

Complaints & Compliments Policy

Document Control	
Document Type:	Policy
Department:	Curriculum & Support
Relevancy:	The Manchester College UCEN Manchester
Owner:	Paula Appleby, Director of Planning & Performance
Approver:	Rachel Curry, Deputy Principal
Published Date:	01 August 2021
Version:	1
Security Classification:	External
Last Review Date:	01 April 2021
Next Review Date:	01 April 2022

COMPLAINTS & COMPLIMENTS POLICY

Date Approved:	27 May 2021
Approved by:	Principalship
Review Date:	01 April 2022
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

Contents

1. Scope and Purpose.....	2
2. Responsibility.....	2
3. Compliments.....	3
4. Complaints Overview	3
5. Stage 1	3
6. Stage 2	4
7. Stage 1 and Stage 2 complaints.....	5
8. Policy	5
9. Procedure	5
10. Governors	8
11. Stage 3	9
12. Stage 4	9
13. Stage 5	10
14. Equality, Diversity and Inclusion.....	11
15. Retention	11
16. Linked Policies and Procedures	11
17. Location and Access to This Policy	12

18. Roles and Responsibilities	12
19. Serial and Unreasonable Complaints	14
20. Use of Personal Information Under the Complaint Policy	15
21. Confidentiality	15

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 procedure.

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

1.3 Student Complainants may request a third party, such as a parent, partner or solicitor, to act on their behalf during the complaints process. In such cases, a third-party consent declaration will need to be completed. This will be arranged by the Complaint Administrator. This means that personal and/or sensitive data may be disclosed to the third party as part of the process. Confirmation of third-party consent will allow the third party to communicate with The Manchester College while the complaint is under investigation. The student can restrict or withdraws the third-party consent at any time. The sharing of information with the third party will start when the College receives confirmation of consent and will remain in place until either the conclusion of the complaint investigation, or until the consent is restricted or withdrawn.

1.4 A complaint is defined as a statement that something is unsatisfactory or unacceptable. This includes, but is not limited to, academic (e.g. progression and grades); teaching and learning; course organisation; discrimination; finance and funding; welfare; etc. Some complaints may be handled under separate statutory procedures and policy, such as appeals relating to exclusions, human resources complaints or data protection issues.

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. 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 Compliments and Complaints Policy and procedures lies with the Deputy 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 forward formal complaints to the Director of Planning & Performance.

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.

4. Complaints Overview

4.1 The College's complaint process is broken down into five stages:

- Stage 1 – Informal Complaint
- Stage 2 – Formal Complaint
- Stage 3 – Appeal Review Request
- Stage 4 – Appeal Review
- Stage 5 – External Appeal Review

5. Stage 1

5.1 Informal complaints

5.1.1 An informal complaint differs from a formal complaint in the way it is processed, but both contribute to the overall complaints process. An informal complaint is managed through discussion (written and / or verbal) and should always be attempted before moving into the formal complaint process (**Stage 2**). An informal complaint resolution aims to seek mutual agreement and shared understanding, to avoid issues in the future. Complainants may approach any member of college staff or the Students' Union.

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 logged on the complaint database and tracked accordingly, as a **Stage 1** complaint.

5.1.3 An informal complaint does not require a formal, written outcome letter. However, any member of staff 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 staff member'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 Any members of staff 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)**, below.

5.1.6 If a Complainant is dissatisfied with the outcome of a **Stage 1** investigation, they should escalate their complaint to the Feedback department, within 10 working days, for a **Stage 2** investigation. Details on how to do this are set out in **Making a complaint (s. 6.2)**.

6. Stage 2

6.1 Formal complaints

6.1.1 If an informal resolution is not possible, a formal complaint should be submitted to the Feedback department, as outlined below:

6.2 Making a complaint

6.2.1 To make a formal (**Stage 2**) complaint, a Complaint Form and / or written letter of complaint should be submitted by any of the following methods:

- **Email:** feedback@tmc.ac.uk
- **Post:** Director of Planning & Performance (Feedback), The Manchester College, Ashton Old Road, Openshaw M11 2WH

6.2.2 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
- What the complaint is about
- Any action taken so far
- The required outcome / resolution
- Any documentary evidence

