

# Complaints & Compliments Policy

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## COMPLAINTS & COMPLIMENTS POLICY

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**Date Approved:**

**Approved by:**

**Principalship**

**Review Date:**

**01 August 2024**

**Responsible Manager:**

**Director of Planning & Performance**

**SMT Lead:**

**Rachel Curry**

**Accessible to Students:**

**Yes**

**Relevant to The Manchester College:**

**Yes**

**Relevant to UCEN Manchester:**

**Yes**

**Relevant to Total People:**

**No**

**Relevant to MOL:**

**No**

**Relevant to Novus:**

**No**

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## 1. Scope and Purpose

1.1 LTE Group (a statutory corporation and an exempt charity, for the purposes of the Charities Act 2011), of which The Manchester College and UCEN Manchester are operating divisions (“**LTE Group**”, “**the Group**”, “**TMC**”, “**UCEN**” “**the College**” “**We**”, “**Our**”, “**Us**”), is committed to providing high-quality services for all our college community, taking account of users’ views and using the findings to promote and develop capacity for sustainable improvement. This document details both the compliments and complaints procedures.

1.2 A Complainant (“**You**” or “**Your**”) may be a student, applicant, former student, parent of a student under the age of 18, or service user, that indicates dissatisfaction with the level of service received.

1.3 A complainant may request a third-party representative, such as a parent, partner or solicitor, to act on their behalf during the complaints process. In such cases, a third-party consent declaration, obtained from the complaint administrator, will need to be completed, signed and returned to [feedback@tmc.ac.uk](mailto:feedback@tmc.ac.uk). Confirmation of third-party consent will allow the third party to communicate with The Manchester College and UCEN Manchester while the complaint is under investigation, in addition, the complainant’s personal and/or sensitive data may be disclosed to the third party as part of the process. The student can restrict or withdraw the third-party consent at any time.

The sharing of information with the third party will start when the college receives confirmation of consent from the complainant, and will remain in place until either, the conclusion of the complaint investigation has been reached, communicated with the complainant, and the complaint closed, or until the third-party consent is restricted or withdrawn.

1.4 A complaint is defined as a statement that something is unsatisfactory or unacceptable. A complaint, may be linked to, but not limited to, the Curriculum standards, customer service, student experience, health and welfare, Equality, Diversity and Inclusion, finance and/or funding. There may be additional strands to a complaint, that may be processed under alternative statutory policies and procedures, such as Academic Appeals, Student Behaviour, Disciplinary and Expectations, human resources or data protection.

1.5 The college also values recognition of good service and believes that staff should be recognised and rewarded. In doing so, we also collect compliments and commendations of staff, students, and the wider organisation. **See Compliments (s.3.1)**

Compliments are used to enable service development and as part of individual performance development and will be logged internally on our compliment register

1.6 This policy and other relevant documents can be made available in alternative formats, such as large print / braille. Magnification equipment is also available on request.

## 2. Responsibility

2.1 Overall responsibility for the Complaints and Compliments Policy and procedures lies with the Vice Principal, whilst day-to-day responsibility for implementation falls under the

Director of Planning & Performance, supported by the Complaint Administrator within the Feedback department.

2.2 All staff have a responsibility to try to resolve complaints informally, prior to invoking the formal complaints procedure.

2.3 All staff have a responsibility to inform perspective complainants of the Complaints and Compliments Policy and complaints form. Completed complaint forms should be sent to [feedback@tmc.ac.uk](mailto:feedback@tmc.ac.uk) for processing, in line with the Complaints and Compliments Policy.

2.4 All staff have a responsibility to identify any complaints or concerns regarding the handling of personal data, or any requests purporting to be Right Requests under GDPR, and refer them **without delay** to the Group DPO at [dpo@ltegroup.co.uk](mailto:dpo@ltegroup.co.uk). This is imperative in order that statutory timescales for response can be met.

