



In order to assist us to deal with your complaint quickly, please read the following guidance carefully before submitting your complaint.

Middlesbrough College hopes that your experience is positive and successful, but on occasion there maybe something that might cause dissatisfaction. If this happens during your time with us then the College welcomes your views so that we can answer your concerns and improve our services for the future.

Types of complaint covered by this process.

1. Complaints from students registered at the College who have a complaint against College policies and procedures, or members of staff employed by the College.
2. Complaints from parents or legal guardians of students at the College who have a complaint against College policies and procedures, or members of staff employed by the College. NB – the College is unable to respond to complaints made on behalf of students who are over the age of 18.
3. Complaints from any external user of the College and its facilities who is dissatisfied with the service they have received.
4. Complaints from any person who has been directly affected by the implementation of College policies or procedures or by the actions of its employees when acting on behalf of Middlesbrough College.

Types of complaint not covered by this process.

1. Complaints from students against other students. Please refer any such matter to your tutor or Student Services for consideration under the Student Discipline process.
2. Complaints from College staff against other members of staff or departments. Please refer to your line manager or HR for consideration under the Grievance process.
3. Complaints against the actions of employees of the College who in taking these actions were acting independently of the College and not on College business or at the direction of the College.

4. Complaints against employees of the College over matters which are the subject of a Police investigation.
5. Historic complaints against the College. All complaints should be submitted within a period of 30 working days of an incident occurring which gave rise to the complaint. Exceptions to this rule would include;
 - a. Complaints which are made because of a series of actions by a College employee(s) over a period of up to 1 year.
 - b. Complaints which could not have been made earlier because the complainant was awaiting the outcome of another College procedure.
 - c. Complaints which could not be made within 30 days because more time was required to gather necessary information in support of the complaint.

The Process

In order to support you and to address any concerns that you may have quickly and efficiently, **please follow the procedure outlined below**. Please note that any complaint made directly to the College Principal will be referred back to this process.

The Complaints Resolution process is designed to support you and ensure that your concerns are addressed quickly and by the most appropriate person to achieve a satisfactory resolution. In order to achieve this outcome, the process is divided into 3 stages;

Stage 1 – Informal Resolution. The purpose of this stage of the process is to try and resolve your concerns with the person or department that you have a complaint against. If you are uncertain whether your complaint should be dealt with under Stage 1 or Stage 2 of the process, submit your complaint in writing using the form attached in [Appendix 1](#), to the Complaints Resolution Office (CRO). The CRO will decide which is the most appropriate stage of the process for you to follow and advise you in writing of the next step to take.

Stage 2 – Formal Complaint. If you have been unable to resolve your complaint through Stage 1 of the process, you may escalate your complaint to Stage 2 for a formal investigation.

Stage 3 – Appeal. If you are dissatisfied with the outcome of the Stage 2 formal investigation, you may escalate your complaint to Stage 3 for a review of the process.

Before submitting your complaint it will help you to reach a satisfactory conclusion quickly if you are clear about;

1. What you are complaining about?
2. Who is the complaint against?
3. What evidence do you have to support your complaint?

Stage 1 – Informal Resolution

- All complaints, whether written or verbal, should initially be directed to the person or department that the complaint is about to see if your concerns can be resolved informally.
- The person or department receiving the complaint will investigate the complaint and attempt to reach a satisfactory conclusion, quickly and within 20 working days*.
- If your complaint is about a member of staff such as your tutor, you should still follow the Informal Stage, but you may refer your complaint to the head of the department if you would prefer. If you are uncertain who this is, please ask at the Department Administration Office or Reception.
- You do not have to submit your complaint in writing at this stage, but you are advised to keep a note of what you are complaining about, who you complained to, as well as any significant dates, times or other important facts. You should also be clear about what you would see as a satisfactory outcome of your complaint. Keeping a detailed account of your concerns, will assist you if you wish to escalate your complaint further.
- If your complaint cannot be resolved informally, you may be referred to the Formal Complaints Process.
- For a complaint to be accepted at this stage, it should normally be made **within 30 calendar days** of the incident which gave rise to the complaint. Any late complaints may be accepted if it can be demonstrated that it was not possible to submit a complaint within 30 days.

Stage 2 – Formal Complaint

NB – your complaint may be referred to the Informal Resolution Stage if you have not already attempted to follow this procedure.

- Stage 2 of the process should be followed only when Stage 1 is concluded and if you have not been able to reach a conclusion.
- **All complaints at this stage must be formally submitted in writing with supporting evidence**, using the form attached in [Appendix 1](#). If you need help with completing the form, please contact Student Services.
- Your complaint will be reviewed by the Complaints Resolution Office. A decision will be reached based on the evidence provided by you and the department or person about whom you are complaining. The CRO will decide which stage of the Complaints Resolution Process is the most appropriate for you to follow and advise you in writing.

- All Stage 2 investigations will be carried out by the Complaints Resolution Office. The CRO will consider all evidence provided by you as well as that provided by the person or department that your complaints is against. As part of its investigation, the CRO may also interview relevant individuals as well as review other relevant information such as College records, CCTV footage, etc., that may inform the investigation.
- Once the CRO has concluded the investigation a decision will be made which will lead to one of three outcomes.
 - To uphold your complaint.
 - To partially uphold your complaint.
 - To reject your complaint.
- You will be informed in writing of the outcome the investigation by the CRO. The letter will include the rationale for each decision taken and the evidence upon which it was based. In the event of complaints that were upheld or partially upheld, you will be informed of the action taken by the College in so far as it is possible.
- For a complaint to be accepted at this stage, it should normally be made **within 30 calendar days** of the incident which gave rise to the complaint, or the conclusion of Stage 1 of the process. Any late complaints may be accepted if it can be demonstrated that was not possible to submit a complaint within 30 days.