6.3 Alternative policies and procedures

6.3.1 Complaints relating to data protection, or how we handle personal data, should be made directly to the Group's Data Protection Officer: dpo@ltegroup.co.uk and will be handled under the Group Data Protection Policy, accessible at: https://www.ltegroup.co.uk/media/filer_public/5f/a0/5fa06b05-4dbd-40e8-b735-6678d8836bf0/lte-group-data-protection-policy.pdf

6.3.2 Complaints may fall under the Group's human resources (HR) procedures where they are 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 LTE Group is committed to ensuring the highest standards of honesty and integrity. Public interest disclosures (whistleblowing) are covered under our Public Interest Disclosure Whistleblowing Policy & procedures:

https://www.ltegroup.co.uk/media/filer_public/02/e2/02e27b91-7a5b-44e0-b0f1-a99d59204bce/public-interest-disclosure-policy-2020.pdf

7. Stage 1 and Stage 2 complaints

7.1 Indirect complaints

7.1.1 If an indirect complaint, or a comment which could be interpreted as a complaint, is made in any format and brought to the attention of college staff, the Director of Planning and Performance will review the feedback and determine whether or not to escalate the issue through this policy, either through **Stage 1** or **Stage 2**. If it is decided that the complaint should be processed through this policy, this can either be done in collaboration with the Complainant or anonymously.

7.1.2 If the Feedback department is tracking the **Stage 1** complaint, the Complaint Administrator may contact the Complainant to confirm whether they are satisfied with the outcome of the investigation and the service received (see: **s. 9.2.4**).

8. Policy

8.1 The Manchester College / UCEN Manchester:

- Will investigate complaints thoroughly and objectively and they will be regularly monitored by the Deputy Principal for Curriculum & Support
- 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 actions from complaints and compliments received to improve and develop services
- Will produce a complaints analysis and an annual summary report each term, to be submitted to the Group Quality department and Governors for review and improvement purposes

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 investigation and cycle will be tracked 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 12 months of the original issue, so that evidence is reasonably available for the investigation. If the complaint is regarding any aspect of a college course, the complaint should be raised within 12 months of the course end date. Any complaint received after this period will not usually be considered, however, we will consider complaints made outside of this time frame if exceptional circumstances apply.

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 the complaint is a group complaint, each Complainant must be named and signed on the Complaint Form / formal written complaint; however, one single group representative must be identified with whom the College will correspond and who will be responsible for liaising with the other Complainants. The Feedback department will contact each individual Complainant to ensure that they give consent for the single representative to act on their behalf.

9.2 Investigating a complaint

9.2.1 When a formal complaint is received, the Director of Planning and Performance will review the complaint and aim to assign a Complaint Investigator and Complaint Manager within five working days. We assign two members of staff at senior level to investigate complaints to ensure an impartial and balanced approach. Once this has been done, the Complaint Administrator will write to the Complainant to confirm. This begins the 20-working day cycle.

- Complaints received during half term or summer holidays may not be covered under the 20-working day cycle, due to academic staff being on 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 continuously monitor and track the complaint until the issue has been resolved. 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 write the official complaint response, however they may ask the Complaint Investigator to outline an early draft. The final complaint response should be sent to the Feedback department within 15 working days. The Feedback department will proofread the letter and distribute 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 Manager. The complaint response should always detail the following information:

- A summary of the key issues raised
- A summary of the complaint investigation, including actions, findings, and conclusions
- A concluding paragraph with a final decision

9.3.2 The complaint response will detail any actions taken to investigate the complaint and provide a full explanation of the decision(s) made and the reason(s) for it. Where appropriate, it will include details of actions the College will take to resolve the complaint. The response letter will also include details on how the complainant can escalate their complaint, should they remain dissatisfied with the outcome of **Stage 2**.

9.3.3 Following review of the Complaint Investigator's findings, the Complaint Manager will have the power to make one or more of the following decisions:

- 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 remedies 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

9.3.4 Following the complaint investigation, the decision outcome will be categorised as one of the following:

- Informally resolved (**Stage 1**)
- Not upheld
- Upheld
- Partially upheld

9.3.5 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.

