

## DOCUMENT DETAILS

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Applicability	All students, staff, volunteers and governors of Nottingham College
Summary	This complaints policy aims to ensure that HE complaints are resolved as fairly and quickly as possible. It also aims to ensure that, where practical, lessons can be learnt and improvements made to the service which the College offers.

## DOCUMENT CONTROL

<b>Version History</b>			
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## DOCUMENT APPROVAL

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## 1. Purpose and Scope

- 1.1 The College seeks to continually improve the quality of its services and strives to meet student expectations. It is committed to providing Higher Education (HE) students with a high quality educational experience, supported by academic, administrative and pastoral support services.
- 1.2 The College actively encourages HE students to evaluate their course and overall experience by providing feedback through module evaluations, course reviews and other forums. It will use this process to improve its service and to enhance the student experience.
- 1.3 Whilst much of the feedback received from students is positive, it is recognised that problems do arise from time to time. Any student who is dissatisfied with their experience can express their concern or raise a complaint.
- 1.4 All complaints made under the College HE Complaints Policy and Procedure will be treated seriously in an open and transparent manner. The College will also use this feedback to improve the services that we offer.
- 1.5 Some students may raise issues which do not neatly fall into a complaint or assessment/academic appeal category. In such cases, the College will advise and redirect to the appropriate procedure.
- 1.6 There is an expectation from partner universities and awarding organisations that complaints are dealt with by the College in the first instance. If the complaint is unresolved at that stage it can be pursued through the appropriate awarding organisation or the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint is eligible under its rules. The OIA has been established to provide an independent scheme for the review of student complaints and can be contacted at [www.oiahe.org.uk](http://www.oiahe.org.uk). A complaint will not be considered by the OIA unless it is received within 12 months from the date of issue of the Completion of Procedures letter.

## 2. Definition of Terms

- 2.1 The QAA's UK Quality Code for Higher Education, Part B, Chapter B9: Academic Appeals and Student Complaints, sets out principles for addressing complaints about the quality of learning opportunities by students in higher education providers and defines a complaint as "the expression of a specific concern about matters that affect the quality of a student's learning opportunities".
- 2.2 For the purpose of this Policy, a student is defined as a person who has been accepted to study on a HE course at the College, or a former student who has left the College within the last three calendar months.
- 2.3 For the purpose of this Policy, the College defines a complaint as an expression of dissatisfaction by one or more individuals about the standard of a service, action or lack of action by or on behalf of the College.
- 2.4 Examples of complaints include:

- Failure by the College to meet obligations including those outlined in course/student handbooks
- Misleading or incorrect information in the prospectus or promotional material and other information provided by the College
- Concerns about the delivery of a course, teaching or administration
- Group complaints (in such circumstances the College will ask the group to nominate up to two students to act as group representative)

#### 2.5 This Policy does not cover:

- Academic appeals, including decisions of examining boards, for which specific procedures exist (see HE Student Handbook for further details)
- Negative or critical feedback relating to the content of HE courses or modules, which should be addressed through student representatives and also fed back through course and module evaluations and reviews

### 3. Key Responsibilities

The Complaints team are responsible for:

- Logging complaints and monitoring response times
- Supporting the Investigating / Review Officer as required
- Recording and reporting on the outcomes of informal and formal complaints
- Ensuring that central records relating to formal complaints are securely stored for a maximum period of six years
- Ensuring all complainants are aware of their rights in relation to accessing personal data related to the complaint

The Investigating / Review Officer is responsible for:

- Carrying out a full and balanced investigation into the complaint / review
- Complying with the timescale for completion
- Providing a written response to the complainant
- Keeping the Complaints team updated in all aspects of the investigation

### 4. General Principles

- 4.1 Any concern or complaint should be raised as soon as possible after the event has taken place in order that it can be investigated thoroughly and addressed in a timely manner. Complaints would not normally be considered if submitted more than three months after the issue or event occurred, unless there was good reason why it could not have been raised sooner.
- 4.2 The College expects that the majority of complaints can be resolved at an early stage (Stage 1 Early Resolution at local level), without the need to start formal procedures. Every effort will be made to resolve the issue locally through informal discussion and agreed actions. Where early resolution is not possible or does not result in a satisfactory resolution, a written formal complaint (Stage 2 Formal Complaint) may be submitted.
- 4.3 The student may be invited to discuss the complaint, or attend a meeting to establish further details regarding the cause of dissatisfaction or explore the solution being sought. The student will have the right to be accompanied at any meeting held as part of the complaint procedure by one person (for example, a friend, relative or Students' Union representative); this person is

in addition to the student, not a substitute, and will have the right to speak on behalf of the student.

