



St Chad's College

Durham

Complaints Policy and Procedure for Students

Introduction

1. St Chad's College aims to provide a high standard and quality of service in respect of all its students, but recognises that things do go wrong. As part of its commitment to enhancing the student experience, this procedure has been established to deal with complaints about services provided by St Chad's College.
2. This policy and procedure sits within the wider policies relating to Durham University. Further clarification as to where complaints should be directed is included below in paragraph 10.
3. Complaints about services provided by St Chad's College should be directed to the Vice Principal at chads.support@durham.ac.uk.
4. Every complaint received by St Chad's College will be acknowledged within seven working days, and the complainant will be given a named contact for questions, updates and general advice on navigating the process.
5. The Vice Principal will send your complaint directly to the department of the College you are complaining about. (This is called 'The Early Resolution Stage'.) The department will have 21 days to try and resolve the matter (paras 29-30). If you are not satisfied with the outcome, you can then ask for your complaint to be investigated formally by an investigator (paras 31-36). In exceptional cases, your complaint may be sent to an investigator without going through the Early Resolution Stage.
6. Your investigator will have 42 days to write a report in relation to your complaint. Occasionally in the case of complicated complaints, it may take longer than 42 days to get the report to you - but investigators do try very hard to keep to the deadline. We will let you know if there is likely to be a delay and we will give you an estimate of how long we think the delay will be.
7. If you are unhappy with the investigator's conclusions, you can ask for the investigation report to be reviewed (paras 37-45). Para 36 explains what you can then do if you remain dissatisfied after exhausting all the College's (or University's) procedure.

Who is this Procedure for?

8. This procedure may be used by
 - a. Individual students enrolled at St Chad's College;
 - b. Groups of students at St Chad's College who wish to complain about the same matter and who jointly submit a complaint;
 - c. When a group of students submits a complaint, the College will ask the group to nominate one of the complainants to act as a group representative. The University will communicate only with the group representative and expects the group representative to liaise with the other complainants in the group.

What is this Procedure for?

9. Complaints under this procedure may be about
 - a. Provision of accommodation, catering, housekeeping and other facilities within the St Chad's College estate;
 - b. Student support provision and overall College wider student support experience;
 - c. The College's action (or lack of action) in relation to a matter concerning a student.

What is this Procedure not for?

10. This Procedure does not cover the following (for which other University or College procedures exist, as shown in the links below)
 - a. Appeals relating to Board of Examiners or other relevant committee or officers' decisions relating to examinations, assessments, or academic progress or against expulsion or exclusion on academic grounds (including decisions about Academic Progress Notices – [Academic Appeals Procedure](#);
 - b. Complaints involving an allegation of misconduct by a student – [Student Discipline Procedure](#);
 - c. Complaints involving the behaviour of another student – [Student Complaint Procedure \(Individuals & Behaviour\)](#);
 - d. Complaints about the behaviour of a member of staff – [St Chad's College Policy and Procedure for Student Complaints of Harassment and Bullying Against Staff](#);
 - e. Complaints involving an allegation of [sexual violence](#);
 - f. Complaints about admissions decisions – [Admissions Regulations](#);
 - g. Complaints about a University department or University support service beyond St Chad's College – [Codes of Practice - Durham University](#).
11. Except in exceptional circumstances at the sole discretion of the College, the College will not consider complaints under this Procedure if
 - a. Complaints are made more than 28 days after the services to which complaints refer or following unsatisfactory outcome of an informal attempt at resolution;

- b. The complainant does not personally raise the complaint;
 - c. The complaint is anonymous;
 - d. The complaint is considered to be frivolous, vexatious, or motivated by malice.
12. A complaint may be made even if legal, court or tribunal proceedings have been commenced or if a Police investigation into a matter related to the complaint is being undertaken. In such case, however, the College will usually suspend the investigation of a complaint pending the outcome of the legal, court, or tribunal proceedings or the Police investigation.
13. Students are not permitted to initiate more than one formal procedure simultaneously for the same or related matters. If this occurs, the Vice Principal will advise the student on
- a. The appropriate procedure to follow;
 - b. The order in which procedures are to be followed.

