

Complaints Policy (Further Education, Public, and other parties)

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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.

Alternative Format

This policy is available in alternative formats, to request this, please email marketingcampaigns@mkcollege.ac.uk

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Introduction

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 Complaints Policy** 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

- Tutors, operational staff, and their managers are responsible for the management and resolution of complaints at Stage 1
- People Services are responsible for the coordination of all received complaints at Stage 2, currently undertaken by the Data Protection Officer in that team; the concern/complaint will be recorded and directed to the relevant Head of School/Department/Prison, and to the relevant Director for investigation and 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.
- 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.
- GLT are responsible for investigating and reviewing the 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.

What this Policy covers

This policy covers complaints submitted by Further Education students or their parents/guardians/carers, members of the public, other persons or organisations:

- relating to the quality or standards of services provided by the college
- regarding the behaviour of staff and students
- regarding the quality or standards of facilities at the college
- regarding the general operation of the college.

What this Policy does not cover

This policy does not cover:

- Complaints submitted by Higher Education students or their parents/guardians/carers.
- Appeals against enrolment decisions where an individual has been refused a place on a course or an existing offer has been withdrawn (please see the appeals details in the - **Admissions Policy and Procedure** for more details on appealing an enrolment decision: <https://mkcollege.ac.uk/about-us/policies-and-procedures/>).
- Appeals against removal from a course due to disciplinary or behavioural concerns (please see appeals details on section 19 of **Student Behaviour Policy and Procedure**: <https://mkcollege.ac.uk/about-us/policies-and-procedures/>).
- Appeals against a grading or marking of an assignment, assessment or exam (please see the **Assessment and Internal Quality Assurance Policy**: <https://mkcollege.ac.uk/about-us/policies-and-procedures/>)
- 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 and Procedures**: <https://mkcollege.ac.uk/about-us/policies-and-procedures/>
- Contract, partnership, or invoice related disputes
- Where an alternative complaint or dispute resolution process is provided, either by statute, contract, or authoritative guidance, that process will take precedence over the college policy.

The Stages of the process for Complainants

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 **10** 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.

Matters to be considered as a complaint should be raised within 3 months of the incident or occurrence.

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

A response to an informal complaint will also direct the complainant to the appropriate procedure under which their complaint may be processed.

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
- by submitting a complaint via the MK College website Complaints page (<https://mkcollege.ac.uk/about-us/compliments-complaints/>)
- by calling the MK College reception and asking to be forwarded to the relevant member of staff, currently 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 or another member of the People Services team)
- 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 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 **Head of School and/or Deputy Director** 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.

If a complaint needs to be referred on to a different procedure, for example, academic appeals, or course appeals/admissions, this will be detailed in the acknowledgement.

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

Responses will usually be provided in writing by email, where an email address has been provided by the complainant.

Responses may be provided by post where this has been explicitly requested.

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 **Group 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 and asking for the appeal to be referred to the **Group Leadership Team**

asking any member of **Group Leadership Team** to receive the appeal (it is the responsibility of the member of **GLT** 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 GLT 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 GLT, the appeal may be referred to a member of ELT, a Governor or an independent external body or person. An appeal decision will be provided in writing, usually by email, 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

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>

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

The College deals with concerns and complaints as part of the day-to-day management of the College in accordance with the College's 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 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 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 staff.
- 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 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 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 a senior manager (Director, Head of School, or Deputy Head of School) 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.

If the behaviour is not modified there will be a joint decision between the principal and another member of the ELT 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.
- 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.

This will be communicated to the complainant in writing by an appropriate member of staff.

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.