On receipt, the Data Protection Officer (DPO) will process under the following guidelines, where applicable;

- Assesses the content of the complaint in relation to personal data handling, or whether any requests concerning personal data fall under a GDPR Rights Request
- Log the case on the DPO database in, line with the DPO procedure
- Responds directly to the complainant and/or actions a GDPR rights request as appropriate – within statutory timescales
- Liaises with Business Unit Owner and /or Investigator(s) to provide DPO guidance/wording for complaint response/outcome, where appropriate
- Confirm to the Feedback team when the DPO element has been actioned

### 3. Compliments

3.1 Compliments received will be acknowledged, logged and passed on to the member(s) of staff concerned and their line manager. They may also be formally recorded in an individual's employee record, as part of their performance profile. Where appropriate, managers may respond to compliments made, to further acknowledge receipt. You can inform the College of a compliment or commendation by;

**Email:** [feedback@tmc.ac.uk](mailto:feedback@tmc.ac.uk)

or

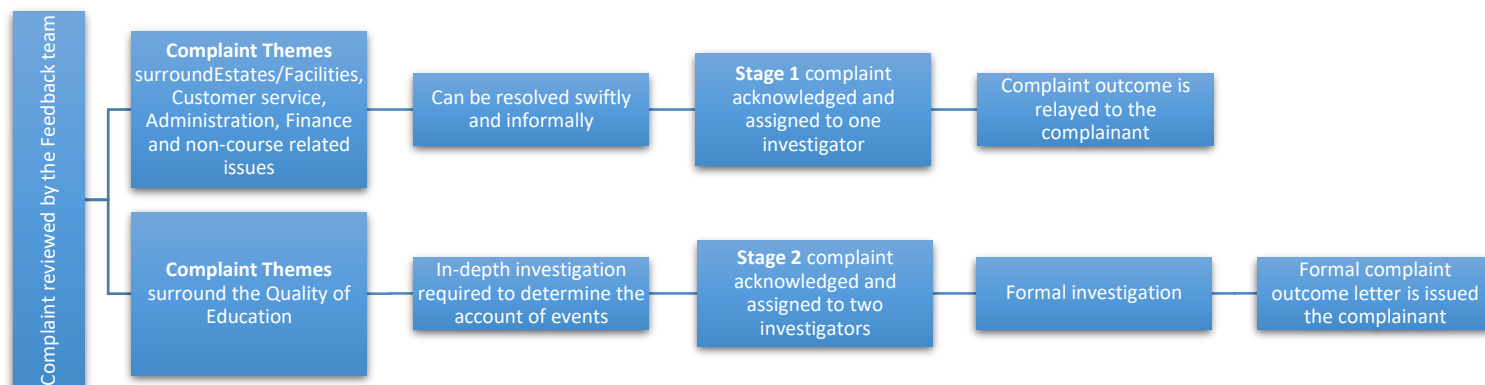
**Post:** Director of Planning & Performance (Feedback), City Campus Manchester, 60 Great Ducie Street, Manchester, M3 1PT

### 4. Complaints Overview

4.1 The college's complaint process has five stages:

Stage	Description	Possible outcome	Method of communication
1	Informal Complaint	Informally resolved	Verbal or written response
2	Formal Complaint	Upheld, Partial Upheld or Not Upheld	Written response
3	Appeal Review Request	Accepted or rejected	Written response
4	Appeal	Upheld, Partial Upheld or Not Upheld	Written response
5	External Appeal Review	Completion of Procedures letter	Written response

4.2 A submitted complaint will go through an initial review by the Feedback team to determine whether the complaint can be swiftly resolved informally or will require an in-depth formal investigation and outcome. Each complaint is reviewed case-by-case, with consideration of the methodology and guidance below.



## 5. Stage 1 and Stage 2 Complaints

### 5.1 Stage 1 - Informal complaints

5.1.1 An informal complaint can be raised with a member of staff and/or student union representative. Informal complaints differ from a formal complaint in the way it is processed and managed. Informal complaints are managed through discussion (written and / or verbal) and should always be attempted before escalating to the formal complaint process (**Stage 2**). An informal complaint resolution aims to seek mutual agreement and shared understanding, to prevent issues occurring in the future.

