



Complaints Policy & Procedure

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by

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Document Owner	Head of Student Conduct and Administrative Services
Directorates and Departments affected by this Policy	All Staff
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New College Durham is committed to safeguarding and promoting the welfare of children and young people, as well as vulnerable adults, and expects all staff and volunteers to share this commitment.

If you require an alternative format please contact help@newdur.ac.uk or 0191 375 4040.

We review our policies regularly to update them and to ensure that they are accessible and fair to all. All policies are subject to equality impact assessments which are carried out to determine whether the policy has, or is likely to have, a different impact on those with protected characteristics. We are always keen to hear from anyone who wants to contribute to these impact assessments and we welcome suggestions for improving the accessibility of fairness of this and all College policies. The College's Senior Leadership Team will have overall responsibility of reviewing and approving this policy.

Other policies and procedures mentioned in this document will be published internally and externally in these locations:

[Website](#)

This policy has been assessed for its compliance with the principles of the OIA Good Practice Framework

To make suggestions or to request further information please contact:

principalship.corporatehelpdesk@newdur.ac.uk

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1. Scope

This policy and procedure will define what the College will process as a complaint and the principles that the College will adopt in relation to the complaint. It will clarify responsibilities and categories of complaint and will also detail exceptions to any procedures.

2. Responsibilities

The Senior Leadership Team is responsible for ensuring the College has a policy on complaints that ensures compliance with relevant legislation.

The Senior Leadership Team is responsible for ensuring the College has a policy on complaints that ensures compliance with regulators and validation and accreditation bodies.

The Principal and Chief Executive is responsible for intercepting any appeals at the final stage of New College Durham validated programmes and allocating the investigation to an impartial member of the Executive Leadership Team.

The Head of Student Conduct & Administrative Services is responsible for monitoring and auditing all formal complaints to ensure a thorough investigation and response is provided to each complaint and to ensure appropriate Completion of Procedures letters are issued at the appropriate stages of the process.

Heads of School/Heads of Department/Managers are responsible for investigating all informal complaints in the first instance in an attempt to resolve any concerns before reaching the formal stage.

Registry Manager is responsible for liaising with the Office of the Independent Adjudicator (OIA), college staff and any external HE Partners to ensure procedures are followed for complaints which have exhausted the New College Durham Complaints Procedure and the complainant has received an appropriate Completion of Procedures letter.

Any complaints concerning assessment must be dealt with using the College's separate Academic Appeals Policy.

Any complaint relating to fitness to practise must be dealt with under the Fitness to Practise Policy and Procedure.

Any complaint in relation to a staff or student disciplinary matter will be dealt with under the relevant Disciplinary Policy.

3. Relationship with Existing Policies and Regulations

This policy will ensure clarity in relation to other College Policies:

- Academic Appeals Policy and Procedure
- Freedom of Information Policy
- Refund and Compensation Policy
- Public Interest Disclosure (Whistleblowing) Policy
- Fitness to Practise Policy and Procedure
- Student and Staff Disciplinary Policies
- Refund and Compensation Policy

4. Categories of Complaint

Type	Define	Can be from
Teaching and Learning	Complaint in relation to the structure or delivery of teaching	Student Parent/Carer if 18 or under
Assessment ¹	Complaint about the delivery of assessments	Student Parent/Carer if 18 or under
Accommodation and Resources	Complaint about the physical buildings or the resources provided	Student Public
Management and Administration	Complaint about procedural conduct and policy implementation (ie. whether a department has followed procedure)	Student Parent/Carer if 18 or under Public
Student Support and Services	Complaint about Tutorials, ASC, the Library, the Students' Union or any other non-teaching service provided to a student or applicant	Student Parent/Carer if 18 or under Public
Equality & Diversity Related	Complaint about the College following the law in relation to E&D	Student Public
Local Community	Complaint from the public about any aspect of the College, except disability related	Public
FOI Appeal	A request for an appeal against an FOI response from Academic Registry	Student Public
External Partner	Complaint relating to any external partners in which the College holds a contract with. The	Student

¹ Excluding complaints about marking which would instead be dealt with under the Academic Appeals Policy

	complaint will only be dealt with if it is relating to a student and not the company in general.	
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5. Stages

The College process has three stages:

a. Informal

The College expects a complaint to be able to be dealt with informally and as early as possible.

