

Complaints Procedure for Students

SCOPE OF THIS PROCEDURE

1. New College of the Humanities (the College) is committed to ensuring a high-quality educational experience for its students, supported by appropriate academic, administrative and welfare support services and facilities. However, there will be instances when students may feel dissatisfied with the teaching and learning, facilities or services provided by the College or with the way the College or its staff have acted or omitted to act in its delivery of its services.
2. This procedure is for students to raise complaints regarding academic/facility provisions or complaints about staff behaviour.
3. For complaints about a student, such as a breach in one of the following policies, please refer to the Student Disciplinary Procedures:
 - 3.1. Acceptable Use for Student (IT) Policy
 - 3.2. Bullying and Harassment Policy
 - 3.3. Code of Practice on Freedom of Speech
 - 3.4. Communication Policy
 - 3.5. Equality, Diversity, and Inclusion Policy
 - 3.6. Library Fines Policy
 - 3.7. Misuse of Substance Statement
 - 3.8. Safeguarding Policy
 - 3.9. Apprenticeship learners with complaints about their apprenticeship in the workplace must refer to their own organisation's complaints and grievance policies
4. For the purposes of this procedure, the term 'student' means any individual registered with the College to study. This includes full-time and part-time students, undergraduates and postgraduates, work-related learners and apprenticeship learners.¹

¹ Apprentices may also contact the Apprenticeship Helpdesk on 08000 150400 or by email at nationalhelpdesk@apprenticeships.gov.uk

5. All complaints made by students are kept confidential. Only staff or students who are involved will be contacted, and they will be instructed that all details regarding the complaint are to be kept confidential.
6. Students will not be penalised in any way if they make a complaint. The documentation created from the complaint will be kept in accordance with the General Data Protection Regulation (GDPR). For further information, please see the [Data Protection Policy](#).

SUPPORT FOR COMPLAINANT

7. The College acknowledges that raising a complaint can be a stressful and an anxious time for a student and can affect the health of the complainant. Therefore, below identifies support available to students who are thinking about and submitting a complaint or have submitted a complaint. The staff identified below are not involved in procedure, either as investigator or panel member, and therefore able to be the complainants confident.
8. The Registrar is responsible for the administration of this procedure. The Registrar can provide guidance on the procedure, including timeline, outcomes, and appeals procedures (internally and externally).
9. The Equality, Diversity, and Inclusion Group (EDIG) can provide support to students complaining about bullying, harassment, and breaches of the Equality, Diversity, and Inclusion Policy.
10. The College's Student Union can support students submitting complaints. The complainant can contact any SU Officer they feel most comfortable approaching and the complainant can be assisted throughout the complaint procedure, such as providing information or clarity about the procedure, support in raising and submitting the complaint, i.e. proofreading the complaint form. The SU Officers involved in supporting the complainant will maintain confidentiality with regards to the nature of the complaint.
11. Student Support and Development can provide pastoral and mental health support to students making a complaint, if required.

DEFINITIONS

12. A complaint is defined, by the UK Quality Code,² as
"A specific query about an aspect of experience of the provider."
13. The Office of the Independent Adjudicator defines a student complaint as:³
"an expression of dissatisfaction by one or more students about a University's action or lack of action, or about the standard of service provided by or on behalf of the University".
14. The procedures set out below can be used by students to complain about services provided by the College.

² UK Quality Code Complaints Concerns and Appeals

³ [Office of the Independent Adjudicator](#) and [The Good Practice Framework](#)