5.1.2 Informal complaints do not always need to be reported to the Feedback department. The college encourages local handling of informal complaints, however, any informal complaint that does come to the attention of the Feedback department will be processed and investigated as a **Stage 1** informal complaint.

5.1.3 An informal complaint does not require a formal, written outcome letter. However, the investigator, investigating a **Stage 1** complaint may decide to summarise any key points or proposed action in writing for the benefit of the student and / or college. This will be at the investigator's discretion and / or at the complainant's request.

5.1.4 We will aim to resolve **Stage 1** complaints within 20 working days of acknowledging receipt of the complaint.

5.1.5 The investigator managing a Stage 1 complaint should keep a record of the issue and outcome, in line with this policy and the LTE Group's GDPR Policy. Please refer to **Use of Personal Information Under this Policy (s.20)**.

5.1.6 The investigator will share investigation findings and inform the Feedback department when the complaint outcome has been reached, and/or including a resolution. The feedback department will send out an email to the complainant, closing the complaint.

5.1.7 If the Feedback department has processed a **Stage 1** complaint, the Complaint Administrator will contact the Complainant to confirm whether they are satisfied with the outcome of the investigation and the service received **See (s. 9.2.4)**.

5.1.8 If a Complainant is dissatisfied with the outcome of a **Stage 1** investigation, they can escalate their complaint to the Feedback department, within 10 working days, to initiate a formal **Stage 2** investigation. Details on how to do this are set out in **Making a complaint (s.6)**

## 5.2 Stage 2 - Formal complaints

5.2.1 If an informal resolution has not been reached, a formal complaint can be submitted to the Feedback department, as outlined in **Making a complaint (s.6)**

## 6. Making a complaint

6.1 To make a complaint, a Complaint Form and / or written letter of complaint should be submitted by any of the following methods:

**Email:** [feedback@tmc.ac.uk](mailto:feedback@tmc.ac.uk)

**Post:** Director of Planning & Performance (Feedback), City Campus Manchester, 60 Great Ducie Street, Manchester, M3 1PT

6.2 The complaint should be submitted with as much detail as possible, but most importantly should include:

- Full name of Complainant
- Student ID (where applicable)
- Contact details
- Details of the complaint (What, why, how, who, when, where?)
- What action has been taken so far, if any?
- A satisfactory and workable outcome / resolution
- Any documentary evidence.

## 6.3 Alternative policies and procedures

### 6.3.1 Group Data Protection Policy

Complaints relating to data protection, or how we handle personal data, are referred to the Group's Data Protection Officer: [dpo@ltegroup.co.uk](mailto:dpo@ltegroup.co.uk) and will be handled under the Group Data Protection Policy [lte-group-data-protection-policy.pdf \(tmc.ac.uk\)](#) **See Responsibility (s.2.4)**

6.3.2 Complaints may fall under the Group's human resources (HR) procedures, whereby a complaint is made about a member of staff's personal or professional conduct. In such cases, an investigation under the relevant HR policy will run alongside a complaint investigated under this policy. The **Stage 2** complaint outcome letter will outline whether the complaint is upheld, partially upheld, or not upheld, however, due to data protection law the outcome of any HR investigation will always remain confidential and will not be disclosed to the Complainant.

### 6.3.3 Academic appeals policy

Investigators may decide, as part of a complaint, to conduct an academic appeal, for review of assessments by the awarding / examining body. The outcome of an academic appeal may inform the outcome of a complaint.

### 6.3.4 Student Behaviour, Disciplinary and Expectations Policy and Procedures

Matters being investigated under the Disciplinary policy, will not be considered as a complaint.

### 6.3.5 Whistle blowing Policy

LTE Group is committed to ensuring the highest standards of honesty and integrity. Public interest disclosures (whistleblowing) are covered under our Public Interest Disclosure Policy [https://www.tmc.ac.uk/media/filer\\_public/64/8c/648ca5b8-0b93-490e-baf9-93ccb70261fe/public\\_interest\\_disclosure\\_whistleblowing\\_policy\\_and\\_procedure.pdf](https://www.tmc.ac.uk/media/filer_public/64/8c/648ca5b8-0b93-490e-baf9-93ccb70261fe/public_interest_disclosure_whistleblowing_policy_and_procedure.pdf)

## 7. Indirect and anonymous complaints

7.1 Indirect and anonymous complaints can be raised by a person(s), if they themselves or have witnessed others receive an unsatisfactory or unacceptable service.