- 4.4 The College expects to be able to collect appropriate information from all parties involved to ensure that a thorough investigation of a complaint can be made. As this will not be possible where a complaint is made anonymously, no formal action will normally be taken in the event of an anonymous complaint being raised.
- 4.5 Where a complaint is brought by a number of students, those students can submit a complaint as a 'group complaint'. In such circumstances, we will request the group to nominate up to two students to act as the group representative(s) and spokesperson(s). In addition, all students must agree in writing to the spokesperson(s) acting on his/her behalf. One Investigating Officer will be appointed to investigate issues of the complaint.
- 4.6 On completion of all stages of the College complaints process if students who have raised a group complaint remain unsatisfied they may refer their collective concerns about standards and quality to the Higher Education Funding Council for England (HEFCE) provided that the complaint is eligible under its rules. Further information can be obtained by emailing [feedback@nottinghamcollege.ac.uk](mailto:feedback@nottinghamcollege.ac.uk) or by accessing the HEFCE website at: <http://www.hefce.ac.uk/reg/forstudents/Student,complaints>
- 4.7 An appropriate staff member will be appointed to investigate the complaint; this would generally be a College Manager. Anyone named or with a personal interest in the complaint, will neither investigate nor adjudicate.
- 4.8 Response deadlines may be extended outside of term-time due to the availability of the Investigating Officer / Review Officer or if the investigation requires additional time to gain further evidence. In this case, the complainant will be notified.
- 4.9 Students will not be disadvantaged as a result of raising a matter of concern or of making a complaint.
- 4.10 The College has the right to terminate its consideration of a complaint if it is believed to be frivolous or vexatious and will write to explain such reasons for this decision. Frivolous or vexatious is characterised by:
- Complaints which are obsessive, persistent, harassing, repetitious
  - Insistence in pursuing unmeritorious complaints and/or unrealistic outcomes
  - Complaints which are designed to cause disruption or annoyance
  - Demands for redress which lack any serious purpose or value
- 4.11 All College staff have the right not to be subjected to aggressive, offensive or abusive actions, language or behaviour, regardless of the circumstances.
- The College will take the minimum action required to address such unacceptable behaviour, for example:
- require that contact is made with a specified member of staff only
  - terminate an abusive telephone call
  - decline to accept telephone calls but maintaining at least one form of contact
- 4.12 This policy compliments the general College Complaints Policy and Procedure.

## 5. Data Protection

- 5.1 It is expected that all students will assume responsibility for communication with the College and for drawing attention to any problems or concerns.
- 5.2 Where a complaint is received from a parent/guardian or other third party on behalf of a student, the College will accept the complaint and therefore communicate with the parent/guardian or relevant third party only with the express written consent of the student and only on receipt of such consent. Exceptions will only be made in the vital interests of the individual, such as where there is serious concern which may impact on the safeguarding or welfare of the individual.
- 5.3 All information received as a result of a complaint investigation will remain confidential to those involved in the process. No third party will be given more detail of the investigation than is strictly necessary in order to obtain the information required from them. The College will ensure that it acts in accordance with legislative requirements, for example, data protection legislation, and with internal policies on confidentiality and the use of student data and complainant information
- 5.4 For information on rights and responsibilities within the Data Protection Act, please refer to the College's Data Protection Policy.
- 5.5 Where a student is unhappy about the processing of their personal data they can contact the Data Protection Officer for advice.

## 6. Stages of the Complaints Procedure

A complaint cannot normally be taken to a next level until the previous level has been completed. The stages of the complaints procedure should be followed in the order as detailed below.

Any HE complaint sent directly to a member of the Senior Leadership team will be re-directed to the Complaints team who will process the complaint in accordance with the HE Complaints Policy.