FEEDBACK OR COMPLAINT

15. Students have several channels to provide feedback to the College regarding their experience, for example through their Student Representative, NCH Student Union, satisfaction surveys, or directly to a member of staff. For more information, please refer to [AQF10 Student Voice](#).
16. Complaints may relate to (though not be limited to):
 - 16.1. The teaching and learning experience of the student, e.g. quality of teaching, teaching facilities, level of support.
 - 16.2. Services, e.g. access to WiFi on site, learning resource access or access to core texts.
 - 16.3. Administrative services, (Registry, Student Support and Development, Finance Team, etc.) e.g. where emails or queries have not been answered in a timely manner.
 - 16.4. Staff, where their behaviour breaches one of the College's policies.
17. Examples of complaints include:
 - 17.1. Failure by the College to meet obligations including those outlined in programme or student handbooks.
 - 17.2. Misleading or incorrect information in prospectuses or promotional material and other information provided by the College.
 - 17.3. Dissatisfaction regarding the delivery of a programme, such as the quality of teaching or administration, including where either of these are provided by a collaborative partner of the College.
 - 17.4. Failure by the College to deliver reasonable adjustments agreed to support the student learning experience.
 - 17.5. Poor quality of facilities, learning resources or services provided directly by the College.
 - 17.6. Complaints involving other organisations or contractors providing a service on behalf of the College.
 - 17.7. Complaints involving the behaviour of a member of staff, from the College, partner organisations or collaborative partners.

WHO CAN MAKE A COMPLAINT?

18. The following people or groups can complain:
 - 18.1. Registered students
 - 18.2. Students taking a break in their studies, or on a temporary withdrawal or on a temporary exclusion or suspension
 - 18.3. Groups of registered students
 - 18.4. Former students only if the complaint could not reasonably have been brought while they were a registered student.

ANONYMOUS COMPLAINTS

19. Students should have the confidence and support to submit a complaint under this procedure. However, exceptionally, the College may decide to consider an anonymous complaint if the evidence submitted provides a compelling case. The Dean of Faculties will review the anonymous complaint and make the decision as to whether it should be investigated.
20. Anonymous complaints can only be investigated if substantial evidence is submitted, enabling a thorough review and investigation. Raising an anonymous complaint might impact on the time it takes to investigate and impede the communication of the outcome.

VEXATIOUS OR MALICIOUS COMPLAINTS

21. The College will not consider unsubstantiated complaints that it regards as vexatious or malicious. Complaints of this nature may result in disciplinary action under the Student Disciplinary Procedures.
22. A vexatious complaint is one that is pursued, regardless of its merits, solely to harass, annoy or subdue somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted.
23. A malicious complaint is one that is made with the intention of causing harm, for example
 - 23.1. Deliberately seeking to defame a peer and raising a complaint with this intent.
 - 23.2. Through lying about an issue or incident in the knowledge that this will cause harm.
 - 23.3. Through knowingly basing a complaint on rumour or gossip with the intention of causing harm.
24. If the Complaints Case Officer discovers the complaint submitted is either vexatious or malicious, they can instigate the Student Disciplinary Procedure, using the evidence gathered from the complaint investigation.

GENERAL PRINCIPLES

25. This procedure has been designed to give the students the opportunity to resolve the concern or complaint at the early resolution stage, should they agree.
26. The general principles of this procedure are that:
 - 26.1. Complaints will be treated seriously, as expeditiously as possible, and in a consistent fashion.
 - 26.2. Complaints will be treated in a rigorous and fair manner with sensitivity to all parties concerned.

- 26.3. Submission of a complaint will be treated with transparency and impartiality, and not lead to recrimination or adversely affect academic progression.
- 26.4. Privacy and confidentiality will be maintained except where disclosure is necessary to progress the complaint.
- 26.5. Complaints will be dealt with having due regard to UK legislation.⁴
- 26.6. The complaints procedure will normally be completed within 90 calendar days from the start of the Student Complaints Panel (SCP) stage.
- 26.7. Students who are dissatisfied with the outcome, after exhausting the College's procedures, can appeal to the Office of the Independent Adjudicator (OIA).
- 26.8. Apprentices may also raise their apprenticeship concerns, complaints and enquiries with the Education & Skills Funding Agency (ESFA), by contacting the apprenticeship helpline. The ESFA Guide to making a complaint can be found [here](#). The Helpdesk can be contacted by phone on 0800 150600 or via email [here](#).

