:

- Provide their complaint anonymously, although this might limit how the Institute can respond to the complaint.
- Have their complaint dealt with confidentially to the greatest extent, including in response to reasonable requests for anonymity.
- Personal information from their complaint is managed under IHRI's Privacy Policy.
- Make a formal submission if their informal complaint resolution under the Student Complaints Procedures is not reasonably satisfactory or informal action is unavailable.
- Withdraw their complaint at any stage of the complaints process. If a complaint is withdrawn, the Institute may decide to continue or discontinue any other procedure that has arisen consequentially and
- Contact an external organisation (such as the Police) or seek external advice regarding the subject matter of their complaints.

In making a complaint to the Institute, a complainant is obliged to:

- Conduct themselves honestly and courteously in all correspondence and communications with the Institute
- Engage in the complaint's resolution process in good faith and in a manner which seeks to amicably resolve their complaint in the shortest possible timeframe
- and make their complaint as soon as reasonably possible because the timeliness of a complaint submission might affect the Institute's capacity to respond to a complaint; and
- refrain from making frivolous, trivial, or vexatious complaints. The Institute may refuse to accept a complaint because it is frivolous or vexatious. A complaint can be determined to be frivolous, trivial or vexatious in circumstances where:
 - The complaint has no reasonable substance
 - The Institute has already considered the substance of the complaint, and measures have been taken to resolve the complaint or
 - The complaint contains dishonest or misleading information.

IHRI Handling of Complaints

In receiving, considering, investigating and determining a complaint under this policy, IHRI will have regard to contemporary complaint-handling practices and will strive for continuous improvement. The Institute will:

- not charge a fee
- Promote the Student Complaints Policy and its accompanying procedures to staff and students via the IHRI student hub



- c) Provide resources, training, and support to any staff member asked to respond to a complaint received under this policy and
- d) report it to the Academic Council, the corporate governing body. That report will include relevant recommendations for quality improvement from considering a complaint under this Policy.

Staff at each stage of the complaint must have regard to:

- a) The Institute's duty of care to all parties to a complaint
- b) the human rights of the complainant and any other Institute community member who is a party to the complaint.

A complainant will be kept informed of the progress of their complaint.

When deciding, decision-makers must consider whether one version of events is more likely than an alternative version.

As soon as possible, parties to a formal complaint will be provided with written advice of the Institute's determination(s) concerning the complaint, the reason(s) for the determination(s) and the avenue(s) of appeal that exist.

When a complaint is wholly or partly found to have merit, the Institute must determine an appropriate remedy and promptly implement it.

Under this policy, a student can appeal the Institute's determination of their formal complaint unless it is frivolous, trivial, or vexatious.

Complaints – Procedure

Staff and students must follow the processes set out within this Procedure when receiving, considering, investigating, and determining a complaint made under the Student Complaints Policy.

Students are encouraged to engage with Student Services or find alternative means of advocacy and support in formulating their complaints. Staff will advise students engaging in complaint management processes of advocacy options and support services.

Students can formally complain through the Student Services hub - Administration - Grievance Form.

Procedure – Informal Resolution

Students should attempt to resolve their complaints informally, directly with the relevant staff member or the relevant Head of Centre.

In informal complaint resolution, the parties to a complaint explore options and make their own decisions about resolving it rather than having a third party make and enforce a judgment.

Procedure - Formal Complaint Submission

The Institute will not accept a formal complaint submission that is:

- a) outside the scope of the Student Complaints Policy because:
 - The person who has submitted the complaint is not an IHRI student or
 - The submission does not present a circumstance that meets the definition of a complaint or
 - Another policy or procedure has been or can be used to consider the complaint or



b) Submitted more than 12 months after the latest relevant action, notification of a decision, or omission regarding the matter that is the subject of the complaint. A late submission may be accepted at the discretion of the Institute Director/s. This discretion will be exercised where exceptional circumstances regarding the complaint submission or the significance of the complaint for the Institute community are demonstrated.