- 6.1 **STAGE 1 – Early Resolution at local level**
  - 6.1.2 The College expects that the majority of complaints can be resolved at an early stage through informal discussion without needing to instigate formal procedures.
  - 6.1.3 If an issue arises, the student should bring the matter to the attention of the relevant staff or HE Course Leader, either verbally or by email, and discuss it with them.
  - 6.1.4 Recipients of informal student complaints are responsible for providing a resolution at local level within 10 working days. Any member of staff dealing with a complaint from a student should confirm the next stage of the HE Complaints procedure to the student if a satisfactory resolution cannot be agreed.
  - 6.1.5 To provide a record of discussions and outcome in case the matter is not resolved and needs to

be taken to the next level, all informal complaints will be noted on the Early Resolution form (ER1) (see Appendix 1) confirming actions and /or investigation taken to resolve. Both student and staff member should sign the form and this should be forwarded to the Complaints team.

- 6.1.6 If the matter relates to an academic issue, the Higher Education Academic Appeals Procedure contained in the Handbook for Higher Education Students should be followed. Where the complaint relates to a support area or service a complainant should contact an appropriate member of staff. For advice regarding who to approach, please contact the University Centre.

## 6.2 STAGE 2 – Formal Complaint

If the student is not satisfied with the outcome of the Stage 1 resolution, the complaint may be progressed further.

The formal complaint should be made within one calendar month of the date of the Early Resolution response.

### Step 1

- 6.2.2 The formal complaint should be completed on the Stage 2 Formal Complaint form (FC1) (see Appendix 2) and emailed to:

[feedback@nottinghamcollege.ac.uk](mailto:feedback@nottinghamcollege.ac.uk)

Complaints submitted by letter or email (i.e. not on the official complaints form) will be accepted provided they include all the elements covered within the form. It is important to include an outline of the nature of the complaint, what has been done to try and resolve the situation and the desired outcome.

Complainants will be advised to submit a complaint in writing if they contact the Complaints team via telephone. Where a complainant identifies a support need, the Complaints team can assist with compiling a written complaint.

- 6.2.3 The Complaints team will acknowledge the formal complaint within three College working days from the date of receipt.

- 6.2.4 An Investigating Officer will be appointed and this would normally be a manager with direct involvement in the area of the complaint. The Investigating Officer may telephone to arrange to meet to discuss the complaint and/or seek more details. Where a meeting is held, the student may be accompanied by one other person who may participate in the proceedings.

- 6.2.5 Timing guidelines for the handling of a formal complaint start on the day of receipt, with the day of receipt being day zero. Providing there are no undue delays, for example, in obtaining further evidence from the student or others involved in the complaint, the student will receive a full written response within 20 College working days of the complaint being received. Such time for obtaining further evidence will result in the complaint being put on hold for the period stipulated in the communication requesting the further information, which will not normally be more than 10 College working days. This will have the effect of extending the deadline for the Investigating Officer to respond with an outcome; the revised deadline for completion of procedure will be notified to the student.

6.2.6 The Investigating Officer will send the draft response letter to the Complaints team for approval.

6.2.7 The Complaints team will send the formal response letter to the complainant. This will detail the findings, indicate the outcome and reasons for the outcome. The letter will also explain the proceedings under which the complaint can be taken further if the student remains dissatisfied with the outcome.

6.2.8 Copies of all correspondence with the complainant and an Investigation Summary should be sent to the Complaints team for safe, confidential storage.

## Step 2 – Complaint Review

6.2.9 If a student is not satisfied with the outcome of the formal complaint stage they have 20 working days to request a review from the date of the formal complaint response letter.

6.2.10 The purpose of the Review is to consider if the correct procedure was followed during the Formal Complaint stage and if the outcome was reasonable. In the case of new evidence, it will only be considered if it materially affects the outcome of the Formal Complaint. At Review Stage, we would not usually reconsider the issues or investigate further. The Formal Complaint stage must be completed before a Review can take place. If the expectations are beyond what can be considered at the Review Stage the Complaints team will inform the complainant in writing.

6.2.11 There are limited grounds for asking for the review, these are:

- there is new evidence for consideration which materially affects the outcome of the formal complaint
- not all of the evidence was considered when coming to a conclusion
- other procedural irregularity in Step 1 of the formal complaint investigation process

6.2.12 Where a student wishes to pursue the complaint, the Complaint Review form (CR1) should be completed (see Appendix 3). Complaints submitted by letter or email (i.e. not on the official Complaint Review form) will be accepted provided they include all the elements covered within the form.