7.1.1 Indirect and/or anonymous complaints submitted to the Feedback department or direct to the Director of Planning and Performance, will be reviewed and processed in line with the Complaints and Compliments Policy. An investigation into the concerns or matters raised, can either be done in collaboration with the Complainant or remain anonymously.

## 8. Policy

### 8.1 The Manchester College / UCEN Manchester;

- will investigate complaints thoroughly and objectively, in line with the Complaints and Compliments Policy
- aims to reach a complaint outcome / decision within 15 working days
- aims to have communicated the outcome(s) / decision(s) to the Complainant within 20 working days
- will contact the Complainant to advise if the investigation is likely to take more than 20 working days and will keep them informed of progress
- will ensure that students will not be treated less favourably following their complaint, if this is found to be the case, staff disciplinary procedures will be followed
- will identify and share actions from complaints and compliments received to improve quality and develop services within the relevant Business area, and/or department
- will produce and submit monthly complaints analysis to the Group Quality department for quality purposes, and termly and annual reports to Principalship and Governors for review and approval of recommendations moving forward.

## 9. Procedure

### 9.1 Submitting a complaint

9.1.1 All formal (**Stage 2**) complaints must be sent to the Feedback department to be recorded on the complaints system. The complaint cycle will be monitored and managed by the Complaints Administrator.

9.1.2 As part of our drive to improve services for all college customers, where a complainant is a current student, we may process their special category personal data. These details will help to ensure that all people are treated fairly. **See Equality, Diversity and Inclusion (s. 14)**

9.1.3 Complaints should be raised within a timely manner in order to facilitate an effective investigation of the issues raised.

9.1.4 Students should be aware that malicious complaints received in any form will result in disciplinary action (i.e., complaints that are not true, use of foul language in any communications that are sent to staff). **See Serial and unreasonable complaints (s. 19)**

All Complainants should be aware that college staff have the right to work in a pleasant and safe environment and any violent or abusive behaviour towards staff will not be tolerated.

9.1.5 If a group complaint is received, one single group representative must be identified with whom the college will correspond and who will be responsible for liaising with the other complainants. Each complainant, will be asked if they request a copy of the outcome letter as part of their consent.

9.1.6 It is advisable to inform your investigator(s) of yours and/or your representative's personal preferences, special education needs / neurodiverse conditions, disabilities or language barriers, so reasonable adjustments can be made. Examples of reasonable adjustments, but not exhaustive, are as follows:

- preferred pro-noun, *him, she, they*
- preferred method of communication, verbal, written, face to face, telephone
- written communications in braille
- adapted colour of background for written communications or size and type of font used
- translated text in preferred language, or use of an interpreter
- adjustments to accommodate any physical needs
- a representative present within meetings
- the use of transcript in Teams
- other

### 9.2 Investigating a formal complaint

9.2.1 When a formal complaint is received, the Director of Planning and Performance will review the complaint, with support of the Complaints administrator, and aim to assign a Complaint Investigator and Complaint Manager within five working days. We assign a minimum of two members of staff at senior level to investigate formal complaints to ensure an impartial and balanced approach. The Complaint Administrator will write to the complainant, informing them of the investigator and investigating manager, including timescales, that the complainant can expect to receive the outcome / resolution to the



complaint. Investigators aim to determine an outcome within 15 working days and communicate the response within 20 working days.

- Complaints received during college closure and/or holiday periods will not be covered under the 20-working day cycle, due to investigator(s) being on annual leave. If this is the case, the Complainant will be advised of this in their acknowledgement letter, or a further holding letter and an extended deadline will be set.
- In instances of complex complaints, more time may be required for the college to complete the complaint investigation. If this is the case a letter of explanation will be sent to the complainant and an extended deadline will be set.

