



**NEWBOLD
COLLEGE**
OF HIGHER EDUCATION

COMPLAINT POLICY

Policy Owner: Academic Registrar

Drafted/Amended: April 2018

Approved by: Academic Board

Ratified by: Board of Governors

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COMPLAINTS POLICY

1. Introduction

- 1.1 It is the permanent aim of Newbold College of Higher Education (the College) to create learning opportunities and to provide an inclusive, supportive and safe environment for all students, staff members, and the general public who interact with the College and other stakeholders. Nevertheless, the College recognises that there may be occasions when different categories of stakeholders feel that they are not satisfied with certain outcomes in relation to academic and support services and want to express their concerns. This policy has been developed because the College values feedback and uses this to further enhance all its provision, and it aims to provide information on how to make a complaint.
- 1.2 The College is committed to delivering a high quality service and maintaining effective procedures, and to bring forward complaints where there is cause for concern. It is the College's aim to settle complaints promptly, fairly and courteously in the best interests of all parties, and to address areas where improvement is needed. The College is keen to ensure that the interests and wellbeing of all those associated with a complaint are properly safeguarded.
- 1.3 The College aims to handle complaints in a manner which:
- encourages informal conciliation nearest to the source of the complaint
 - is efficient and fair
 - treats complaints with appropriate seriousness, sympathy and confidentiality
 - facilitates early resolution
 - where relevant, ensures that College practice improves as a result.
- 1.4 The procedures outlined below have been established with the aim, where possible, of resolving complaints informally and through negotiation between those individuals who are immediately concerned with the issue. The College recognises, however, that some complaints cannot be resolved by informal means alone and may require formal intervention. The formal procedure is therefore available to students in the event that informal pursuit of a complaint proves unsatisfactory.

2. Definitions

- 2.1 The term '**Complaint**' covers a wide range of possible issue, and complaints can be made about
- The teaching and learning you have received, related to teaching staff, or learning support services, and they will be considered **academic complaints**
 - A given service, such as accommodation, IT related issues, Library, Students Support, and Student Finance, or a member of staff and they will be considered **non-academic complaints**
- 2.2 A complaint only becomes a complaint if it has not been possible to solve a problem or issue informally or if an issue is so serious that using an informal route initially is not appropriate.
- 2.3 Monitoring and evaluation of complaints procedure is within the remit of the Academic Registrar and also forms part of the annual quality assurance procedure.
- 2.4 A person who makes a complaint is known as the '**Complainant**'

3. Exclusions

The following complaints shall not be considered under this policy:

- 3.1. Complaint caused by the behaviour or conduct of a member of staff or of other students. Such complaints are normally dealt with under the grievance and disciplinary procedure
- 3.2. Complaints against academic decisions such as assessment, progression or awards. Such complaints come under the remit of the Academic Appeals Policy
- 3.3. Anonymous complaints or complaints based on anonymous evidence shall not normally be considered unless it appears that the complaints is made in good faith, and its resolution may enhance the common good of students of the College
- 3.4. Frivolous or vexatious complaints

4. Who can complain?

- 4.1 All students currently registered at the College, either individually or as a group. This also includes students on placement, in work-based learning or on an approved leave of absence.
- 4.2 Students accepted for a programme of study at the College but not yet registered, regarding the admission process (see Complaints and Appeals Policy for Applicants).
- 4.3 Graduates of the College
- 4.4 Immediate family members of the prospective and current students and graduates
- 4.5 Staff members in relation of other staff members. However, this policy will not apply if the issue is to be dealt with under the grievance, harassment or other relevant policies.
- 4.6 Members of the general public regarding decisions and actions of individual members of staff and/or the College' representative bodies.

5. Confidentiality

All parties will maintain confidentiality during the entire complaints procedure. If disclosure becomes necessary to ensure the progress of the complaint, the complainant will be notified of the intended disclosure and asked whether he/she wants to proceed with a complaint.

6. Conflict of interest

Persons investigating a complaint or making decisions on a complaint should consider their position and avoid further involvement if a complainant alleges that they are somehow responsible for the reasons behind the complaint or if there are other relevant circumstances that are likely to compromise impartiality and fairness of the outcome.