The Complaint Review form should be submitted to:

[feedback@nottinghamcollege.ac.uk](mailto:feedback@nottinghamcollege.ac.uk)

If the outcome is to reconsider the case, a Review Officer will be appointed to review the case. This will take up to a maximum of 20 days from the date of Complaint Review request.

6.2.13 The Review Officer will send the draft response letter to the Complaints team for approval and sending out to the student:

- a) Students on university-validated courses will be provided with a Complaint Review Response letter at the conclusion of Stage 2, Step 2 of these procedures.
- b) Students on Higher National Certificate or Higher National Diploma courses awarded by Pearson (BTEC) will receive a Completion of Procedures Letter in accordance with guidance issued by the Office of the Independent Adjudicator.

### Step 3 – Referral to Validating University or Awarding Body

(a) **Courses awarded by a Validating University:**

If the student remains dissatisfied, the complaint may be referred to the partner validating university for consideration, as appropriate, under its own Complaints Policy. On request the College will provide to the validating university all necessary evidence and details relating to the complaint. At the completion of their investigations the validating university will issue a Completion of Procedures Letter to the student and also the College detailing its decision and any further recourse the student may have if still not satisfied with the outcome of the complaint (see also Stage 3 below).

(b) **Courses awarded by Pearson (BTEC):**

Students on Higher National Certificate or Higher National Diploma courses awarded by Pearson (BTEC) who remain dissatisfied may refer the complaint direct to the Office of the Independent Adjudicator (OIA) – see Stage 3 below.

### 6.3 STAGE 3 – Referral to the Office of the Independent Adjudicator for Higher Education

(a) **Courses awarded by a Validating University:**

Following a decision by the validating university, if the student feels that the issue has not been resolved satisfactorily it may be referred to the OIA, provided that the complaint is eligible under its rules.

On request the College will provide to the OIA all necessary evidence and details relating to the complaint.

(b) **Courses awarded by Pearson (BTEC):**

In the case of students on Higher National Certificate or Higher National Diploma courses the student may refer the complaint direct to the Office of the Independent Adjudicator (OIA), providing that the complaint falls within its remit.

On request the College will provide to the OIA all necessary evidence and details relating to the complaint. If the complaint does not fall within its remit, the OIA will notify the student, forward a copy of the complaint to Pearson (BTEC) as the awarding organisation and take no further action in respect of the complaint.

(c) **HEFCE Raising an issue:**

Students may approach HEFCE at: <http://www.hefce.ac.uk/reg/forstudents/qualityissues/>

If there is a serious issue about the standards or student academic experience that affects a whole group of students as opposed to an individual (these must be referred to the OIA) if the appeals in stage 1, 2 and 3 (where applicable) have been exhausted.

### 7. Recording, monitoring, analysis and reporting of complaints

7.1 In order to continually review and enhance the student experience, complaints received will be reviewed and monitored by the Complaints team in conjunction with the University Centre under the College's quality procedures.

7.2 This policy and the effectiveness of these procedures will be reviewed annually and updated if necessary.

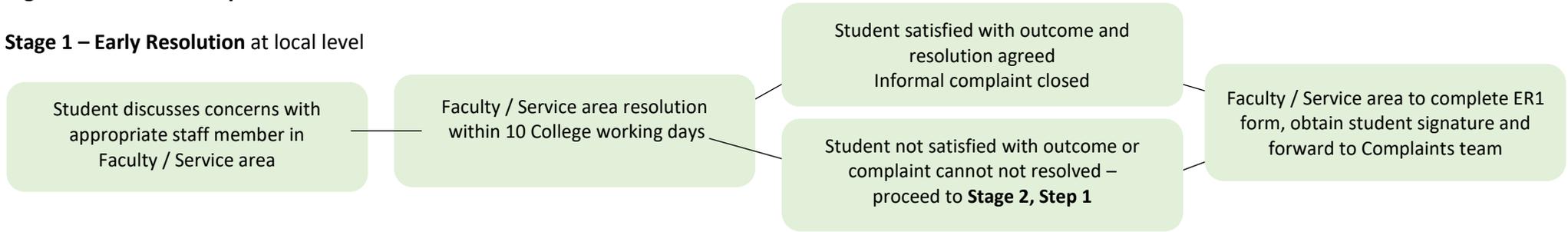
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**Appendices:**