Support

14. When appropriate a complainant may seek advice from
- a. St Chad's College student support staff;
 - b. The JCR, MCR or their College Tutor;
 - c. The Students' Union (SU).

Representation

15. In any meeting held with College staff under this Procedure, a complainant has the right to be accompanied by a current member of the College community or a JCR or SU representative. The College does not normally permit legal representation at such meetings but will consider requests by complainants for legal representation at the meetings. The decision as to whether to permit legal representation will be taken by the College Officers and will be at the College's sole discretion.
16. The College does not consider it necessary for students to seek independent legal advice in respect of complaints. It is entirely at *students'* discretion and cost if they choose to do so.

Principles of Complaints' Investigations

17. Complaints will be dealt with efficiently and promptly; however, if the issues are very complex, this may result in a delay to the outcome of the investigation.
18. Complaints will be investigated objectively and independently.
19. The standard of proof in the investigation of complaints is the balance of probabilities, that is, that the matters alleged in the complaint can be shown as more likely than not to be true.
20. Complainants will be given reasoned outcomes in written form.
21. If a complaint is upheld, the College will seek to provide an appropriate response and correct any mistakes or misunderstanding.
22. The College will use its best endeavours to make changes in response to the recommendations of investigators.

23. Complainants will not be disadvantaged, penalised, or victimised for making a complaint. However, the College reserves the right to take action against a complainant if misconduct by the complainant is disclosed in the course of an investigation.
24. Investigators and reviewers will use their best endeavours to meet the deadlines set out in this Procedure. If it seems likely that a deadline cannot be met, a complainant will be informed, given reasons, and provided with a revised date that is anticipated for completion.
25. All complaints will be dealt with in confidence. However, complainants should note:
 - a. The respondent of a complaint (whether about an individual or section of the University) will receive a copy of the complaint and has the right to respond to it;
 - b. Respondents will be informed of the outcome of a complaint;
 - c. Third parties will be consulted if, in the opinion of the investigator or panel of investigators their views or opinions may be relevant to the investigation of a complaint.

Resolving Complaints Directly

26. As a first step to making a complaint under this procedure, students are urged to seek to resolve their complaints directly. To this end a complaint relating to
 - a. Student support provision and wider student experience at St Chad's College should usually be discussed with the Vice Principal in the first instance;
 - b. Accommodation, catering and other services should usually be discussed with the Finance and Operations Director in the first instance.
 - c. If a complainant does not wish to discuss the matter with the College Officer responsible for the area most relevant to the complaint the complainant may discuss the matter with another College Officer (Principal, Vice Principal or Finance and Operations Director).

Making a Formal Complaint

27. If a student wishes to make a formal complaint, the students should complete a St Chad's College Student Complaint Form (see College webpages) and submit the form to the Vice Principal who will, subject to paragraphs 28-30, initiate an investigation of the complaint.
28. Within 7 days of the Vice Principal receiving a complaint form, the Vice Principal will acknowledge receipt of a complaint form and undertake some or all the following
 - a. Ask the complainant to complete fully, correct, clarify, simplify, shorten, or provide better evidence of some of or all the matters complained about;
 - b. Ask the complainant if the complainant would like the complaint to be dealt with by mediation and conciliation, that is, by a voluntary process where an impartial, independent third party helps the parties involved in the complaint to resolve issues confidentially and subject to an agreed timescale;
 - c. Interview the complainant;

- d. Advise the complainant of a different procedure to follow;
- e. In most cases, send the complaint form to an appropriate person (or, if the complaint is about more than one issue, to appropriate people) in the College department which is the subject of the complaint;
- f. Take such other action which, in the opinion of the Vice Principal is helpful or reasonable for addressing the complaint;
- g. Initiate an investigation of the complaint.