When a complaint is first received into the College, this will be dealt with informally by the relevant manager within the area the complaint is relating to. It is expected that a thorough investigation will be conducted with a response provided to the complainant within 14 calendar days of receipt. Should this not satisfy the complainant then it would be escalated to a formal complaint. If additional time is required at the investigation stage, the complainant will be notified.

b. Formal

A formal complaint is instigated once the informal stage has been exhausted or if the Head of Student Conduct and Administrative Services deems it necessary to escalate it straight to the formal stage. This stage is dealt with by the Head of Student Conduct and Administration Services who will allocate an investigating manager from the Senior Leadership Team.

c. Appeal

This stage is to be used when a solution cannot be found at the Formal stage. For New College Durham validated programmes, an appeal should be submitted in writing to the Principal and Chief Executive within 14 calendar days of receipt of their formal investigation response. The Principal will then identify an impartial member of the Executive Leadership Team to lead the investigations for the appeal and provide the final response. For Higher Education programmes validated by the College, a Completion of Procedures letter will be provided at this stage to allow the student the opportunity to submit a further appeal to the Office of the Independent Adjudicator (OIA). The Open University is responsible for issuing the Completion of Procedures letter to students studying on a programme validated by the OU, and for liaising directly with the OIA. For Open University validated programmes, a Completion of Internal Procedures letter will be issued following a formal response which will allow the complainant to appeal to the Open University direct.

In total, both New College Durham and OU formal complaints should normally be completed within 90 calendar days in line with OIA requirements. This is reflected in the timelines provided within this document.

6. Accessibility and Clarity

The College is committed to ensuring the policy and procedures for addressing complaints are published and reviewed regularly, that the guidance is clear and easy to locate on the College Website.

It is open to anyone to make a complaint.

Complainants may appoint a representative to assist them during the complaints process. This person must not be acting in a legal capacity.

The College will be responsive to the accessibility requirements of any complainant.

Records of complaints will be maintained by the Administration Manager and standard documentation will be used.

7. Fairness and Independence

The College is committed to ensuring the process for investigating complaints is fair.

Staff involved in the investigation of complaints will be appropriately trained and should not have a direct connection to the complainant or the business area or School about which the complaint has been made. There should be no bias in the investigation process, perceived or actual.

Students will not be disadvantaged as a result of making a complaint.

Anonymised statements are not accepted as part of the investigation process.

The response to a complaint will give clear reasons for the outcome.

Should new concerns be raised by a complainant after investigations and a response has already been provided at any stage, these concerns would revert back to the informal stage of the process.

8. Confidentiality

Confidentiality can be expected in that the investigation of a complaint should not affect a student's educational experience.

Any person submitting information must nevertheless be made aware that their statement and identity may be disclosed to the other parties to the complaint.

9. Proportionality

Where a complaint falls under more than one College Policy, the Administration Manager will seek to accommodate more than one process.

The College expects all parties to behave reasonably and fairly towards each other and to treat the process with respect.

The College is committed to minimising the amount of times a student has to share information, whether it be about a health condition or disability. Therefore if a student has already made a declaration during their study with the College this information must be accessible to the appeals investigator.

10. Timeliness

A complaint must be submitted to the College within 90 calendar days of the incident occurring.

Each stage is listed below which identifies when a complainant should expect a response to their concerns (if a longer period of time is required the complainant will be notified):

Informal - 14 calendar days from the College confirming receipt of the complaint.

Formal – 24 calendar days from the College receiving the request to escalate to this stage (following 28 calendar days to appeal if not satisfied).

Appeal – Open University students will receive an internal completion of procedures letter to confirm they have concluded the College's internal processes after receipt of their formal response, following receipt of that letter, students have 28 calendar days to contact the Open University to request a review. Once the review has been completed, the student will receive a completion of procedure letter from the OU to allow students to liaise with the Office of the Independent Adjudicator (OIA) further should they feel it is appropriate.

