

# Compliments, Concerns and Complaints Policy

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This policy and procedure is subject to The Equality Act 2010 which recognises the following categories of individual as Protected Characteristics: Age, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex (gender), Sexual orientation, Disability.

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At Milton Keynes College Group, we are proud to welcome learners of all levels – delivering exceptional education in all of our sectors. We offer a full range of qualifications, study programmes, apprenticeships and Higher Education to full and part-time students, and employability and skills training programmes within the local community. We also provide education services to prisons across England. Here at Milton Keynes College Group, we know that education has the power to create equal opportunities and to build fairer futures, leading to an inclusive society for all.

Milton Keynes College Group places a significant emphasis on customer feedback and views **The Compliments, Concerns and Complaints** process as a valuable tool for contributing to ongoing improvements to the quality of our services. All compliments, concerns and complaints received at Milton Keynes College Group are handled with integrity and respect in line with our values.

## **Our Approach**

We will work collaboratively with learners, partners, employers, and our community to deliver the skills needed to aid productivity, to be aspirational, and to grow our regional influence. We will amplify our drive for inclusion and fairness to influence others and to ensure we have a financially strong organisation aligned to our sense of purpose.

All compliments received by Milton Keynes College Group will be shared with the Executive Leadership Team (ELT), Senior Management team (SMT), and all relevant members of staff. Compliments may also be shared with Governors.

However, if a concern or complaint is received, we will act in a timely manner to find a resolution. Therefore, in this Policy, we outline our commitment to acknowledging and responding to concerns and complaints in a prompt and courteous manner. All concerns and complaints will be treated seriously.

Milton Keynes College Group realises that, occasionally, mistakes will be made, or the service offered will not meet an individual's requirements or expectations. However, with our proactive approach we anticipate that most

concerns and complaints will be resolved quickly through an informed and informal approach.

All compliments and complaints made to the College Group about the services it offers will be used as feedback to reflect and implement improvements identified.

## Responsibilities

- People Services are responsible for the coordination of all received complaints at Stages 1 and 2; the concern/complaint will be recorded and directed to the relevant Head of School/Department/Prison for resolution. The concern/complaint will be monitored to ensure it is resolved within the timeline agreed in the policy. Any paper-based concerns and complaints will be stored in People Services and shared with the Quality Team.
- Colleagues may want to make use of the model letters in the appendices to this policy, to help ensure that consistent advice regarding the policy and complaints process is being provided. However, it should not be considered a failure to follow or apply the policy should alternative responses/wording be used.
- People Services will collate the data around concerns/complaints and report this data to ELT and SMT as required. This information will also be shared with Governors.
- ELT are responsible for the concern/complaint if the resolution at Stage 2 is appealed and escalated to Stage 3; monitoring and recording will continue to be undertaken by People Services.
- Escalation of any complaint to Governors will be referred to the Head of Governance.
- Escalation to ESFA/DfE/Ombudsman will be referred to ELT.
- People Services will share the data on compliments, concerns and complaints specific to any school or department at 360 meetings.
- The Principal (or designated Curriculum lead) will be responsible for receiving and monitoring the data in relation to compliments, concerns and complaints relating to curriculum matters and, for the timely and effective implementation of this Policy, will produce an annual report for the College's Board of Governors.



## Stage 1 – Informal

Before raising a formal complaint, we would encourage you to discuss your concerns with a member of staff as most problems can be resolved quickly and informally in this way, within a reasonable timeline of **ten** working days. This may include speaking to the tutor or member of staff concerned to raise your concerns and seek a constructive dialogue with them, or by emailing them with your concerns and asking them to respond and address the issues you've raised.

If the matter is not resolved after completing Stage 1 – the informal stage, then Stage 2 may be considered and initiated.

## Stage 2 – Formal

Where it has not been possible to satisfactorily resolve matters in Stage 1 then the concern/complaint can be escalated, and you can ask for the matter to be logged as a formal complaint.

This can be done:

- by asking the tutor or member of staff you have been speaking to, to refer the issue to the Data Protection Officer for logging as a formal complaint
- by emailing [complaints@mkcollege.ac.uk](mailto:complaints@mkcollege.ac.uk)
- by submitting a complaint via the MK College website Complaints page ([Compliments & Complaints - MK College](#))
- by calling the MK College reception and asking to be forwarded to the Data Protection Officer (Please note; the Data Protection Officer may not always be available for immediate conversation, and a message may have to be left)
- by using the MK College Speak Out/EthicsPoint platform to submit anonymous/whistleblowing reports – either via the EthicsPoint website [EthicsPoint - Milton Keynes College](#) or via the free Speak Out Hotline Number is 0800 0698395.

If you are raising a Stage 2 complaint, you should provide as much detail as possible, including the core issues related to your complaint, any member of

staff you have been communicating with including the person/people you have been discussing the issue with at Stage 1, and any resolutions previously offered or discussed.

If the complaint is on behalf of a third party who studies or works at the college, for example a student on whose behalf you are complaining, a sibling, a partner, or another family member, you should provide their full name, the course they are studying, and the campus where they are usually based, or in the case of employees, their usual place of work and the team they work in. In order to comply with our Data Protection responsibilities, you may be asked to provide evidence that you have the consent and authority to submit a complaint on behalf of a third party.