9.2.2 The Complaint Investigator will be responsible for conducting investigations, under guidance of the Complaint Manager. Once the investigation is complete, the findings will be reviewed with the Complaint Manager. The Complaint Administrator will monitor and manage the complaint cycle until an outcome and/or resolution has been reached. As part of the investigation, complainants may be invited to discuss issues with the Complaint Investigator or Manager in more detail. Complainants have the right to be supported at these meetings by another person, such as another college student, Student Union representative, member of college staff or other third party.

9.2.3 It is the duty of the Complaint Manager to review the Investigator's findings and finalise the complaint response. The final complaint response should be sent to [feedback@tmc.ac.uk](mailto:feedback@tmc.ac.uk) within 15 working days. The Feedback department will carry out final quality assurance processes, in line with college policies and procedures, and distribute the outcome letter to the complainant on or before the 20-working day deadline.

9.2.4 From time to time, the college may contact complainants whose complaints have been closed to gather feedback on their experience of the process. Any feedback offered will be used to inform service review/improvement.

### **9.3 Complaint Response**

9.3.1 When the complaint is assigned, a blank complaint response template will be provided to the Complaint Investigator and Investigating Manager.

The complaint response should always detail the following information;

- A summary of the key issues raised
- A summary of the complaint investigation, findings, and conclusions, including where appropriate, a resolution / remedial actions to take to resolve the complaint
- A final outcome, whether the complaint is not upheld, partially upheld or upheld, explaining the reasons for the decision
- Details on how the complainant can appeal, should they remain dissatisfied with the outcome of their Stage 2 formal complaint.

9.3.2 The Complaint Manager will review the investigation findings and evidence base, and will be required to approve a final conclusion, and any remedial actions / activities to take to resolve the complaint.

- That further steps should be taken to resolve the complaint (for example, through mediation with the agreement of both parties)

- To uphold a complaint in whole or in part and where appropriate, require such remedial actions / activities as necessary
- To reject a complaint in whole or in part where it is found that;
  - the substance of the complaint was not justified; and / or
  - the college acted reasonably and in line with its procedures and written documentation; and / or
  - the complainant has not been substantively disadvantaged by any variation of college procedures or written documentation.

9.3.3 Following the Stage 2, formal complaint investigation, the decision outcome will be categorised as one of the following:

- Not upheld
- Upheld
- Partially upheld

9.3.4 Once a complaint outcome has been communicated to the complainant, unless the complainant escalates the complaint to **Stage 3** within the set timeframe **See (s.11.1)**, it shall be considered that the complaint is settled in full and the complainant has no further right to make claims against LTE Group, pertaining to the issue(s) raised.

9.3.5 If a complaint response stipulates remedial actions / activities as part of the resolution, these will be recorded on the complaint database by the Complaint Administrator, as part of the complaint cycle. Complainants will not typically be kept up to date with progress of such remedial actions / activities , unless by prior request and agreement with the investigator and investigating manager

## 9.4 Miscellaneous

9.4.1 Some requests may require the college to take swift action, for example where the issues raised have detrimental consequences for an individual's health, safety and welfare or where external time limits apply; for example, in meeting regulatory requirements for the completion of courses, or a suspected DPO breach. If this is the case, the complaint procedure may be expedited.

9.4.2 Where a Complainant alleges a violation of the law, the matter shall normally be referred to the Police immediately. Where the individual in question is subject to criminal proceedings arising in connection with the complaint, the college shall not normally continue with the procedures set out in this policy other than, if appropriate, taking steps to temporarily suspend or ban that person from college premises and / or activities pending the outcome of the criminal proceedings. If the matter under complaint is not proceeded with as a criminal matter by the prosecuting authorities, it will be investigated in line with the complaints and compliments policy.

9.4.3 On occasions duplicate complaints may be received pertaining to the same subject / issue. If this is the case, and the complaint has already been closed, the newer complainant will be advised that the college has already considered the complaint and the local process is complete. However, if new information or evidence has become available, this may be grounds for a new investigation and will be considered on a case-by-case basis.