Stage 3 – Appeal

NB – The Appeal Stage is only open to complaints that have been through Stage 2 of this process.

- If you are dissatisfied with the outcome of the Stage 2 investigation, you can request a formal review of your complaint through the Appeal Process.
- Any formal request for a review under the Appeals Process, must be made **within 30 calendar days** of the decision from Stage 2 of this process being issued.
- Requests for review must be made in writing using the form in [Appendix 2](#), stating the reason for the request and providing any additional evidence.
- The basis for a review is to:
 - confirm that the procedures followed at the formal stage were in accordance with College policy;

- consider new material evidence which the complainant for valid reasons, was unable to provide earlier in the process.
- The review will not reconsider the issues in the complaint or involve a further investigation (provided they were addressed at the formal stage).
- Your complaint will be reviewed by the Appeals Panel. A decision will be reached based on the evidence provided by you and the Complaints Resolution Office. The decision at this stage will lead to one of two outcomes:
 - To uphold your appeal.
 - To reject your appeal.
- If a complaint is upheld, the decision will be communicated to you in writing including an explanation of the action that will be taken by the College. If you request it, a Completion of Procedures letter can be issued at this point (normally only applicable to higher education students).
- If your complaint is not upheld, you will receive a letter explaining the basis for the decision. A Completion of Procedures letter will be issued to higher education students informing them of any right of appeal to external agencies.
- Please note that for student registered on awards validated by the Open University, Completion of Procedures letters will be issued by the Open University not by the College. The process for how this will be managed will be explained in the Stage 3 response letter.

Time Scales

The table below shows the normal response times for each stage of the complaints process.

Stage	Time
Stage 1 – Informal Resolution	20 working days*
Stage 2 – Formal Complaint	30 working days*
Stage 3 – Appeal	30 working days*

* Please note;

- Working days do not include bank holidays, weekends or College holiday or closure periods.
- You will be notified in writing at the start of Stage 2 and 3 so that you have a clear idea of the length of time involved.

- There will be occasions when it may be necessary to amend these deadlines, for example when an external agent is involved in the process, or when a key member of staff pertinent to the investigation is on leave.
- You will be advised in writing of any occasion when it is necessary to extend a deadline.
- All complaints must be emailed to complaints@mbro.ac.uk

Vexatious or unreasonable complaints

Middlesbrough College is committed to dealing with all complaints fairly, transparently, and in a timely manner. However, the College recognises that in exceptional circumstances, a complaint may be considered vexatious or unreasonably persistent.

This may include complaints that are repetitive, unfounded, disproportionate or where the complainant continues to pursue the matter after it has been fully investigated and a final response has been issued.

Where a complaint is deemed vexatious, Middlesbrough College may place reasonable limits on further contact, restrict communication to a single point of contact, or decline to investigate the matter further. Any such action will be proportionate, clearly documented and authorised by a senior member of staff ensuring that the complainant is treated with respect at all times.

Examples of what the College Group considers to be frivolous or vexatious include:

- Complaints which are obsessive, harassing, or repetitive
- Insistence on pursuing invalid complaints
- Seeking unrealistic or unreasonable outcomes
- Insistence on pursuing what may be valid complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress which lack any serious purpose or value.

The decision as to whether a complaint is considered vexatious or unreasonable will rest with the Vice Principal Quality and Data.

Complaint Resolution Process

Reference: MC16
Issue No:5
Approval Date: Jan 26
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Appendix 1

Complaints Resolution Process

Stage 2 – Formal Complaint

Name	
Email address	
Home Address	
Post Code	Tel Number

If you are a student, please give the following details:
Course Name
Course Tutor
Student Number

If you are a visitor or member of the public, please give the following details:
Which area were you visiting?
Who were you visiting?

Please attach details of your complaint. Be sure to provide as much detail as possible as well as any supporting evidence.

Signed:	Date:
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About You – data monitoring form

Middlesbrough College is committed to ensuring staff, students and visitors should be treated fairly in all the services they access. It would help us to check that we are providing services which are fair and accessible if you would answer the questions below. You can choose not to answer some or all of the questions; this will not affect how we deal with your complaint. The monitoring form will be detached from the complaint on receipt. No personal information which can identify you will be used in our reporting, including name or address. Data Protection Act guidelines will be followed to keep your information secure and confidential.

Please put a cross in the appropriate box:

Gender:

Female Male Unspecified Prefer not to say

Age:

14 – 15 16-19 20 or older Prefer not to say

Do you have a disability?

Yes No Prefer not to say

Ethnicity

Prefer not to say

Asian/Asian British

Black/African/Caribbean/Black British

Mixed/multiple ethnic groups

White

Other (Please specify) _____

Thank you for completing this form. The information provided will help us to improve our services to you and others who access the college and its services.

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Appendix 2

Complaints Resolution Process

Stage 3 – Appeal

Name	
Email address	
Home Address	
Post Code	Tel Number

Please explain the reasons for your appeal (you may use additional sheets if required)

Signed:	Date:
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