Stage 2 complaints will ordinarily be raised with the Team Leader, Course Leader or Head of School for the department with which you have raised your initial Stage 1 complaint, depending on who you have already been discussing the matter with and the severity of the issue. The member of staff you have already been speaking to may also be involved in discussions regarding the complaint.

Complaints that raise Safeguarding issues or concerns may also be referred to the Safeguarding team and handled accordingly depending upon the level of the concern with regard to our Safeguarding Policy.

Complaints that raise Equalities Act issues, diversity and inclusion concerns, or accessibility issues may also be referred to the College's EDI Lead.

If you have raised a Stage 2 formal complaint involving a senior member of staff, it will be reviewed by either a member of staff of the same seniority, or by a member of the Executive Leadership Team if appropriate.

In exceptional circumstances, for example where a serious allegation involves members of the Executive Leadership Team, the complaint may be reviewed by another member of the Executive Leadership Team, be referred to Governors, or reviewed by an independent external body or person, as may be deemed appropriate.

If you submit a formal complaint or ask for an informal complaint to be escalated, we will aim to acknowledge this within **five** working days of receiving the complaint. You will be given the reference number of the case, and you will be advised who the complaint has been referred to.

We will aim to provide a full response within **fifteen** working days.

## Stage 3 – Appeal

If you remain dissatisfied with the resolution offered at Stage 2, you have the right to appeal the decision and ask for a member of the Executive Leadership Team to review the case.

Any appeal should be raised within **ten** working days of the outcome at Stage 2.

This can be done:

- by responding to the Stage 2 resolution or letter and ask for an appeal to be raised.
- emailing [complaints@mkcollege.ac.uk](mailto:complaints@mkcollege.ac.uk) and asking for the appeal to be referred to the Executive Leadership Team
- asking any member of Executive Leadership Team to receive the appeal (it is the responsibility of the member of ELT to inform People Services that an appeal has been placed, therefore allowing for the monitoring, and tracking of the appeal to ensure the capture of data.)

An appeal can be requested under the following grounds:

- A review of the procedures followed at Stage 2 (please note, this will only review whether the correct procedure was followed)
- A consideration of whether the outcome was reasonable; or
- New material evidence which the complainant was unable, for valid reasons, to provide earlier in the process.

When raising an appeal at Stage 3, you should provide a clear statement regarding which of the grounds above are the basis of the appeal.

Appeals which do not fall under one of the above grounds may be rejected.

Appeals received outside of the 10 working days period may be rejected.

The appropriate member of ELT will review the complaint but will not usually consider the issues afresh or undertake further investigation unless new material evidence is submitted.

In exceptional circumstances, for example where the complaint contains a serious allegation that relates to members of ELT, the appeal may be referred to a Governor or an independent external body or person.

An appeal decision will be provided in writing within **fifteen** working days, with a copy sent to People Services and the Group Quality team.

## Governor Review

If you are still not satisfied after following the Stage 3 appeal process, you may write to the Milton Keynes College Group Board of Governors.

Appeals to the Board of Governors should be sent to the Head of Governance within 5 working days of the date of an appeal decision being issued. Please see <https://mkcollege.ac.uk/governance/> for contact details. Please set out details of why you do not accept the Stage 3 decision.

The Head of Governance will acknowledge the appeal within **five working days** and share with the Chair of Governors – a response will be given in writing within **fifteen working days**.

## ESFA/OIA

If you have exhausted the Milton Keynes College Group's Complaints policy and are still not satisfied, you may wish to write to the relevant funding agency about the handling of the complaint, details of which will be provided on request.

- For complaints regarding Further Education courses, you can contact The Education and Skills Funding Agency (ESFA)  
<https://www.gov.uk/government/organisations/education-and-skills-funding-agency>
- For complaints regarding Higher Education course, you can contact the Office of the Independent Adjudicator for Higher Education (OIA)  
<https://www.oiahe.org.uk/>



## **Monitoring and Quality Assurance**

All compliments, concerns, and complaints will be fed into the College's School Review system (Regular 360 meetings) for discussion and action plans produced if appropriate.

In addition, the Principal responsible will provide an annual report to the Milton Keynes College Board of Governors summarising the compliments, concerns and complaints during the year. This will be based on an analysis by School, Theme/Topic, and Prison function.

The Principal will be responsible for investigating and responding to any queries arising from the annual report to the Board of Governors.

## **Associated Policies**

<https://mkcollege.ac.uk/about-us/policies-and-procedures/>

This policy cross-references with the following documents:

- Milton Keynes College Strategic Plan
- Quality Strategy
- Equality & Diversity Strategy and Equality & Diversity Policy
- Whistleblowing Policy
- Professional Standards & Code of Conduct for Campus Employees
- Student Code of Conduct
- MK College Apprentice Code of Conduct Apprentices
- Assessment & IQA Policy
- Academic Appeals Policy
- Complaints Guidelines – Speak Out
- Anti- Bullying and Harassment Policy
- Staff Resolution & Grievance Policy
- Anti-Fraud & Corruption Policy
- Plagiarism, Collusion & Cheating Policy
- Malpractice & Maladministration Policy
- Send & Learning Support Guidance



## **Persistent, Unreasonable or Vexatious Complaints**

In September 2023, the College agreed a **Persistent, Unreasonable or Vexatious Complaints policy**. This policy is now incorporated into **College's Compliments, Concerns and Complaints Policy**.