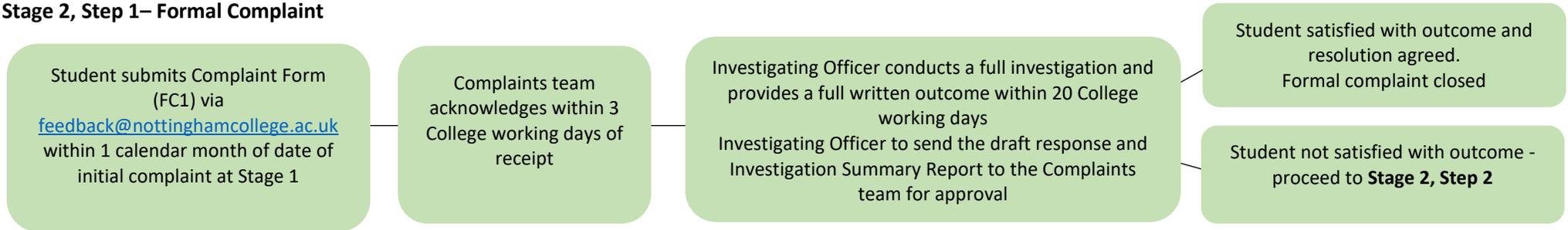
1. Higher Education Complaint Procedure Stage 1 form – Early resolution at local level
  2. Higher Education Complaint Procedure Stage 2 Step 1 form – Formal Complaint
  3. Higher Education Complaint Procedure Stage 2 Step 2 form – Complaint Review
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# Higher Education Complaint Procedure Flowchart

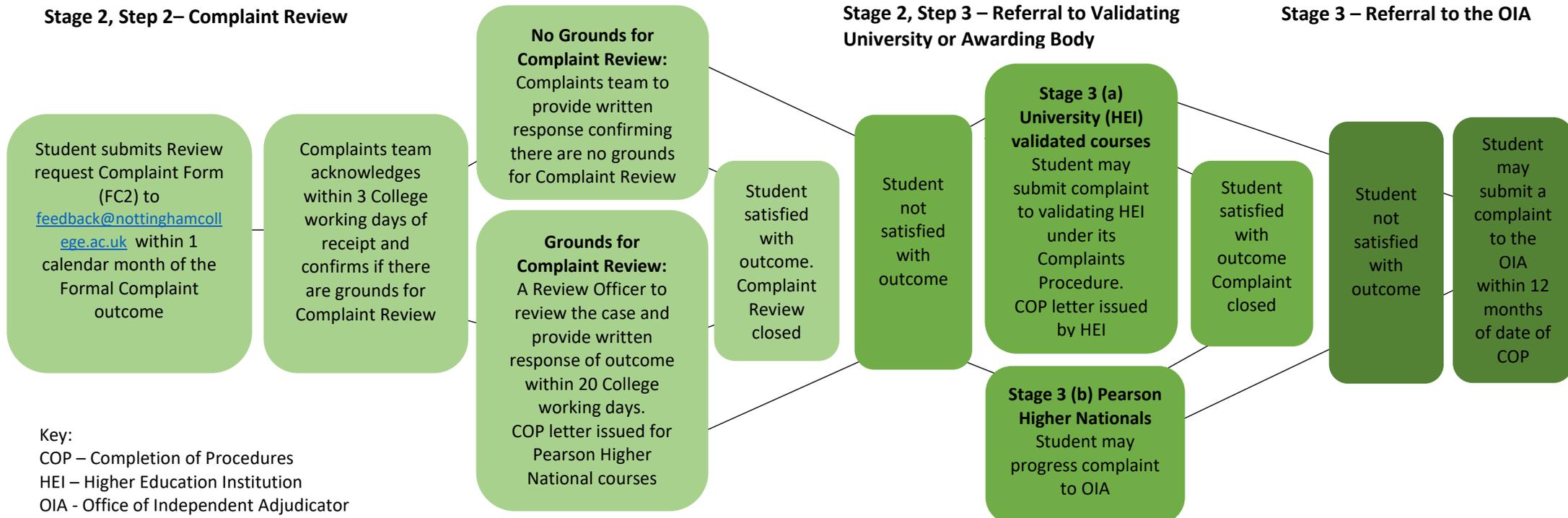
## Stage 1 – Early Resolution at local level



## Stage 2, Step 1– Formal Complaint



## Stage 2, Step 2– Complaint Review



Key:  
 COP – Completion of Procedures  
 HEI – Higher Education Institution  
 OIA - Office of Independent Adjudicator