Otherwise, a student who cannot resolve their complaint informally can submit a formal complaint under this Procedure.

A formal complaint submission must be made in writing and include the following:

- a) The basis for the complaint
- b) If known, the name of the person about whom the complaint is made
- c) A description of the events that have given rise to the complaint
- d) A description of the efforts made, if appropriate, to informally resolve the complaint, with an explanation of why informal resolution is impossible, inappropriate, or unsatisfactory
- e) Any relevant documentary evidence (referenced in the descriptions discussed above)
- f) The name and contact details of any witness, and
- g) The outcome the complainant seeks.

A complainant can withdraw their complaint submission at any time by writing to Student Services. The Advisor will stop management of the submission and/or advise any staff members to whom the submission has been referred to stop complaint resolution.

Receipt and Assessment

Student Services will confirm receipt of a formal complaint submission within two business days unless that formal complaint is submitted anonymously.

Where a formal complaint is submitted anonymously, any further action will depend on the ability to consider it without being able to verify the claims made in it through further contact with the complainant.

Student Services may recommend to the Institute Director/s that a complaint is frivolous, trivial, or vexatious. Within five (5) business days, the Institute Director/s may determine that the complaint:

- a) The respondent may dismiss the complaint and notify the complainant if it is frivolous, trivial, or vexatious. The decision of the Institute Director/s is final and not subject to further review within the Institute. This does not preclude a student from seeking review by an appropriate external body or
- b) It is not frivolous, trivial, or vexatious, and it notifies student services.

Subject to the procedure above, a formal complaint submission will be processed within five (5) business days of receipt. Student Services will determine that the submission:

- a) Will not be accepted in accordance with the above. Student Services will refer the complaint back to the person who made the submission or
- b) has not been made in accordance with the above. Student Services will refer the complaint back to the complainant or
- c) Falls within the scope of another Institute policy, which, for complaint resolution, has a procedure to review the action, decision or omission that is the subject of the complaint. Student Services will refer the complaint for consideration under that policy and advise the complainant of this referral, or
- d) it will be managed under the Student Complaint Procedure. Student Services will:
 - Determine the period during which complaint resolution is expected to be achieved. This will be at least fifteen (15) business days. It may be longer due to the complexity of the complaint.



- Refer the complaint to the Institute Director, Deputy Director or equivalent (the “Responsible Officer”), unless Student Services determines based on the submission that a reasonable apprehension of bias or a conflict of interest exists concerning that officer, in which case Student Services will appoint the next most senior officer as the Responsible Officer; and
- Advise the complainant of this referral.

The Responsible Officer will acknowledge receipt of the referral of the complaint submission. If they believe they have a conflict of interest, or the complainant will reasonably apprehend bias regarding the referral, they will advise Student Services, who will re-refer the complaint to the Institute Director.

Formal Complaint Resolution

The Responsible Officer will determine a process for resolving the complaint. This may include:

- a) Nominating an appropriate staff member(s) to assist; and/or
- b) Meeting with the parties (with their respective support person), together or separately, and/or
- c) Providing for mediation, conciliation, or investigation of the complaint by an appropriately trained and independent person; and/or
- d) Obtaining all other relevant evidence in the Institute’s possession.

The Responsible Officer will advise the complainant of progress throughout the resolution of the complaint.

The Responsible Officer will ensure all parties involved in resolving the complaint are treated fairly and reasonably. If the Institute also acts under a conduct policy, the procedural fairness provisions of that policy will apply.

The Responsible Officer will consider the validity of the complaint and appropriate response, including if a remedy is justified. This will include:

- a) The complaint resolution must consider if any human rights are relevant to the complaint, and the resolution must be compatible with these rights
- b) In determining the appropriate remedy, the remedial action the complainant has sought is considered, and
- c) A remedy must be within the authority of the Responsible Officer or be recommended by the Responsible Officer to the appropriately delegated person or body which has authorised the remedy.