The College deals with concerns and complaints as part of the day-to-day management of the College in accordance with the College's Compliments, Concerns and Complaints Policy.

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant. However, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns.

The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the College and directly or indirectly the overall well-being of the students or staff in the College. In these exceptional circumstances the College may take action in accordance with this policy.

### **Aims**

The aims of this part of the Policy are to:

- Uphold the standards of courtesy and reasonableness that should characterise all communications between the College and persons who wish to express a concern or pursue a complaint.
- Support the well-being of students, staff, and everyone else who has legitimate interest in the work of the College.
- Ensure that those who make persistent, unreasonable, or vexatious complaints, or whose behaviour in bringing a complaint amounts to harassment or abuse of members of staff in College are dealt with fairly and transparently, while ensuring that other stakeholders suffer no detriment.

### **Expectations of The College**

Students/parents/carers/employers/members of the public who wish to raise either informal concerns or formal complaints with the College can expect the College to:

- Regularly communicate to students/parents/carers in writing explaining:
  - how and when problems can be raised with the College.
  - the existence of the College's Compliments, Concerns and Complaints Policy.
- Respond to communications within a reasonable time.
- Be available for consultation within reasonable time limits bearing in mind the needs of the students within the College and the nature of the concern/complaint.
- Respond to communications with courtesy and respect.
- Attempt to resolve problems using reasonable means in line with the College's Compliments, Concerns and Complaints Policy, or other relevant policies or practice.
- Keep complainants informed of progress towards a resolution of the issues raised.

## **Expectations of Students/ Parents/ Carers/ Members of the Public**

The College expects students/parents/carers/members of the public who wish to raise concerns with the College to:

- Treat all College staff with courtesy and respect.
- Respect the needs and well-being of students and colleagues.
- Avoid any use, or threatened use, of violence to people or property.
- Avoid any aggression or verbal abuse.
- Recognise the time constraints under which members of staff in colleges work and allow the College a reasonable time to respond.
- Recognise that resolving a specific problem can sometimes take some time.
- In the case of a formal complaint, follow the College's Compliments, Concerns and Complaints Policy.

# Who is a Persistent, Unreasonable or Vexatious Complainant?

For the purpose of this Policy, a persistent, unreasonable or vexatious complainant is a student/parent/carer/employer/ member of the public who complains about issues, either formally or informally, or who frequently raises issues that they consider to be within the remit of the College, and/or whose behaviour is unreasonable.

Such behaviour may be characterized by:

- Actions which are obsessive, persistent, harassing, prolific, repetitious.
- Prolific correspondence or excessive e-mail or telephone contact about a concern or complaint.
- Using Freedom of Information or Data Subject Access Requests excessively and unreasonably.
- An insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes.
- An insistence upon pursuing complaints in an unreasonable manner.
- An insistence on only dealing with the Principal/CEO/Senior Managers on all occasions, irrespective of the issue and the level of delegation in the College to deal with such matters.
- An insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the College because it relates to a decision made by a third party.
- Refusal to follow the college processes when requested to do so e.g., not following the College's Compliments, Concerns or Complaints Process, refusal to submit information via the appropriate channel, attempts to use alternative contact channels to circumvent the complaints process.

For the purpose of this Policy, harassing behaviour is the unreasonable pursuit of any of the actions described above in such a way that:

- Appears to be targeted over a significant period of time on one or more members of College staff.
- Causes ongoing distress to individual member(s) of College staff.

- Has a significant adverse effect on the whole/parts of the College community; and/or.
- Is pursued in a manner which could be perceived as intimidating and oppressive by the recipient.

This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, wellbeing and health.

## The College's actions in cases of Persistent, Unreasonable, or Vexatious Complaints

In the first instance, where a complainant's behaviour is felt to be or is becoming unreasonable/unacceptable by the member of the Senior Management Team (SMT) overseeing the investigation of the complaint, this will be discussed with the relevant member of the Executive Leadership Team (ELT) and a recommendation made to the CEO or Principal. The complainant will be advised that their behaviour is felt to be unreasonable and, if it is not modified, action may be taken in accordance with this Policy. This will be confirmed in writing (see **Appendix 7 - Persistent, Unreasonable or Vexatious Complaints Model Letter 1**).

If the behaviour is not modified there will be a joint decision between the Principal and another member of the ELT, informed by the appropriate member of the LT, as to the actions to be taken, having regard to the nature of the complainant's behaviour and the effect of this on the College community. Such actions may include:

- Informing the complainant in writing that their behaviour is now considered by the College to be unreasonable/unacceptable and therefore falls under the terms of this Policy (see **Appendix 8 - Persistent, Unreasonable or Vexatious Complaints Model Letter 2**).
- Informing the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties.
- Informing the complainant that, except in emergencies, all routine communications with the College should be in writing only.
- In the case of physical or verbal aggression, taking advice from People Services/Solicitors/the Police and considering warning the

complainant about being banned from the College site; or proceeding straight to a temporary ban.

- Taking legal advice on pursuing a case against the complainant.
- Taking legal advice on putting in place a specific procedure for dealing with complaints from the complainant.