7. Procedure

Complainants are expected to utilise existing quality assurance procedures to raise their concerns. For students this relates particularly to module questionnaires, student representatives, student bodies, and other available avenues.

The College aims to resolve complaints in a mutually satisfactory way as quickly as possible, in an informal way and at the lowest level possible.

In the event of a complainant commencing any legal proceedings, the internal procedure shall either be suspended or abandoned.

8. Procedural Advice, advocacy and support

Procedural advice, advocacy and support for persons entitled to lodge a complaint in accordance with this policy is normally available from the College's chaplain and the Newbold Student Association (NSA) President and other officers as appointed by the NSA. The College

and the NSA work closely together to exchange information on complaints. The College provides regular training and support for the Chaplain and the NSA officers responsible for providing procedural advice, advocacy and support.

9. Informal Resolution

9.1 Most complaints can be resolved simply and swiftly in an informal manner, at a local level, by discussing the issue or concern with the relevant person. For issues relating to a module or a programme of study, the relevant person will normally be the Head of Department. For concerns relating to services provided by the College, the relevant person will normally be the manager of the department or service concerned. The College encourages students to raise matters of concern as soon as they arise, but no later than one month after finding out about the reasons for a complaint. In the case of graduates and their family members, the right to complain expires 12 months after the awards ceremony.

The College will seek, in turn, to find effective remedies to those concerns as quickly as possible and with minimum disruption. Please see here below the list of appropriate contacts:

Issue related to:	Designated contact ¹
Finance	Chief Financial Officer
Information Technology (including Moodle)	IT Manager
Roy Graham Library	Librarian
Campus and Estate Services	Head of Campus & Estate Services, and Grounds Manager
Halls of Residence Food Services Student Support Counselling	Head of Student Support
Teaching and Learning	Relevant Head of Department or Academic Registrar
Admission and Records	Academic Registrar

If you are unsure where to go please approach NSA. It is important that we know about your issue so that we can try to help and support you.

Once you approach one of the above services, you should expect the following:

1. A reasonable **time-line** for addressing the issue and an update of when it is not possible to meet that deadline;
2. **Contact details** of the person that will be dealing with the issue for you, if different than the designated contact
3. **Information** about what to do if issues are not addressed to your satisfaction

9.2 A student or group of students who express a specific concern about the provision of a Programme of Study, or a related academic or support service should, where appropriate, seek to resolve the matter through their Student Representatives, Newbold Student Association (NSA)'s officers and Tutors.

The Quality Assurance procedures established by the College including module feedback and

¹ Designated contacts should familiarise themselves with the Guidelines for Members of Staff (Appendix 1)

survey, Annual Reviews of Programmes of Study will take account of all forms of student feedback and ensure that appropriate action is taken.

10. Formal Complaints Procedure

10.1 If an issue or concern cannot be resolved through the informal complaints procedure, a student may submit a formal complaint in writing on the Formal Complaint Form (Appendix 1) to the Academic Registrar. Formal complaints must be received no more than 1 month after the informal procedure has ended (where appropriate) and normally no more than 6 months after the main issues complained about occurring. Formal complaints received after these deadlines will be deemed to be out of time and will not be considered unless there is independent evidence to show compelling reasons as to why the formal complaint was not raised in a timely manner. The College will not consider any complaint where the main issues complained about took place more than 3 years before the complaint is received. Where a complaint is deemed out of time, the College will issue a Letter on request, noting the reason why the complaint was not considered.

10.2 The Academic Registrar will acknowledge receipt of the complaint normally within 5 clear working days. If a student submits a complaint which is not acknowledged within 5 clear working days, the student should contact the Academic Registrar to ensure that the complaint was actually received.

10.3 The Academic Registrar will forward the complaint to the relevant Head of Department. The Head of Department shall raise the matter with any appropriate member(s) of staff and shall submit an initial report to the Academic Registrar within 15 clear working days which sets out the findings of his/her investigation and, where appropriate, makes recommendations on possible remedies to the complaint.