**Higher Education Complaint or Concern**

Office use only.  
Date received:

**Stage 1 – Early Resolution at local level**

**To be resolved within 10 College working days**

Student Name	
Student ID Number	
Course	
Date complaint raised	
Staff name	

**Outline of issue:**

**Resolution discussed:**

*If further investigation required, note date to be completed by and make arrangements to meet again to resolve within 10 day deadline*

**Resolution agreed: Yes/No**

**Next stage of the HE Complaint Procedure has been confirmed to the student if 'No' (tick)**

**Signed (student):**

**Date:**

**Signed (member of staff):**

**Date:**

Note to Staff: On completion please send copies to:

- HE Course Leader
- Head of Faculty
- The University Centre (HE Standards and Programme Development Manager)
- Complaints team:

[feedback@nottinghamcollege.ac.uk](mailto:feedback@nottinghamcollege.ac.uk)

**Higher Education Complaint**
**Stage 2, Step 1– Formal Complaint**

 Office use only.  
Date received:

We recommend you read through this form before completing it.

Part A: Personal Details	
A1: First name	
A2: Family name	
A3: Student ID Number	
A4: Address, including postcode	
A5: Contact Telephone number	
A6: Email address	
A7: Course attended	
A8: Your Faculty	

Part B: Early resolution (raising a Concern)	
You can only submit your complaint using this form if you have completed the Early Resolution stage	
<b>B1: What was the outcome of the early resolution stage of your concern, and why are you not satisfied with it?</b>	
<b>B2: When did the early resolution stage end?</b>	
<b>B3: Who did you contact about your concern?</b>	
<b>B4: What did they do?</b>	
<b>B5: If you did not attempt early resolution, why not?</b>	
<input type="radio"/> I did attempt early resolution <input type="radio"/> I did not attempt early resolution because:	

**Part C: Complaint details**
**C1: For each area you are complaining about, please indicate the faculty or service area, date and type of issue:**

	Date	Issue
Construction <input type="checkbox"/>		
Creative Arts <input type="checkbox"/>		
Science and Care <input type="checkbox"/>		
Initial Teacher Education <input type="checkbox"/>		
Lifestyle <input type="checkbox"/>		
6 <sup>th</sup> Form, International and Business <input type="checkbox"/>		
Sports, Catering and Travel <input type="checkbox"/>		
Technology & IT <input type="checkbox"/>		
Admissions <input type="checkbox"/>		
Finance <input type="checkbox"/>		
IT <input type="checkbox"/>		
Library and Learning Resources <input type="checkbox"/>		
Security <input type="checkbox"/>		
Student Services <input type="checkbox"/>		
Other <input type="checkbox"/>		

**C2: Are you making this complaint within one calendar month of raising the initial concern?**

 If you are not making your complaint within one calendar month of raising the initial concern, you **must** provide the reason:

- I am making this complaint within one calendar month of raising the initial concern
- I am not making this complaint within one calendar month of raising the initial concern. Reason:

**C3: Your complaint – what happened? When did it happen? Who was involved? How were you affected?**

 Please set out your complaint clearly and briefly. You **must** provide evidence to support your complaint and describe how the evidence supports what you are saying (see also C4, below). **We will only consider your evidence if you mention how it supports what you are saying:**
**C4: What evidence are you providing?**

Please label your evidence and describe what it is below. For example, *Evidence A is an email sent to me from the College on (insert date)*. **We will only consider your evidence if you have labelled it and described how it supports your complaint in C3 (above):**

**Evidence A.**  
**Evidence B.**  
**Evidence C.**  
**Evidence D.**  
**Evidence E.**

**C5: What outcome or further action are you hoping for?**

We will only consider outcomes which are reasonable, and which are allowed by College policies.

**C6: Would you consider mediation to attempt resolution of your complaint?**

- I would consider mediation to resolve my complaint
- I would not consider mediation to resolve my complaint because:

**D: Your Declaration**

- I have read and understood the Higher Education Complaints Policy and Procedure
- I understand that the College will accept a complaint from students, members of the public or third parties (if they are acting as the complainant's representative and the complainant has provided permission in writing to act under the requirements of the General Data Protection Regulations)
- I understand that the College will assess my request to decide whether it meets the conditions to be considered under the Higher Education Complaints Policy and Procedure
- I can confirm that the information given on this form and the supporting evidence is true and accurate
- I understand that the College may need to share information with other persons or organisations as part of any investigation to resolve my complaint
- I understand that if my complaint is believed to be frivolous or vexatious the College has the right to terminate its consideration of this complaint and write to me to explain the reasons
- By submitting this form I authorise the College to investigate my complaint.