Legitimate new complaints may still be considered even if the person making them is, or has been, subject to this Policy.

If a complainant's behaviour is modified but is then resumed at a later date, the College may resume the process identified above at an appropriate level.



## **Whistleblowing and Confidential Complaints**

Milton Keynes College Group places a significant emphasis on customer feedback and staff views, seeing any complaints, grievances and whistleblowing notifications received as a valuable tool for contributing to ongoing improvements to the quality of our services. Milton Keynes College will respond to all suggestions, whether positive or negative, in a prompt and courteous manner. All complaints will be treated seriously, and whistleblowing notifications and confidential complaints such as grievances will be treated in line with our specific policies and legal obligations.

We have partnered with EthicsPoint (Speak Out) to provide a service which will help us respond to and, if necessary, allow the individual submitting the confidential complaint or whistleblowing notification, complete anonymity. EthicsPoint is a comprehensive and confidential reporting tool created by NAVEX Global to address fraud, abuse, and other misconduct in the workplace, all while cultivating a positive work and learning environment.

### **Why does Milton Keynes College need a system to deal with Whistleblowing and confidential complaints?**

We believe that our employees and our students are our most important assets. By creating open channels of communication, we can promote a positive work environment and maximise learning outcomes.

We believe an anonymous reporting vehicle helps MK College meet its professional and statutory requirements to address accounting and auditing fraud directly with the audit committee and deal with other misconduct appropriately.

# Public Interest Disclosure (Whistleblowing) policy

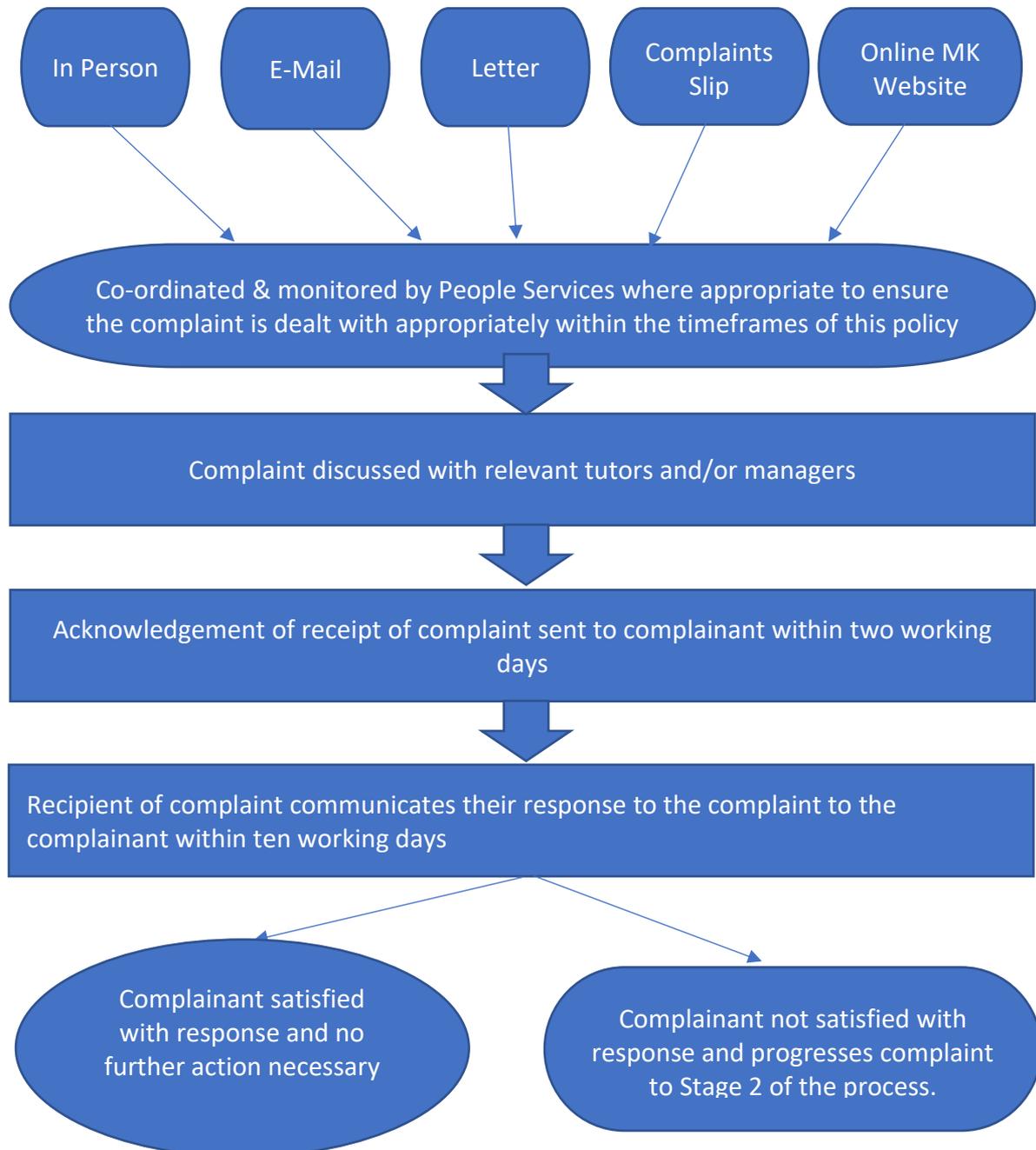
Whistleblowing, or Protected Disclosures, fall under a specific legal definition in the Public Interest Disclosure Act 1998 (<https://www.legislation.gov.uk/ukpga/1998/23/contents> ) and are handled by the college under a set of procedures that are detailed in the college **Public Interest Disclosure (Whistleblowing) policy** agreed in February 2023 (available on the college website <https://mkcollege.ac.uk/about-us/policies-and-procedures/>)