9.3.6 If a complaint response stipulates required actions or remedies, these will be logged on the complaint database and tracked by the Complaint Administrator, as part of the complaint cycle. The Complaint Administrator will ensure that the actions outlined in the complaint response are followed through and any relevant information pertaining to these actions will be documented on the complaint file. Complainants will not typically be kept up to date with progress of such actions / remedies, unless by prior request and agreement.

8.4 Miscellaneous

9.4.1 Some requests may require the College to take swift action, for example where the issues raised have detrimental consequences for any College member's health and safety (including mental health), or where external time limits apply; for example, in meeting regulatory requirements for the completion of courses. 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 dealt with by the College as though it had not been referred to the Police.

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. Anonymous complaints will not normally be accepted, as this may limit the investigation and communication of the outcome. 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
Ashton Old Road
Openshaw
M11 2WH

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. 6.2)**.

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 review).

12. Stage 4

12.1 Appeal review

12.1 Due to the often-complex nature of appeal reviews, 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 to review the original complaint investigation and outcome, to ensure the appropriate conclusion was reached.

12.1.4 The Appeal Investigator will review the complaint, investigation, outcome letter, and subsequent appeal request, and submit their findings 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 continues to pursue a complaint with the College following the outcome of a Stage 4 appeal review, the college may issue a Completion of Procedures

notification, confirming that all policies and procedures in relation to the complaint have been completed.

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 body (**Stage 5**).

13. Stage 5

13.1 External appeal

13.1.1 For complaints funded by the Education and Skills Funding Agency (ESFA), the complaint 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

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) 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 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 contact to the below email address, no later than 10 working days from the date of the College's **Stage 4** appeal response:

- Manchester Metropolitan University complaintsappeals@mmu.ac.uk
- Sheffield Hallam University appealsandcomplaints@shu.ac.uk
- University of Huddersfield studentcomplaints@hud.ac.uk

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 normally need to have completed the College's complaint procedure 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, we will send you a letter called a "Completion of Procedures Letter" when you have reached the end of our processes and there are no further steps you can take internally. If your appeal is not upheld, we will issue you with a Completion of Procedures Letter automatically. If your appeal is upheld or partly upheld, you can ask for a Completion of Procedures Letter if you want one. 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 in order 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

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 Policy
- People Safeguarding Scheme
- Single Equality Scheme
- Public Interest Disclosure Whistleblowing Policy

- Academic appeals
- Disciplinary issues
- 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
- Student intranet
- LTE Group website
- 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 solution 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 that the complainant is fully updated at each stage of the procedure
- Liaise with the Complaint Manager and Investigator to ensure effective practice of the Complaints Policy and procedure
- Be aware of issues regarding:
 - Sharing third party information.
 - Additional support. This may be needed by complainants when making a complaint, including interpretation support or where the complainant is a vulnerable person.
- Ensure the complaint database is kept accurate and up to date

18.3 Complaint Investigator

18.3.1 The investigator's role is to establish the facts relevant to the complaint by:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:

- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- interviewing staff and students, and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- Liaising with the complainant and the Complaint Administrator, as appropriate, to clarify what the complainant feels would put things right.
- Conduct interviews with an open mind and be prepared to persist in the questioning
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- Ensure that any papers produced during the investigation are held securely, pending any appeal
- Complete the complaint investigation within the allocated timescale
- Prepare a comprehensive report for the Complaint Manager that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

18.4 Complaint Manager

18.4.1 The Complaint Manager will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

18.5 Appeal Investigator

18.5.1 The Appeal Investigator will:

- Review the original complaint investigation and outcome to ensure that the appropriate conclusion was reached under Stage 2
- Ensure that all reasonable steps were taken to fully investigate all aspects of the complaint
- Consider any new evidence available, in conjunction with the original investigation findings
- Ensure the College Complaint Policy was adhered to at all stages of the complaint lifecycle

18.6 Appeal Manager

18.6.1 The Appeal Manager will:

- Review the Complaint Investigators findings and ensure the appropriate Stage 2 outcome decision was reached
- Ensure that all reasonable steps were taken to fully investigate all aspects of the complaint
- Consider any new evidence available, in conjunction with the original investigation findings
- Ensure the College Complaint Policy was adhered to at all stages of the complaint lifecycle

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 complaints investigation process
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints 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 compensatory payment 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.