**Signature**

If submitting your form electronically (for example, by email), please type your name

**Date:**

Please submit your completed form along with your evidence to:  
[feedback@nottinghamcollege.ac.uk](mailto:feedback@nottinghamcollege.ac.uk)

**Higher Education Complaint**
**Stage 2, Step 2 – Complaint Review**

 Office use only.  
Date received:

We recommend you read through this form before completing it.

<b>Part A: Personal Details</b>	
<b>A1: First name</b>	
<b>A2: Family name</b>	
<b>A3: Student ID Number</b>	
<b>A4: Address, including postcode</b>	
<b>A5: Contact Telephone number</b>	
<b>A6: Email address</b>	
<b>A7: Course attended</b>	
<b>A8: Your Faculty</b>	

<b>Part B: Reason for requesting a review</b>
If you are not satisfied with the outcome of the formal complaint stage, you may be able to request a review of the formal complaint stage within one calendar month of receiving the outcome, if you can demonstrate one or more of the following grounds.
<b>B1: What are your grounds for requesting a review?</b>
a) I have new evidence which I was unable, for valid reasons, to provide earlier in the process that would have had a significant effect on the outcome of the formal complaint stage <input type="checkbox"/> b) Not all of the evidence was considered when coming to a conclusion <input type="checkbox"/> c) Other procedural irregularity in Step 1 of the formal complaint investigation process <input type="checkbox"/>
<b>B2: Is your request for a review being made within one calendar month of the outcome of the formal complaint stage?</b>
(a) I am requesting a review within one calendar month of the outcome of the formal complaint at Stage 2 Step 1 of the Complaints Procedure  (b) I am not requesting a review within one calendar month of the outcome of the formal complaint at Stage 2 Step 1 of the Complaints Procedure because

**B3: Using your chosen grounds for requesting a review, please say why you are not satisfied with the outcome of the formal complaint stage**

Please do not repeat the information in your formal complaint form: you must indicate why you feel you have grounds to request a review (delete the grounds that are not relevant)

a) I have new evidence which I was unable, for valid reasons, to provide earlier in the process that would have had a significant effect on the outcome of the formal complaint stage

**The new evidence could not have been provided earlier in the process because**

**The new evidence I have provided with this request would have significantly affected the outcome of the formal complaint in the following way(s)**

b) Not all of the evidence was considered when coming to a conclusion

**The following evidence was not considered**

**This has had the following significant effect on the outcome of the formal complaint**

c) Other procedural irregularity in Step 1 of the formal complaint investigation process

**The correct procedure was not followed in Step 1 in the following ways**

**This has had the following significant effect on the outcome of the formal complaint**

**Part C: Complaint details**

**C1: What evidence are you providing?**

Please label your evidence and describe what it is below. For example, *Evidence A is an email sent to me from the College (insert date)*. **We will only consider your evidence if you have labelled it, and describe how it supports your request for a review in B3 (above):**

Evidence F.

Evidence G.

Evidence H.

Evidence I.

Evidence J.

**D: Your Declaration**

- I have read and understood the Higher Education Complaints Policy and Procedure;
- I understand that the College will accept a complaint from students, members of the public or third parties (if they are acting as the complainant's representative and the complainant has provided permission in writing to act under the requirements of the General Data Protection Regulations)
- I understand that the College will assess my request to decide whether it meets the conditions to be considered under the Higher Education Complaints Policy and Procedure
- I can confirm that the information given on this form and the supporting evidence is true and accurate
- I understand that the College may need to share information with other persons or organisations as part of any investigation to resolve my complaint
- I understand that if my complaint is believed to be frivolous or vexatious the College has the right to terminate its consideration of this complaint and write to me to explain the reasons
- By submitting this form I authorise the College to investigate my complaint.

**Signature**

If submitting your form electronically (for example, by email), please type your name

**Date:**

Please submit your completed form along with your evidence to:

[feedback@nottinghamcollege.ac.uk](mailto:feedback@nottinghamcollege.ac.uk)

Intentionally left blank