## Appendix 1

# Complaint Stage Process (Flowchart)

### Stage 1 (Informal)

We would encourage you to discuss your concerns with a member of staff as most problems can be resolved quickly and informally in this way. **The initial complaint can be made by using (but not limited to) the following methods:**



## Stage 2 (Formal)

Complainant escalates via email, website, Speak Out platform [EthicsPoint - Milton Keynes College](#) or on the free Speak Out Hotline Number: 0800 0698395

Complaint logged and assigned reference number. Case assigned to appropriate Manager, Team Leader, Course Leader or Head of School

A formal acknowledgement of the complaint will be confirmed within **five** working days of receiving the complaint. This communication will inform the complainant that they will receive a full response within **fifteen** working days.

Member of staff reviewing complaint collects details and information regarding informal process and any resolutions offered. Discussions may include members of staff previously involved in the informal process.

Full response is provided to the complainant within fifteen working days of receipt of complaint.

Complainant satisfied with response and no further action necessary

Complainant not satisfied with response and wishes to make an appeal and progresses to stage 3 of the process.

### Stage 3 (Appeal)

If the complainant remains dissatisfied with the resolution offered, the complainant has the right to appeal.

The complainant must refer their appeal to the Milton Keynes College Group Executive Leadership Team within **ten** working days of the outcome at Stage 2.  
(This can be to any member of ELT, or via [complaints@mkcollege.ac.uk](mailto:complaints@mkcollege.ac.uk))

Upon receipt of the appeal, it is the responsibility of the member of ELT to inform People Services that an appeal has been placed

The appropriate member of ELT will review the complaint and respond in writing within **fifteen** working days with a copy to People Services and the Group Quality team.

If the complainant is still not satisfied, they may wish to appeal the decision by writing to the Milton Keynes College Group Board of Governors via the Head of Governance.

Head of Governance will acknowledge the appeal within five working days and share with the relevant Governors – a response will be given in writing within fifteen working days

If the complainant has exhausted the Milton Keynes College Group's Complaints policy and is still not satisfied, they may wish to write to the relevant funding agency about the handling of the complaint, details of which will be provided on request.



## General FAQs

### What is a complaint?

In general terms, it is an expression of dissatisfaction about the College's action or lack of action or a specific concern about the College provision, support offered by a College department, an administrative system or policy operated by or on behalf of the College. It also includes any specific concern about the activities of College students whilst on College owned property or College staff engaged in College business.

### What is not considered a complaint?

- Academic assessment e.g. grades and marks. These are covered by the Academic Appeals procedure
- Any attempt to reopen or reconsider a complaint the College have concluded or given their final decision on.
- Protected Disclosures, also known as Whistleblowing, is subject to specific legal protections and the way the college handles these is set out under the college **Public Interest Disclosure (Whistleblowing) policy** agreed in February 2023 (available on the college website <https://mkcollege.ac.uk/about-us/policies-and-procedures/>).

### When should I complain?

Before raising a formal complaint, you should discuss your concerns with the most appropriate member of staff as most problems can be resolved quickly and informally in this way. If your situation cannot be resolved informally, the college website, complaints mailbox ([complaints@mkcollege.ac.uk](mailto:complaints@mkcollege.ac.uk)), and EthicsPoint Speak Out reporting platform or hotline are there for you to make a more formal submission. Acknowledgement of the formal submission will be sent within two working days of receipt alongside information about the process to be followed to consider and resolve it.

## **Making a Complaint or submitting a Whistleblowing notification or a Grievance**

### **May I make a complaint or report using either the Internet or the telephone?**

Yes. You can call the College reception and ask to speak to the Data Protection Officer, send an email to [complaints@mkcollege.ac.uk](mailto:complaints@mkcollege.ac.uk), use the college website, or use EthicsPoint to file a confidential anonymous complaint, grievance or whistleblowing notification via either the telephone or the Internet. The free Speak Out Hotline Number is 0800 0698395.

### **What type of situations should I report?**

Our procedures are designed for employees, students or other members of the community to report any violation of our Professional Standards or Student Code of Conduct, or other concern, complaint or grievance that may arise. Please see the college **Public Interest Disclosure (Whistleblowing) policy** <https://mkcollege.ac.uk/about-us/policies-and-procedures/> for details of Protected Disclosure/Whistleblowing.

### **As an employee, if I see a violation, shouldn't I just report it to my manager, security, or People Services and let them deal with it?**

When you observe some behaviour that you believe violates our professional standards or codes of conduct, we expect you to report it. Ideally, you should bring any concerns forward to your direct manager, or other member of our management team. We recognise, however, that there may be circumstances when you are not comfortable reporting the issue in this manner. It is for such circumstances that we have partnered with EthicsPoint. We would rather you report anonymously than keep the information to yourself.