9.4.4 The college reserves the right to make a judgement on whether or not to accept formal complaints that are made anonymously. Exceptionally, an anonymous complaint may be

considered if there is a compelling case supported by evidence and the decision will be made by the Director of Planning and Performance.

## 10. Governors

10.1 If your complaint is about the Governing Body, an individual member of the Governing Body, or the Principal of the college, it should be addressed to the Company Secretary & General Counsel:

The Company Secretary & General Counsel  
Executive Suite  
LTE Group  
City Campus Manchester  
60 Great Ducie Street  
Manchester  
M3 1PT

## 11. Stage 3

### 11.1 Requesting an appeal review

11.1 If a complainant is dissatisfied with the outcome of a formal complaint (**Stage 2**), they may appeal against the decision in writing within 10 working days of the complaint response, using the complaint contact details outlined in **Making a complaint (s. 6)**.

11.2 The appeal request must clearly explain the reason(s) for appeal and will only be considered if the complainant can evidence one or more of the following criteria:

- Any aspect of the original complaint was not investigated
- The investigation findings do not match the outcome
- There is new evidence which was not reasonably available at the time of the original complaint investigation
- The college's complaints policy was not followed

11.3 The Director of Planning & Performance will review the request and if grounds for appeal are satisfied the complaint will move to **Stage 4 (appeal)**.

## 12. Stage 4

### 12.1 Appeal

12.1.1 Appeals are often complex therefore, the college will aim to assign an Appeal Investigator and Appeal Manager within 10 working days of granting the request (**Stage 3**). Where this is not possible, the complainant will be kept up to date of progress via email.

12.1.2 An Appeal Manager will be either a Vice Principal, Deputy Principal, or the Principal.

12.1.3 The purpose of an appeal is for the Appeal investigator to review the original complaint, investigation and outcome, to determine if the appropriate conclusion was reached.

12.1.4 The Appeal Investigator will review all the evidence base available, the appeal and any new evidence submitted. The appeal investigator will submit their findings and proposed outcome to the Appeal Manager for review. The Appeal Manager will consider the findings and their decision will be final. The decision will be communicated to the complainant in a Stage 4 Outcome Letter.

12.1.5 The same investigation timescales will apply; that being: 15 working days for appeal investigation and 20 working days for the college to distribute the response to the complainant.

12.1.6 The outcome of the Stage 4 appeal review concludes The Manchester College and UCEN Manchester complaints process.

12.1.7 If a complainant is dissatisfied with the outcome of Stage 4, the complainant has the right to escalate their concerns with the regulatory authority, validating university and/or awarding / examining body (**Stage 5**). The external regulatory authority or validating university, may request to either the complainant or direct to the college, to provide a Completion of Procedures notification, confirming that the complaints and appeals process have been exhausted.

12.1.8 If the complainant believes the college did not handle their complaint in accordance with this policy, or they acted unlawfully or unreasonably in the exercise of their duties under education law, they may refer the matter to the relevant agency or awarding / examining body (**Stage 5**) (s.13.1).

## 13. Stage 5

### 13.1 External appeal

13.1.1 For complaints funded by the Education and Skills Funding Agency (ESFA), the complainant must escalate their complaint no longer than 12 months after the issue occurred, and only once the above complaint and appeal process has been exhausted:

Complaints Team  
Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

[complaints.ESFA@education.gov.uk](mailto:complaints.ESFA@education.gov.uk)

13.1.2 For Access to Higher Education courses, more information on how to escalate your complaint with the can be found at: <https://openawards.org.uk/get-in-touch/> and in section 8.3 of their Enquiries, Complaints and Appeals Policy and Procedures document (<https://openawards.org.uk/media/3769/enquiries-complaints-and-appeals-policy-and-procedures-v9-2019.docx>). Per their policy, should a complainant choose to submit an appeal to Open Awards, they must notify us by email ([feedback@tmc.ac.uk](mailto:feedback@tmc.ac.uk)) and request us to release any records relating to their appeal, should Open Awards request it. Any appeal

with Open Awards must be lodged within 30 working days of the final decision of the college, under Stage 2 or 4 of this policy.