MAKING A COMPLAINT

27. Students are encouraged to raise their complaint or concerns at the earliest opportunity, ideally at the time of the incident or as soon as possible after they experience the poor service or support.
28. A complaint will not normally be investigated if a period of three months has elapsed since the alleged action, which is the basis of the complaint, although the Dean of Faculties may exceptionally allow such a complaint to proceed, for example if the Dean of Faculties is satisfied there is a good reason that the complaint could not be submitted earlier.
29. The policy contains the following stages:
 - 29.1. Stage 1: Early Resolution (Voluntary)
 - 29.2. Stage 2: Student Complaints Panel
30. For the purposes of this procedure:
 - 30.1. The person(s) making the complaint will be known as the complainant(s).
 - 30.2. The person who is being complained about will be known as the complainee. In the case of a complaint made about a service, process or facility at the College, the manager or person responsible for the delivery of it will act as the complainee in this procedure.

PROCEDURE

31. [Annex A](#) provides a summary of the procedure.

⁴ Including GDPR 2018; The Consumer Rights Act 2015; Consumer and Marketing Authority

32. **Annex B** provides a map of the timeline for the procedure. It is the aim of the College to meet the guidance of the OIA's Good Practice Framework and complete the formal procedures in 90 calendar days. For the purposes of this procedure, the formal procedure commences as the complaint is made formal and the Student Complaints Panel is convened. The Early Resolution stage is not part of the formal complaint but the College aims to have this stage completed within 28 calendar days of the complaint being submitted to the Registrar.
33. The complainant should complete the Student Complaint Form and submit it to the Registrar along with all supporting evidence.
34. The Registrar will appoint a Complaint Case Officer, within seven calendar days of the complaint being submitted, who will review the complaint form and evidence. The Complaint Case Officer will be a senior member of staff.⁵

INITIAL REVIEW

35. The Complaint Case Officer will take the following actions:
 - 35.1. Contact the Complainant to confirm that they have understood the matter correctly.
 - 35.2. Contact the Complainee to obtain their version of the incident.
 - 35.3. Contact any witnesses and request a statement.
 - 35.4. Any other actions considered necessary to establish the facts of the case.
36. The Complaint Case Officer will only provide general information to the complainant and complainee about the conduct and progress of their information gathering until such time as they have concluded their review.
37. The Complaint Case Officer will have discretion to contact and obtain information from the complainant, complainee and any witnesses in the manner they feel most appropriate in the circumstances, which may include email, phone calls, zoom or in person meetings.
38. After the review and if both parties agree, the Complaint Case Officer concludes that there is a case, it will progress the complaint to Stage 1- Early Resolution.
39. However, if the complaint is complex (e.g. multiple events and multiple parts involved), serious (e.g. College services breaching the Equality, Diversity, and Inclusion Policy), or neither the complainant nor the complainee agree to be part of Stage 1, the complaint will progress to Stage 2 – Student Complaints Panel immediately.

STAGE 1: EARLY RESOLUTION

40. This stage of the Student Complaints Procedure is designed to attempt to address complaints promptly and efficiently. This stage will act as a facilitation and/or conciliation phase.

⁵ Senior member of staff is defined as a Head of Faculty or a member of the Senior Management Team.