### **Why should I report what I know? What's in it for me?**

We all have the right to work and study in a positive environment and we want to make sure we are contributing well to the communities we serve. With this comes the responsibility of acting in an ethical manner and letting the appropriate people know if someone is not acting as they should. By working

together, we can maintain a healthy and productive environment. Corporate misconduct or shortfalls in standards can threaten the livelihood of the entire College.

## **Does the College really want me to report?**

We certainly do. In fact, we need you to report. We need to know what is going on in the College and in the prisons in which we provide education services - both good and bad. You may have initial knowledge of an activity that may be cause for concern. Your reporting can minimise the potential negative impact on the College, our people and our communities. Also, offering positive input may help identify issues that can improve our culture and performance.

## **Where do these complaints and reports go?**

### **Who can access them?**

Emails sent to the [complaints@mkcollege.ac.uk](mailto:complaints@mkcollege.ac.uk) mailbox, complaints submitted by telephone, or complaints submitted via the college complaint form are collected by the College's Data Protection Officer, and shared with relevant staff, managers, and team members so a constructive dialogue can continue in an attempt to reach a mutually acceptable resolution.

Where a confidential complaint is submitted, a protected disclosure submitted, or another sensitive report made via EthicsPoint/Speak Out, the reports are entered directly on the EthicsPoint secure server to prevent any possible breach in security. EthicsPoint makes these reports available only to specific individuals within the College who are charged with determining what happens next, based on the type of violation, complaint or concern and location of the incident. Each of these report recipients has had training in handling these reports with the utmost confidence.

## **Isn't EthicsPoint just an example of someone watching over me?**

The EthicsPoint system concentrates on being a positive aspect of our overall philosophy and our College values. It allows us to assure a safe, secure, and ethical workplace and learning environment. You are encouraged to seek guidance on ethical dilemmas, provide positive suggestions, or communicate a concern. Effective communication is critical for everyone at the College, wherever they are based, and this is a great tool to enhance that communication.

We have carefully chosen the best reporting tool to meet our compliance obligations while maintaining a positive reporting environment.

## **EthicsPoint Security & Confidentiality**

**It is my understanding that any report I send from a College computer generates a server log that shows every website that my PC connects with, and won't this log identify me as a report originator?**

If you submit a report of complaint via EthicsPoint, it does not generate or maintain any internal connection logs with IP addresses, so no information linking your PC to EthicsPoint is available. In fact, EthicsPoint is contractually committed not to pursue a reporter's identity.

If you feel uncomfortable making a report on your work PC, you have the option of using a PC outside our work environment (such as one located at an Internet café, at a friend's house, etc.) through the EthicsPoint secure website. Many people choose this option, as EthicsPoint's data shows that fewer than 12% of reports are generated during business hours.

## **Can I file a report via EthicsPoint from home and still remain anonymous?**

A report from home, a neighbour's computer, or any Internet portal submitted via EthicsPoint will remain secure and anonymous. An Internet portal never identifies a visitor by screen name and the EthicsPoint system strips away Internet addresses so that anonymity is totally maintained. Plus, EthicsPoint is contractually committed not to pursue a reporter's identity.

## **I am concerned that the information I provide EthicsPoint will ultimately reveal my identity. How can you assure me that will not happen?**

The EthicsPoint system is designed to protect your anonymity. However, if you wish to remain anonymous, you - as a reporting party - need to ensure that the body of the report does not reveal your identity by accident. For example, "From my desk next to Jan Smith..." or "In my 33 years at MK College...".

## **Is the Speak Out hotline confidential and anonymous too?**

Yes. You will be asked to provide the same information that you would provide in an Internet based report, and an interviewer will type your responses into the EthicsPoint Web site. These reports have the same security and confidentiality measures applied to them during delivery.

## **What if I want to be identified with my report?**

There is a section in these reports for identifying yourself, if you wish, however if you do not want to submit an anonymous or confidential complaint, you can use the compliant form on the college website <https://mkcollege.ac.uk/about-us/compliments-and-complaints/> , or send an email to [complaints@mkcollege.ac.uk](mailto:complaints@mkcollege.ac.uk) .

## **Tips & Best Practices**

### **I am aware of some individuals involved with unethical conduct, but it doesn't affect me. Why should I bother reporting it?**

MK College chooses to promote ethical, and values driven behaviour. All unethical conduct, at any level, ultimately hurts the College, our employees and our students, including you. You only have to consider what you read in

the news to see the disastrous effects that a seemingly harmless lapse in ethics can have on an otherwise healthy organisation. So if you know of any incidents of misconduct or ethical violations, consider it your duty to yourself and your colleagues and peers to report it.

## **I am not sure if what I have observed or heard is a violation of MK College policy, or involves unethical conduct, but it just does not look right to me. What should I do?**

File a report. EthicsPoint can help you prepare and file your report so it can be properly understood. We'd rather you report a situation that turns out to be harmless than let possible unethical behaviour go unchecked because you weren't sure.

## **What if my line manager or other managers are involved in a violation? Won't they get the report and start a cover-up?**

The EthicsPoint system and report distribution are designed so that implicated parties are not notified or granted access to reports in which they have been named.