10.4. On receipt of the initial report from the relevant Head of Department, the Academic Registrar may request a meeting with the complainant to clarify statements made in the formal complaint, to confirm the details of the complainant's stated desired outcome, and to share the main points in the initial report. However, if the student disputes the evidence or the outcome is of great significance for the student, the Academic Registrar will normally meet the student face to face.

If for reasons of distance or other good reason, physical attendance in person is not possible, the complainant shall be invited to communicate via alternative means. Legal representation is not allowed, however a student is advised to bring a trusted person at the meeting. On completion of the investigation a final complaint investigation report shall be produced and kept of file in the Academic Registrar's office.

10.5 Final Decision

The final decision on the complaint shall be communicated to the complainant by means of a Complaint Outcome Letter (which may take the form of an electronic communication), no more than 5 clear working days after the receipt of the report. The Complaint Outcome Letter should include a brief explanation of reasons for the decision (including, if appropriate, details of the proposed remedy) and instructions on how to appeal the decision.

The Complaint Outcome Letter shall contain advice on how to appeal to the degree-awarding institution (University of Wales Trinity Saint David, Washington Adventist University, and Andrews Adventist University) as appropriate.

11. Independent Adjudicator

If you are on a course **validated by a UK partner institution** and you are still not satisfied that your complaint has been dealt with in an appropriate manner you may contact the Office of the Independent Adjudicator for Higher Education:

The Office of the Independent Adjudicator for Higher Education

Third Floor

Kings Reach

Kings Road

Reading

RG1 3AA

<http://www.oiahe.org.uk>

This is your final point of recourse, and the decision of the Independent Adjudicator is final.

Appendix 1

Guidelines for members of staff

The College has established open, fair and accessible Complaints Procedures in order to encourage the prompt resolution of problems at the earliest possible stage.

- a. All members of staff must encourage a positive environment where contact with, and feedback from, students is welcomed, and constructive complaints can be dealt with effectively.
- b. All members of staff must have a good working knowledge of these complaints procedures and their underlying principles. The College will notify staff of where this policy can be accessed and will advise of any updates.
- c. Where possible, complaints should be dealt with as near to source as possible, in a timely manner and progressed to the next stage of the complaints procedures as appropriate.
- d. Clear written records of the various stages of the complaints process must be confidentially maintained on the student file, in accordance with Data Protection guidance, and with a note of decisions and actions taken (with dates) and a record of outcomes.
- e. The Academic Registrar must ensure that any members of staff involved in a student complaint are kept informed of the outcome of each stage of the process and of how the matter has been resolved.
- f. Members of staff involved in handling the various stages of complaints are obliged to ensure that the complainant is not disadvantaged either in manner of treatment or in discrimination in academic assessment as a result of raising the complaint.
- g. The confidentiality of both the complainant and the subject of any complaint must be respected.



FORMAL COMPLAINT FORM

Newbold College of Higher Education operates an informal complaints procedure and a formal complaints procedure. You should raise issues through the informal procedures in the first instance and should only use this form if it has not been possible to find a remedy to the complaint or if you are dissatisfied with the proposed remedy under the informal procedures.

Before completing this form, you should read the College’s Complaints Policy. This form cannot be used for complaints against the decisions of Examining Boards or disputes with persons not employed by or subject to the jurisdiction of the College. The form does not apply to student complaints about the behaviour or conduct of other students. Complaints of this nature should be raised with the **Head of Student Support** in the first instance.

You are reminded that the College’s chaplain and officers of the Newbold Student Association (NSA) can be approached at any time for advice and support on any issue.

This form should be typed, or completed in black ink and sent to the Academic Registrar (Ref: Formal Complaint). All sections of the form must be completed. Students are advised to keep a copy of the form.

Formal complaints must be received **no more than 1 month** after the informal procedure has ended (where appropriate) and normally **no more than 6 months** after the main issues complained about occurring. Formal complaints received after these deadlines will be deemed to be out of time and may not be considered unless there is independent evidence to show compelling reasons as to why the formal complaint was not raised in a timely manner. The College will not consider any complaint where the main issues complained about took place more than three years before the complaint is received.