41. This stage is voluntary and if either the complainant or complainee does not agree to the early resolution phase, the procedure will progress to Stage 2: Student Complaints Panel.
42. A meeting, either in person or virtually, will be held in order to discuss the matters complained about. The Complaint Case Officer will act as a facilitator and work alongside the complainant and complainee in an attempt to resolve the complainant's concerns before the complaint is escalated to Stage 2. Where a meeting is not practicable, the Complaint Case Officer can facilitate a resolution between parties.
43. The Complaint Case Officer may suggest actions to either or both parties to resolve the complaint which may include, but is not limited to:
 - 43.1. Providing more information or a more detailed explanation of the complainant's concerns.
 - 43.2. Providing additional information uncovered in the course of the review.
 - 43.3. Proposing suggestions for enhancements or changes to practices, services or processes.
 - 43.4. Proposing possible solutions or resolutions.
44. Both parties may be accompanied by a friend, colleague, or a Student Union representative to any meetings at this stage.
45. The Complaint Case Officer will write a record of any meetings and any agreed outcomes.
46. The timeline for the review and conciliation/mediation process will normally be conducted in 14 calendar days. Additional time of seven calendar days will be available for exceptional circumstances where the Complaint Case Officer requires more time to speak to key individuals to gather more information. If this additional time is required, the Complaints Case Officer will write to the complainant and complainee to inform them of the additional time required to make sure all the relevant information is collected.
47. The Complaint Case Officer will be responsible for submitting the report to the Registrar within seven calendar days of completing the early resolution stage.
48. The Registrar will securely store the Complaint Case Officer's report. The Complaint Case Officer will be responsible for following up any actions and updating the Registrar of progression and completion of actions.
49. If an agreement is reached, the Complaint Case Officer prepares an email which details resolution and both parties are asked to confirm agreement by return within 14 calendar days.
50. Agreed actions will be limited to things within the power of the complainant or complainee to change. College regulation and/or policy, change of marks, awards, or deferrals/referral are not included.

51. If both parties are satisfied with the outcome of the Early Resolution stage, the Registrar will issue a Completion of Procedures (COP) letter to the complainant.

STAGE 2: STUDENT COMPLAINT PANEL

52. If the Early Resolution stage does not resolve the concern, or if the case is deemed too complex or serious by the Complaint Case Officer, or if either party does not want to pursue the Early Resolution stage, the Student Complaints Panel will be scheduled.
53. The Student Complaints Panel will consist of three senior members of staff, appointed by the Dean of Faculties. The Dean of Faculties will also appoint one of those members of staff to be the Chair. The panel members must be:
 - 53.1. From outside the area(s) complained about and have no previous knowledge of the complaint
 - 53.2. Free of any bias or any reasonable perception of bias.
 - 53.3. Able to participate in the whole process for the final decision to be valid.
54. A member of professional staff will act as a secretary.
55. The Student Complaints Panel will review the submitted complaint form, additional evidence supplied by the complainant at the time of submitting the complaint and the Complaints Case Officer report and supporting evidence, including any proposed or completed solutions.
56. The Student Complaints Panel will only hear cases that have been referred by the Complaints Case Officer. The procedure is as follows:
 - 56.1. The Secretary to the Panel will schedule a panel meeting, which may be in person or online, as determined by the Panel Chair, and invite the complainant and complainees to attend, and each party will be given a full set of documentation (complaint form, supporting evidence, the Complaints Case Officer report, and additional evidence) and the list of panel members.
 - 56.2. Both parties are able to raise objections of the panel members, on grounds of bias or reasonable perception of bias. The objection is to be submitted to the Secretary, to be reviewed by the Panel Chair.
 - 56.3. Both parties may be accompanied by a friend, colleague, or a Student Union representative.
 - 56.4. If either party is unable to attend the panel meeting for good reason, the meeting can be rearranged. The rescheduling of the panel meeting requires approval from the Panel Chair. The request will need to be made in writing outlining the reason for the rearrangement of the panel meeting.
 - 56.5. The Chair will decide the order of events and which party, including the Complaints Case Officer, will present their case first.
 - 56.6. Both parties will have an opportunity to separately present their case and be questioned by the panel.