## **What if I remember something important about the incident after I file the report? Or what if there are further questions for me concerning my report?**

When you file a report at the EthicsPoint Web site or through the EthicsPoint Call Centre, you receive a unique username and are asked to choose a password. You can return to the EthicsPoint system again either by Internet or telephone and access the original report to add more detail or answer questions posed by an MK College representative and add further information that will help resolve open issues. We strongly suggest that you return to the site in the time specified to answer questions. By using EthicsPoint to file your report, you have now

entered into an “anonymous dialogue,” where situations are not only identified, but can also be resolved, no matter how complex.

## **Are these follow-ups on reports as secure as the first one?**

All EthicsPoint correspondences are held in the same strict confidence as the initial report, continuing under the umbrella of anonymity.

## **Can I still file a report if I don't have access to the Internet?**

You can file an EthicsPoint report from any computer that can access the Internet. You can file from home. Many public locations, including the public library, have Internet computers. If you don't have access to or are uncomfortable using a computer, you can call the EthicsPoint free Speak Out hotline, which is available 24 hours a day, 365 days a year.

## **How does the College monitor this process to understand if it's effective?**

An annual report will be reported to the Milton Keynes College Board of Governors summarising the complaints during the year. This will be based on an analysis of the complaints by School and Business Partner function, category of complaint, and type of complainant. Analysis will also be provided according to diversity information.

## APPENDIX 3

### Stage 2 Acknowledgement Model Letter

Acknowledgement letter to a request to escalate an informal Stage 1 complaint to a formal Stage 2 complaint.

Dear

Thank you for your email/letter/phone call.

I have logged this complaint with the reference [insert complaint reference from the complaint log] and forwarded it to [insert names of staff responding to the request] for a response.

You should receive a full response from them within 10 working days, though they may contact you sooner than that if they need further information or wish to discuss the complaint with you.

You can find more information on the college Compliments, Concerns and Complaints Policy on our website <https://mkcollege.ac.uk/about-us/policies-and-procedures/>

Regards

## APPENDIX 4

### Stage 2 Response Model Letter

Dear

I am writing to provide a response to your complaint, reference [insert complaint reference].

[Summarise complaint]

[Describe factors taken into consideration, any discussions that have taken place, and any evidence or information that has been provided]

[Propose resolution]

[Describe any next steps that need to be taken]

If you remain unhappy with the college response to your complaint, you may be able to appeal this decision and ask a member of our Executive Leadership Team to review the complaint.

Appeals may be submitted on one of three grounds:

- A review of the *procedures* followed at Stage 2
- A consideration of whether the outcome was *reasonable*; or
- New material evidence which the complainant was unable, *for valid reasons*, to provide earlier in the process.

A request for an appeal must be submitted within 10 working days of the complaint resolution/decision being issued.

When raising an appeal at Stage 3, you should provide a clear statement regarding which of the grounds above are the basis of the appeal.

Appeals which do not fall under one of the above grounds may be rejected.

Appeals received outside of the 10 working days period may be rejected.

If you request an appeal, and remain unhappy with the outcome, you may be able to escalate the matter to the college Board of Governors, or to an external body.

These are usually The Education and Skills Funding Agency (ESFA)

<https://www.gov.uk/government/organisations/education-and-skills-funding-agency> or for complaints regarding Higher Education course, the Office of the Independent Adjudicator for Higher Education (OIA)

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

Please note, external bodies will not usually accept a complaint unless the college complaints process has been followed and exhausted.

You can find more information on the college Compliments, Concerns and Complaints Policy on our website <https://mkcollege.ac.uk/about-us/policies-and-procedures/>

Regards

## APPENDIX 5

### Stage 3 Acknowledgement Model Letter

Model acknowledgement letter to a request to escalate an informal Stage 1 complaint to a formal Stage 2 complaint.

Dear

Thank you for your email/letter/phone call.

You have asked for an appeal to reconsider the decision issued to you in regards of complaint reference [insert complaint reference], on the grounds that [summarise grounds submitted by complainant].

#### **EITHER**

This request for an appeal has been accepted, and [specify which member of ELT will review the complaint]

You should receive a full response from them within 15 working days, though they may contact you sooner than that if they need further information or wish to discuss the complaint with you.

#### **OR**

I am afraid that we do not agree that are grounds for an appeal. This email/letter should therefore be considered a rejection of the appeal.

#### **OR**

I am afraid that this request for an appeal has been received outside of the allowed period. This email/letter should therefore be considered a rejection of the appeal.

You may be able to escalate the matter to the college Board of Governors, or to an external body.

These are usually The Education and Skills Funding Agency (ESFA) <https://www.gov.uk/government/organisations/education-and-skills-funding-agency> or for complaints regarding Higher Education course, the Office of the Independent Adjudicator for Higher Education (OIA) <https://www.oiahe.org.uk/>

Please note, external bodies will not usually accept a complaint unless the college complaints process has been followed and exhausted.

You can find more information on the college Compliments, Concerns and Complaints Policy on our website <https://mkcollege.ac.uk/about-us/policies-and-procedures/>

Regards

## APPENDIX 6

### Stage 3 Response Model Letter

Dear

I am writing to provide a response to your appeal regarding complaint reference [insert complaint reference].