The Academic Registrar shall acknowledge receipt of your complaint normally within 5 clear working days. If you do not receive an acknowledgement within 5 clear working days, you should contact the Academic Registrar to ensure that your complaint was actually received.

All communications relating to this claim during its process must be in writing and either emailed or posted to:

<p><u>(for email)</u></p> <p>Email: ssantona@newbold.ac.uk</p> <p>Subject: Formal Complaint</p>	<p><u>(for post)</u></p> <p>Academic Registrar (Ref: Formal Complaint) Newbold College of Higher Education St Marks Rd Binfield Berkshire RG42 4AN</p>
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The College will acknowledge receipt of your claim and provide you with any updates and an outcome by email; therefore, it is important that you check your College email accounts regularly.
This form is available electronically on the College’s website

SECTION A: Student Details

Student Name:	
Student Number:	
Contact Address:	
Contact Telephone Number:	
E-mail address:	
Programme of Study:	
Mode of study	<input type="checkbox"/> Full-time <input type="checkbox"/> Part-time <input type="checkbox"/> Distance Learning
Are you currently a student with the College?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If "No", what was the final date that you were a student with the College?	

Please note that this form will be forwarded to the appropriate Head of Department:

- **for complaints about an academic service;**
- **for complaints about a support service.**

SECTION B: Details of complaint and desired outcome

Complaint against

Please indicate the provision (e.g. module, programme), service (e.g. finance, student support, admission and records)

(this box will expand as you type or you may attach additional sheets)

Details of complaint

Please state **exactly** the nature of your complaint. Indicate any events, dates or times that you feel are relevant. List any College documentation that you feel has been contravened.

(this box will expand as you type or you may attach additional sheets)

Supporting evidence.

List and describe the documentation which you have attached in support of your statement (please note that the College will NOT seek evidence on your behalf – it is your responsibility to do this).

(this box will expand as you type or you may attach additional sheets)

(Please do not state that "xxx is available if needed" - If you list documentary evidence to support this claim you are required to submit it or provide a date by which you will submit it).

Desired outcome

Please outline, without prejudice, the outcome or further action you would like in resolution of this complaint.

(this box will expand as you type or you may attach additional sheets)

You may be contacted by the Academic Registrar in order to seek further clarification or to arrange a meeting regarding your complaint and desired outcome.

You will receive a **Complaint Outcome letter** (which may take the form of an electronic communication) detailing the final decision on your complaint.

SECTION C: Details of informal procedures

Most complaints can be resolved simply and swiftly in an informal manner, at a local level, by discussing the issue or concern with the relevant person. The College encourages students to raise matters of concern as soon as they arise.

Have you discussed your complaint with a member of staff as part of the informal procedures for investigating complaints:

Yes: No:

Name of member of staff to whom you initially reported this complaint:

(this box will expand as you type or you may attach additional sheets)

If you have not discussed your complaint with a member of staff as part of the informal procedure for investigating complaints, please explain the reasons for not doing so and why you wish to take the complaint to formal procedures.

(this box will expand as you type or you may attach additional sheets)

If appropriate, please provide details of the remedy offered after the informal procedures for investigating complaints.

(this box will expand as you type or you may attach additional sheets)

If appropriate, please explain why you are dissatisfied with the remedy offered after the informal procedures for investigating complaints.

(this box will expand as you type or you may attach additional sheets)

The information which I have provided is correct and complete to the best of my knowledge. I give my consent for this information to be disclosed to the relevant officers of the College who are responsible for considering complaints and to any members of staff named in the complaint. **Submitting false documentation or fraudulent information is a serious matter and could be dealt with under the Disciplinary Policy and Procedures. The College reserves the right to check on the validity of the document(s) you submit or statements you make in this complaint.**

Signature of Student:

Date:

Please tick this box if you wish a copy of your complaint to be forwarded to the College's chaplain and officers of the Newbold Student Association (NSA)

Note: the College's chaplain and officers of the Newbold Student Association (NSA) can provide advice and support at any time during the process of the consideration of your complaint.