- 56.7. Each party can call existing witnesses and question them in front of the panel.
- 56.8. The Panel can question the witnesses without either party present.
- 56.9. The Panel can request for the Complaints Case Officer to attend the meeting and present their review.
- 56.10. The Panel will meet in private to reach its decision.
57. On completion of the review the Student Complaints Panel will do one of the following:
 - 57.1. Declare the case justified.
 - 57.2. Declare the case partly justified.
 - 57.3. Declare that there is no case.
 - 57.4. Suspend the panel meeting and request further evidence.
58. The panel will find the complaint justified or partially justified if it is considered that the evidence presented identifies, on the balance of probabilities, that the complainant has proved their case. The decision of the panel shall be that as agreed to by the majority of its members.
59. The decision of the panel, including the reason(s) for the decision, shall be communicated to both parties in writing by the Secretary, normally within seven calendar days of the meeting.
60. The panel may refer the case to the Staff Disciplinary Procedures.
61. The Secretary of the panel will provide the Registrar with all panel documentation to store in accordance with the requirements of the GDPR.

POWERS OF THE STUDENT COMPLAINTS PANEL

58. In applying a remedy, the panel aspires to return the student to the position that they would have been in had the circumstances not occurred.⁶ The panel shall be able to propose any resolution to the complainant that it considers reasonable and is within its powers to resolve a complaint which is upheld in whole or part. Where the SCP would wish to provide feedback or recommendations to particular areas of the College, this should be included within the SCP's decision for the attention of the Registrar.

APPEALS PROCEDURE

59. The complainant can appeal the outcome, using the 'Complaint Appeal Form' (available in the Academic Handbook), to the Dean of Faculties within 14 calendar days.
60. If the complainant does not submit an appeal against the panel's decision within 14 calendar days, the Registrar will issue a Completion of Procedures Letter (COP) to the complainant, advising that the procedure has been

⁶ Putting Things Right

completed and of their right to refer the case to the Office of the Independent Adjudicator.

61. The complainant may only appeal on one or more of the following grounds, which must be specified on the Complaint Appeal Form:
 - 61.1. There has been a significant procedural flaw or irregularity that compromised the fairness of the process. (It shall be for the Complaints Appeal Board (CoAB) to determine whether any such irregularity or failure to observe the provision of the policy brings into question the decision of the hearing of the SCP.)
 - 61.2. New material evidence, which must be supported by explanation of why it could not reasonably have been provided at an earlier stage.
 - 61.3. That there is a bias or reasonable perception of bias during the procedure.
 - 61.4. An outcome, decision, being so disproportionate as to be outside what a reasonable person could have reached.
62. Following submission of an appeal, the Dean of Faculties will undertake a preliminary review of the appeal to determine whether, on the face of it, there are grounds.
63. Where the preliminary review identifies that the appeal does not have substance within the accepted grounds for appeal stipulated in paragraph 61 the parties shall be informed of the decision in writing and the College will issue a COP advising that the procedure has been completed.
64. Where the preliminary review identifies that there are grounds for appeal, the appeal will be submitted to the CoAB.
65. The CoAB will consist of three new persons appointed by the Dean of Faculties. No person shall sit on the CoAB if they are directly associated (member of faculty currently teaching the student involved or a member of professional staff who is/has supported the student with the case) with the parties against which the appeal is made.
66. The CoAB's considerations will be limited to the grounds stated in the appeal and should not take the form of a rehearing. The CoAB will be provided with the report and evidence from the SCP but will not, at this time, interview the appellant or witnesses.
67. The CoAB may:
 - 67.1 Review the decision made by the SCP and either:
 - 67.1.1 Overturn the original decision and substitute such other remedy as it considers appropriate.
 - 67.1.2 Suspend the process requesting new or further information.
 - 67.1.3 Reject the appeal, in which case the original decision will stand.
68. The CoAB shall consider its decision and shall notify the appellant of the decision within seven calendar days. If the decision falls under 67.1.1, the other party will be notified as appropriate.

69. The decision of the CoAB shall be final and no further appeal to the College may be permitted. The Registrar will notify both parties that the internal complaints procedures have been completed and will issue a COP letter.