[Summarise complaint]

[Summarise Stage 2 response]

[Summarise grounds of appeal]

[Describe factors taken into consideration, and points from Stage 2 deliberations that are relevant]

[Propose resolution/decision]

[Describe any next steps that need to be taken]

If you remain unhappy with the outcome, you may be able to escalate the matter to the college Board of Governors, or to an external body.

These are usually The Education and Skills Funding Agency (ESFA)

<https://www.gov.uk/government/organisations/education-and-skills-funding-agency> or for complaints regarding Higher Education course, the Office of the

Independent Adjudicator for Higher Education (OIA)

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

Please note, external bodies will not usually accept a complaint unless the college complaints process has been followed and exhausted.

You can find more information on the college Compliments, Concerns and Complaints Policy on our website <https://mkcollege.ac.uk/about-us/policies-and-procedures/>

Regards

## APPENDIX 7

# Persistent, Unreasonable or Vexatious Complaints Model letter 1

Initial letter informing a complainant that their behaviour or communications are considered to fall below a reasonable/ acceptable standard

Dear

This letter is to inform you that the College considers your actions in [describe actions, dates, behaviour] on [.....]. when you [ ] which we consider to be unreasonable/unacceptable [delete as appropriate].

We would ask you to bear in mind the fact that such behaviour on a College site can be disruptive and distressing to students, staff and parents/carers [delete if behaviour complained of did not occur on College site e.g. persistent use of e-mail, verbally abusive telephone calls].

We are aware that you have raised a concern and would advise you that these are usually dealt with most effectively through the College's Compliments, Concerns and Complaints Policy. At the moment we are dealing with these issues by [describe actions being taken to resolve concern].

Please note that the College's Policy for Dealing with a persistent, unreasonable or vexatious Complaints sets out standards of behaviour expected of all complainants in their dealings with the College. These include:

- Behaving reasonably.
- Treating others with courtesy and respect.
- Resolving complaints using the College's Compliments, Concerns and Complaints Policy.
- Avoiding physical and verbal aggression at all times.

The Policy also indicates the steps that we may take if these standards are breached. These include:

- Making special arrangements for meetings and communications with the College.
- Considering a ban from the College premises.
- Considering legal action.

I would ask that you allow the College time to resolve the issues according to the correct procedures and would assure you that we shall take every step to move this process forward as quickly as possible.

Yours sincerely

**PRINCIPAL/CEO**

## APPENDIX 8

# Persistent, Unreasonable or Vexatious Complaints Model letter 2

Informing a complainant that his/her behaviour is now considered to fall under the terms of the policy for dealing with Persistent, Unreasonable or Vexatious Complaints

Dear

You will recall that I wrote to you on [insert date] telling you that I felt your behaviour in relation to your complaint or concern was unreasonable.

I am now writing to inform you that in view of your behaviour on [date], when you [describe actions/behaviour], it has been decided that the College's Persistent, Unreasonable or Vexatious Policy will apply from the date of this correspondence.

In the circumstances, I have made the following arrangements for your future contact with the College:

[\*Delete A, B C as applicable]

### **\*A**

For the foreseeable future, should you wish to meet with any member of College staff, I would ask you to note:

- (a) all routine communication, including any request for a meeting between you and the College, will be in writing only;
- (b) an appointment will be arranged and confirmed in writing as soon as possible; (b) a second member of staff from the College will be present at

all meetings; (c) in the interests of all parties, formal notes of this meeting may be made.

## **\*B**

For the foreseeable future, all meetings arising from any written communications with the College will not be conducted by a member of staff but will be conducted by [.....] representing the College.

I would ask you to note:

- (a) all routine communication, including any request for a meeting between you and the College, will be in writing only;
- (b) an appointment will be arranged and confirmed by letter as soon as possible;
- (b) a third party will be present;
- (c) in the interests of all parties, formal notes of this meeting may be made.

Exceptionally, these arrangements do not apply to any emergency involving [insert name of student], in which case you should contact the College in the usual way.

While these arrangements are in place, with respect to normal access to information available to parents/carers, this will be provided in a summary written report. These arrangements take effect straightaway.

## **\*C**

We consider the matter closed. The College will not engage in further correspondence about this matter. Members of staff have been advised not to respond to further communications or requests for meetings. If you attempt to contact any member of staff by telephone, they will politely terminate the call.

If, having followed the process set out in the College's Compliments, Concerns and Complaints Policy, you are dissatisfied with the outcome of your complaint, you may write to either of the following:

## For Further Education Courses or Apprenticeships

### **ESFA complaints team**

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

Complaints Team

Education and Skills Funding Agency (ESFA)

The Complaints Team Education and Skills Funding Agency

Cheylesmore House

Quinton Road

Coventry

CV1 2WT

You must contact the ESFA within 12 months after the issue happened.

You can find more information on the GOV.UK website: [Complain about a further education college or apprenticeship - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complain-about-a-further-education-college-or-apprenticeship)

## For Higher Education Courses

The Office of the Independent Adjudicator for Higher Education (OIA)

[How to complain to us - OIAHE](https://www.oiahe.org.uk/how-to-complain-to-us)

You must contact the OIA within 12 months of receiving a decision from the College (or, for students following university awards, from the decision of the relevant awarding university).

I do hope that the difficulties we are currently experiencing can soon be resolved.

Yours sincerely  
PRINCIPAL/CEO