Public Interest Disclosure (Whistleblowing) policy

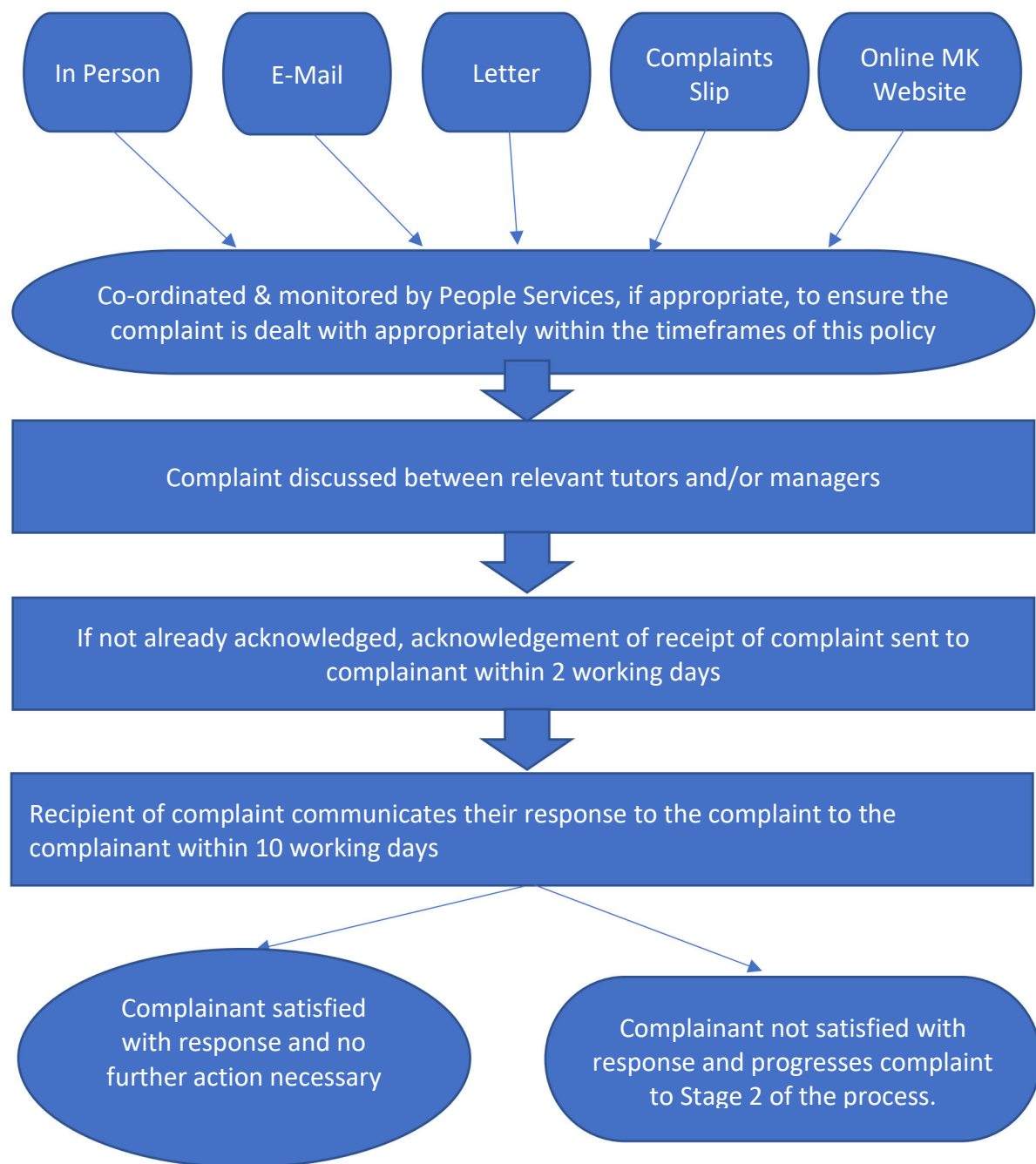
Whistleblowing, or Protected Disclosures, fall under a specific legal definition in the Public Interest Disclosure Act 1998 (<https://www.legislation.gov.uk/ukpga/1998/23/contents>) and are handled by the college under a set of procedures that are detailed in the college **Public Interest Disclosure (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, telephone, Speak Out platform [EthicsPoint - Milton Keynes College](#) or on the free Speak Out Hotline Number: 0800 0698395

Complaint logged and assigned reference number by People Services (currently undertaken by Data Protection Officer). Case assigned to appropriate Head of School and/or Director

A formal acknowledgement of the complaint will be confirmed within **5** working days of receiving the complaint. This communication will inform the complainant that they will receive a full response within **15** 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 15 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 **10** working days of the outcome at Stage 2.
(This can be to any member of ELT, or via 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 **15** 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 5 working days and share with the relevant Governors – a response will be given in writing within 15 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 in the response letter they receive and can be found in this policy.