Early Resolution Stage

29. Where the complaint form is sent to an appropriate person (or, if the complaint is about more than one issue, to appropriate people) in the College department which is the subject of the complaint (see 28 (e) above)
- a. An Early Resolution Stage of the complaint is to be conducted with the aim of seeking a resolution of the complaint;
 - b. The complainant may be invited to discuss the complaint as part of the Early Resolution Stage;
 - c. Within 21 Days, the college department will, by email, notify the of complainant and the Vice Principal of the outcome of the Early Resolution Stage and the reasons for the outcome.
30. On completion of the Early Resolution Stage, if complainants are dissatisfied with the outcome, complainants may inform the Vice Principal that they would like their complaints to be investigated under the Formal Stage of this Procedure.

Formal Stage

31. When the Vice Principal or another College Officer initiates the investigation of a complaint under the Formal Stage of this Procedure, the College Officer will:
- a. Appoint and then refer the complaint to an investigator who is independent of the complainant and the subject-matter of the complaint; or
 - b. Refer the complaint to a panel of investigators whose members shall be independent of the complainant and the subject-matter of the complaint.
32. The investigator or panel of investigators may
- a. Ask to interview the complainant and other relevant parties as part of the Formal Stage;
 - b. Take other appropriate action to investigate the complaint expeditiously and fairly, taking into consideration the nature of the complaint.
33. The relevant College Officer will use its best endeavours to ensure that the complainant receives an Investigation Report within 42 days of the College Officer initiating a Formal Stage investigation under paragraph 30 of this Procedure. If there is likely to be a delay, the complainant will be informed of the reason and a revised timescale given.
34. The possible outcome recommended in the Investigation Report include
- a. The complaint (or part of it) is upheld or dismissed;
 - b. A resolution reached in co-operation with the relevant department which is the subject of the complaint;

- c. Compensation may be recommended;
 - d. An apology given;
 - e. Recommendations for change are made to the relevant decision-making body of the College;
 - f. Such other outcomes as the investigator or panel of investigators considers appropriate in the circumstances.
35. When a complaint is upheld, the College will explain how and when it will implement any remedy.
36. The Investigation Report will also give information about:
- a. The complainant's right to request a Review of the outcome of the investigation of the complaint;
 - b. The grounds on which a complainant may request a Review;
 - c. The time limit for requesting a Review;
 - d. The procedure for requesting a Review;
 - e. Where and how to access support.

Review

37. If a complainant is dissatisfied with the outcome of the Formal Stage, the complainant may request a Review of the Formal Stage Investigation Report by writing to the Vice Principal within 14 days of receiving the Investigation Report.
38. The Review will either be undertaken within College or by a Governor of St Chad's College. Complainants will be informed where their review should be directed at this point in the process.
39. The only grounds of requesting a Review are
- a. The identification of a procedural irregularity during the Formal Stage;
 - b. Provision of new material evidence together with a valid reason why it was not previously submitted;
 - c. The outcome of the Formal Stage was unreasonable in all the circumstances of the case.
40. The request for a Review will be acknowledged within 7 days and a reviewer appointed to conduct the Review.
41. An investigator who has had no previous involvement with the complaint and who is independent of the complainant will review the Investigation Report as reviewer.
42. The Reviewer may seek further information as part of the Review; however, a Reviewer will not usually consider the issues afresh or undertake a further investigation.
43. The Reviewer will use its best endeavours to ensure that the complainant receives a Review Report within 28 days of a request for a Review being received. If there is likely to be a delay, the complainant will be informed of the reason and a revised timescale given.
44. If a reviewer upholds one or more aspects of a Review, the complainant will be provided with information about outcomes (such as those set out in paragraph 34 above), which may include a new Investigation of the complaint by an investigator or a panel of investigators not previously involved with the complaint or complainant.
45. There are no other opportunities for the complaint to be pursued within Durham University.
46. The complainant will be given a Completion of Procedures Letter and informed of the right to submit a complaint to the Office of the Independent Adjudicator for Higher

Education, the time limit within which to do so, and where and how to access advice and support.

Approved by College Officers August 2023