OFFICE OF THE INDEPENDENT ADJUDICATOR

70. At the end of the procedure, the complainant will receive a Completion of Procedures letter. At this point if the student remains dissatisfied, they have the right to refer the decision to the OIA, within 12 months of the date of the Completion of Procedures letter. Details are available [here](#).
71. The Office of the Independent Adjudicator (OIA) is an independent body set up as a result of the Higher Education Act 2004 to run a student complaints scheme. Membership of the OIA is a requirement of the Higher Education and Research Act 2017 and the Office for Students.

REPORTING, MONITORING, AND REVIEWING

72. The Registrar is responsible for monitoring the action and reporting their completion as part of the annual report to Academic Board.
73. The Registrar will report to Academic Board statistical information relating to complaints made by students and outcomes on an annual basis.
74. Academic Board will monitor the data and make recommendations as appropriate.
75. Academic Board will review the policy and procedures for their effectiveness.

DESIGNATED CONTACT REFERENCES

76. For complaints regarding Registry, the student should contact the Director of Academic Services.
77. For complaints regarding the Director of Academic Services, the student should contact the Chief Executive Officer.
78. For complaints regarding the Chief Executive Officer or any other member of the College's Executive Committee, the student should contact the Chair of NCH at Northeastern Limited Board of Governors.

AREAS OF COMPLAINT NOT COVERED BY THIS POLICY

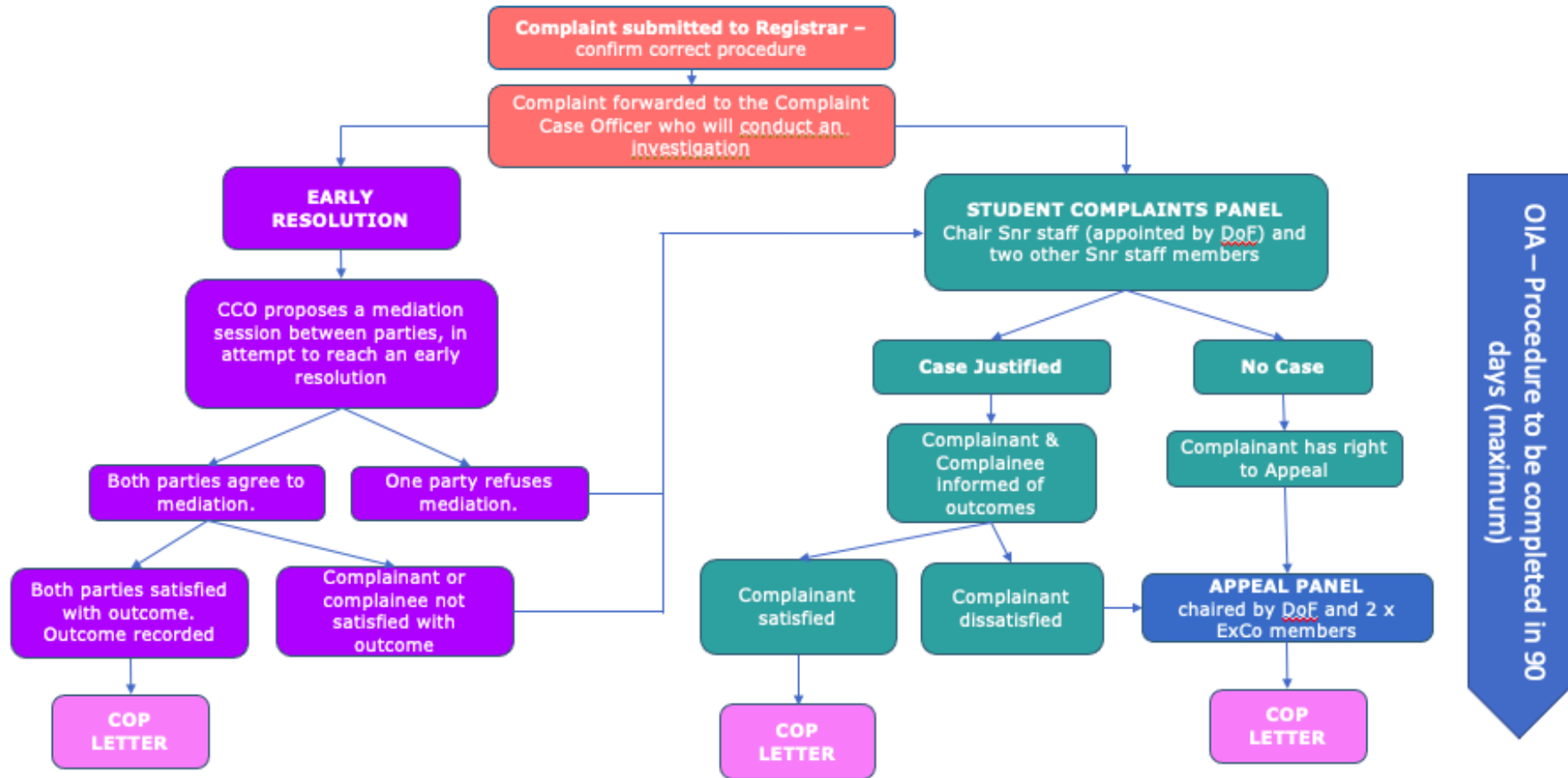
79. For any complaints regarding decisions by the Progression and Award Board (academic progression), students should refer to the Academic Appeals Policy and Procedures.
80. For complaints about interactions with (an)other student(s) in residences, the student should contact the residence's manager.
81. For complaints about the NCH Student Union, the student should refer to the President of the Student Union.