For New College Durham validated programmes, students have 28 calendar days to appeal after receipt of their formal response, the College will provide a response to the appeal with 38 calendar days. Following the appeal they will receive a completion of procedures letter which will allow a student to contact the Office of the Independent Adjudicator (OIA) should they remain unsatisfied with the outcome.

If referred to the OU or OIA then their procedures must be followed from then on.

11. Impact on the Student Experience

Complaints provide an indicator of the student experience. We use the information gathered from our complaints to improve the student experience and service provided to our students.

12. Complaints about External Providers

As defined in section 4 the College expects External Partners to follow their own complaints procedure. If a complaint about an External Partner is received by the College it will be referred to the Partner to resolve.

If this process is exhausted the complaint may be referred to the College's Head of Student Conduct and Administrative Services for review.

Complaints will follow the same stages and timelines as outlined in section 5.

In total, both the partner provision and New College Durham formal complaints process should normally be completed within 90 calendar days in line with OIA requirements. This is reflected in the timelines provided within this document.

If the referred complaint is eligible to go to the OIA, on reviewing the complaint the College would provide the student with an investigation report and a letter of completion of procedures. At this stage if still unsatisfied the student could apply to the OIA.

13. HE and the Office of the Independent Adjudicator (OIA)

The Head of Student Conduct and Administrative Services will ask Academic Registry to pull together the evidence which should be available through the complaints workflow.

For New College Durham students, a Completion of Procedures letter would be provided to the student once the formal procedure had been exhausted.

The College will ensure OIA complaints are dealt with within the timeframe stipulated by OIA: [Good Practice Framework - OIAHE](#)

For Open University (OU) registered students, a Completion of Internal Procedures (COIP) letter will be provided to the student to confirm our internal procedures have been exhausted (informal and formal stage).

The student then has the opportunity to escalate their concerns to an appeal/review with the OU direct for further investigation, should they feel their concerns have not been addressed. This must be done within 28 calendar days of receipt of the Completion of Internal Procedures letter. Students cannot appeal to the OIA until the OU have completed their review.

14. How to Submit a Complaint

New College Durham is committed to providing quality services covering all aspects of its work. If occasionally such services do not meet the standards expected and this causes undue difficulties for students, employers or members of the local community, then this complaint procedure should be invoked.

If you wish to make a complaint what should you do first?

Student of the College:

- a. If you have a complaint concerning your course you must first try to resolve your concern by talking to any of your tutors. If this does not resolve the concern you should then approach your Head of School. If you still remain unsatisfied by the response then you can submit a formal complaint within 14 calendar days of receiving the feedback from the Head of School. Contact details can be found at intra.newdur.ac.uk.
- b. Please note any complaints concerning assessment must be dealt with using the College's separate Academic Appeals Procedure, details of which are given in the Student Handbook and Diary. **(Please do not use the complaints form to register a complaint against any aspect of assessment and instead follow the Academic Appeals policy).**
- c. If you have a complaint concerning any of the College Services you should in the first instance try to resolve the problem by talking to your subject tutor(s), personal tutor or course/programme leader. If this does not resolve the problem you can submit a formal complaint within 14 calendar days of receiving your informal response from the relevant area by using the same form intra.newdur.ac.uk

Employer, Visitor or Member of the Local Community:

Please do not hesitate to speak to staff at the Reception and Information Desk who will provide the name and telephone number of the relevant Manager. We would encourage all concerned to speak to a Manager first before submitting a formal complaint.

This complaint procedure must not be utilised by employees of New College Durham for which there is a separate procedure for staff to raise concerns.

If you wish to make a complaint

Please complete the online form intra.newdur.ac.uk or email your complaint to help@newdur.ac.uk. Once your complaint has been received you will receive an email acknowledging receipt, within five working days.

Appendix 1: Procedure for Complaints - A guide for Students, Employers and other Members of the Local Community

- Speak to staff at the Reception and Information Desk who will provide the name and telephone number of the relevant Manager.
- If there is still a problem submit a formal complaint.
- The College will respond, if you are still not happy you may appeal. This must be done in writing to the Principal within 28 calendar days.