The Responsible Officer will write on the complaint resolution process and the determination of the complaint (“the Responsible Officer’s Report”) to the complainant, other parties to the complaint resolution as required, and Student Services within the expected complaint resolution period.

Where a Responsible Officer cannot report within the expected complaint resolution period, they may request an extension from Student Services. The request for an extension will outline the steps already taken and those steps still to be taken to finalise the complaint resolution process and provide for timely complaint resolution. Also, if the proposed complaint resolution period is beyond 45 business days from the date the complaint submission was received and a human right is relevant to the complaint, the Responsible Officer will seek the complainant’s agreement regarding the proposed complaint resolution period.

- a) The Advisor may grant or reject the request and advise the Responsible Officer accordingly.
- b) If an extension is granted, the Advisor will advise the complainant of the new timeframe anticipated for response, and the Responsible Officer will advise the complainant of progress regarding the resolution of their complaint periodically.

Where a Responsible Officer has failed to act concerning any of the above, Student Services will refer the complaint to the next most senior officer, who becomes the Responsible Officer under the above process.



Responsible Officer's Report

The Responsible Officer's Report will:

- a) document the process used for resolving the complaint and findings relevant to the complaint. If any human rights are relevant to the complaint, the report will:
 - show the Responsible Officer has properly considered human rights in making any decision communicated within the report by:
 - identifying the human rights that may be affected by the decision and
 - concluding whether the decision would be compatible with human rights
 - contain recommendations for the review of any policies, programs, procedures, practices, or services undertaken in relation to their compatibility with human rights as an outcome of the decision
- b) note if an agreement has been reached by the parties and, if so, the terms of that agreement.
- c) if no agreement is reached by the parties, state the determination and provide reasons in support of it
- d) state actions (including remedies as required) which, because of the determination, have been undertaken or are to be undertaken under the Responsible Officer's direction
- e) state actions (including remedies as required) which have been undertaken by other Institute officers at the Responsible Officer's recommendation and recommend any other actions outside of the Responsible Officer's area of authority; and
- f) refer to the student's right to review and appeal the determination.

The Responsible Officer will also provide Student Services with a copy of all documentation relevant to the complaint for record-keeping purposes.

If the Responsible Officer has made any recommendations for actions required to make systemic improvements to Institute practices, including reviewing policies or procedures, Student Services will forward recommendation(s) to the relevant officer(s). Officers who receive a Responsible Officer's recommendation(s) will advise Student Services and the Responsible Officer of their response to the recommendation(s) within five (5) business days.

If a remedy is approved, the Institute will immediately implement its corrective and preventative actions. The staff member who authorised the remedy will keep the complainant appropriately informed of progress in implementing the remedy.

External Appeal Options

The complainants may choose to access the following:

- a) Any external organisation that has jurisdiction to investigate administrative action, including
- b) the Maltese Human Rights Commission can investigate complaints of discrimination and human rights breaches
- c) the Maltese Further and Higher Education Authority (MFHEA).

The Institute will deal promptly with all requests from external complaints agencies.

Students can contact or complain to external complaint agencies at any time. These external agencies might expect a complainant to first attempt to resolve their grievances internally, using the Institute's procedures, unless there are exceptional circumstances or an unreasonable lapse of time without a response to a formal complaint.

Confidentiality

The Privacy Policy states that staff and the Institute must only use the information provided by students for the purpose it was provided. Students may disclose highly personal, sensitive, or medical information as part of their formal complaint. That information can only be used for the following purposes:

- a) resolving or determining the formal complaint and/or



- b) referring to the formal complaint under another Institute policy or procedure, and it should be treated confidentially and in accordance with the Privacy Policy.

Reporting and Record-keeping

Student Services will provide an annual written report to the Academic Council, which will include the following:

- a) quantitative and qualitative analysis of the formal complaints received, referred, resolved, and withdrawn, and of performance in complaint handling; and
- b) recommendations for changes to policy and practice, including regarding the management of complaints.

Records will be kept in accordance with the Institute's Records Management Policy.