82. For complaints about the behaviour of (an)other student(s), the student should inform Registry who will advise on whether the complaint comes under the Student Disciplinary Procedure.
83. For students on degree apprenticeship programmes, if the complaint is about the employer, the employer’s complaints policy should be referred to and used.

Title: Complaints Procedure for Students					
Approved by: Academic Board					
Version number	Date approved	Date published	Owner	Location	Proposed next review date
7.0 Formally the Student Complaints Policy and Procedures	September 2021	September 2021	Director of Academic Services	Academic Handbook; Policies and Procedures; General	April 2024
6.1	October 2020	October 2020	Head of Quality Assurance	Academic Handbook; Policies and Procedures; General	April 2023
6.0	September 2020	September 2020	Head of Quality Assurance	Academic Handbook; Policies and Procedures; General	April 2023
5.2	December 2019	December 2019	Head of Quality Assurance	Academic Handbook; Policies and Procedures; General	April 2022
5.1	October 2019	October 2019	Head of Quality Assurance	Academic Handbook; Policies and Procedures; General	April 2022
5.0	May 2019	June 2019	Head of Quality Assurance	Academic Handbook; Policies and Procedures; General	April 2022
Referenced documents	Student Disciplinary Procedures; Academic Appeals Policy; Staff Disciplinary Procedure; Academic Appeals Policy				

External Reference Point(s)	UK Quality Code Theme: Concerns, Complaints and Appeals; General Data Protection Regulation (GDPR); Office of the Independent Adjudicator; The Higher Education and Research Act 2017; Higher Education Act 2004; Office for Students; EFSA
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ANNEX A: COMPLAINTS PROCEDURES FOR STUDENTS FLOWCHART



ANNEX B: PROPOSED TIMELINE OF PROCEDURE

Activity	Number of calendar days	Total number of calendar days
Complaint submitted		Day 0
CCO appointed	7	Day 7
CCO investigation & Early Resolution Phase (<i>Extraordinary additional time</i>)	14 (7)	Day 21 (28)
CCO report and evidence submitted to Registrar	7	Day 28 (35)
Progresses to Formal Complaint	-	Day 0
Panel selected	7	Day 7
Panel meeting scheduled (minimum 14 calendar days notice of agreed panel)	14	Day 21
Panel outcome report sent to student post panel meeting	7	Day 35
Student right to appeal	14	Day 42
Appeal Review	14	Day 58
Complaints Appeal Board scheduled	7	Day 65
CoAB Outcome sent to student	14	Day 79