### 13.2 Higher education external appeal

13.2.1 This section applies to currently enrolled students (or former students) studying on a programme at level 4 or above.

13.2.2 Higher education complainants on a programme validated by one of our university partners have the right to request a review of the complaint to the relevant university, once the procedures under this policy have been exhausted. However, not all matters fall within their jurisdiction. If the university deems it does not fall under their jurisdiction, they will ask us to issue you with a Completion of Procedures notification, which would allow you to apply to the Office of the Independent Adjudicator for Higher Education (OIA) for a review. If the matter falls under their jurisdiction, the university will issue the Completions of Procedure letter under the rules of the scheme.

13.2.3 Complainants can request a review by the relevant validating university by contacting them through the email addresses below, no later than 10 working days from the date of the college's **Stage 4** appeal response:

- Manchester Metropolitan University [complaintsappeals@mmu.ac.uk](mailto:complaintsappeals@mmu.ac.uk)
- Sheffield Hallam University [appealsandcomplaints@shu.ac.uk](mailto:appealsandcomplaints@shu.ac.uk)
- University of Huddersfield [studentcomplaints@hud.ac.uk](mailto:studentcomplaints@hud.ac.uk)
- Final right to appeal Pearson

13.2.4 The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. UCEN Manchester is a member of this scheme. If you are unhappy with the outcome, you may be able to ask the OIA to review your complaint. You can find more information about making a complaint to the OIA, what it can and can't look at, and what it can do to put things right here:

<https://www.oiahe.org.uk/students>.

13.2.5 You need to have exhausted the college's complaints and appeals process before you complain to the OIA.

13.2.6 If you are studying on a Higher Education programme which is not validated by one of our university partners, your closing appeal letter, will act as your "Completion of Procedures Letter" when you have reached the end of our processes and there are no further steps you can take internally. You can find more information about Completion of Procedures Letters and when you should expect to receive one here:

<https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.

## 14. Equality, Diversity and Inclusion

14.1 All complaints will be treated fairly and within the directives of the college's Single Equality Scheme. All complainants will be treated with respect and fairness throughout any investigations and processes linked to a complaint made. More information may be found at: <https://www.tmc.ac.uk/about/equality-and-diversity>  
<https://www.ucenmanchester.ac.uk/about/equality-and-diversity>

14.2 We are committed to building a diverse and inclusive college community, and to improve services for all college customers. In line with UK data protection law and our

**Privacy Notice**, we will process students' special category personal data to monitor and promote equal opportunities, to prevent malpractice and to support individuals with a particular disability or medical condition.

<https://www.tmc.ac.uk/sites/default/files/policies/Privacy-Notice-The-Manchester-College.pdf>  
[https://www.ucenmanchester.ac.uk/sites/default/files/policies/Privacy-Notice-UCEN\\_0.pdf](https://www.ucenmanchester.ac.uk/sites/default/files/policies/Privacy-Notice-UCEN_0.pdf)

## **15. Retention**

15.1 Complaint data will be held in line with LTE Group's Data Protection Policy, that being the current academic year + 6 years.

## **16. Linked Policies and Procedures**

16.1 The Complaints Policy is linked to:

- Behaviour Support & Disciplinary Procedures
- People Safeguarding Scheme
- Single Equality Scheme
- Public Interest Disclosure Whistleblowing Policy
- Academic appeals
- Data Protection Policy

16.2 The policy is cross referenced to the above policies and any complaint that falls within the processes of another policy will be handled under the appropriate policy but may be formally or informally logged as a complaint.

## **17. Location and Access to This Policy**

- Staff intranet (The HUB)
- Student intranet (The Student HUB)
- The Manchester College website
- UCEN Manchester website

## **18. Roles and Responsibilities**

### **18.1 Complainant**

- Explain the complaint in full, as early as possible
- Cooperate with the college in seeking a resolution to the complaint
- Respond promptly to requests for information or meetings, or in agreeing the details of the complaint
- Ask for assistance as needed
- Treat all those involved in the complaint with respect
- Refrain from publicising the details of their complaint on social media and respect confidentiality

## **18.2 Complaint Administrator**

18.2.1 The Complaint Administrator will ensure procedures are adhered to, in line with the Complaints and Compliments policy.

## **18.3 Complaint Investigator**

18.3.1 The investigator's role is to review all available evidence and establish an account of events that has led to the complaint. The investigator will make an informed decision and present their findings to the complaint manger. **See Stage 1 and Stage 2 Complaints ( s. 5 and s. 9.2.2)**

## **18.4 Complaint Manager**

18.4.1 The Complaint Manager will review the investigators findings and agree a final decision. **See Stage 1 and Stage 2 Complaints (s.5 and s. 9.2.3)**

## **18.5 Appeal Investigator**

18.5.1 The appeal investigator's role is to review all available evidence, and any new evidence presented. The appeal investigator will make an informed decision and present their findings to the appeal manger. **See Stage 4 (s.12)**

## **18.6 Appeal Manager**

18.6.1 The Appeal Manager will review the appeal investigators findings and agree a final decision. **See Stage 4 (s.12)**

## **19. Serial and Unreasonable Complaints**

19.1 LTE Group is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our group. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

19.2 LTE Group defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the college, such as, if the complainant:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to cooperate with the complaint's investigation process
- Refuses to accept that certain issues are not within the scope of the complaint's procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice

- Introduces trivial or irrelevant information which they expect to be taken into account and commented on
- Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- Changes the basis of the complaint as the investigation proceeds
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- Refuses to accept the findings of the investigation into that complaint where the college's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- Seeks an unrealistic outcome
- Makes excessive demands on college time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums.

19.3 Whenever possible, the Director of Planning and Performance will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

19.4 If the behaviour continues, the Director of Planning and Performance will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact The Manchester College or UCEN Manchester causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

19.5 In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from all The Manchester College and UCEN Manchester campuses.

## **20. Use of Personal Information under the Complaint Policy**

20.1 In order to handle a complaint effectively it will be necessary for the college to process a complainant's personal data, in accordance with this policy. Personal data will be disclosed only to those persons who need to see such data for the purposes of conducting an investigation, responding as part of an investigation, determining or recommending a resolution, or deciding what other steps can appropriately be taken. No person will be told any more about the investigation than is strictly necessary in order to obtain the information required from them.

20.2 Such persons may include:

- Staff handling, investigating and considering the complaint;
- Individuals named or involved in the complaint, such as students, staff or external bodies;
- Authorised representatives of other external bodies involved in the complaint;
- The college's legal advisors;
- A complainant's authorised representative.



20.3 Documentation generated in the course of an investigation under the procedure will be disclosed in full to the complainant, except where information relates to an individual who has not explicitly consented to the disclosure of personal data.

20.4 Following completion of the procedure, the complaint, the documentation generated in the course of the investigation and the decisions made under the procedure, will be retained securely by the college for six years after the end of the current academic year. This information will be used for the purposes of responding to any complaints regarding the application of this procedure as well as for compiling anonymous statistics regarding its use. Further, where any complaint is subsequently submitted under this procedure by the same complainant, this information may be taken into account by the Complaint Investigator and Complaint Manager, in reaching a decision under Stage 2 and Stage 3 of this policy. The information may also be used, if relevant, for the purposes of conducting disciplinary proceedings or referral for consideration.

20.5 Nothing in this policy is intended to prejudice any rights of access to personal data which any person may have under data protection legislation as applicable at the time or otherwise.

## **21. Confidentiality**

21.1 By invoking this policy, the complainant agrees to keep the details of any resolution agreement (including the circumstances leading up to it), and in particular the amount of any redress confidential, and shall not disclose (and shall not be the source of any such disclosure) any such matters or any other matters connected with the subject matter of the agreement to any person other than my immediate family (provided that any such disclosure is made on equivalent terms of confidentiality as set out in this clause) or as required by statute or any court of law. The complainant will be liable for any disclosure made by any third party for which they were the original source.