

Complaints Policy and Procedure

Policy

The Centre Approach

The Centre views complaints as a valuable source of feedback from its customers and an opportunity to respond to complaints by reviewing practices and processes. Where appropriate this may involve change and improvement. The practice at the Centre is to distinguish between an informal and a formal complaint.

Informal Complaints

Informal complaints are those raised, usually verbally and usually directly with a member of staff involved in delivering the service. The majority of complaints are informal, responded to and usually resolved promptly and effectively. No formal records are kept of these complaints and the person complaining may not perceive the matter as a complaint, rather an enquiry, a suggestion or expression of a concern. The complainant may or may not expect a response but good practice is that they should be thanked, given an explanation or other appropriate response.

Formal Complaints

The formal complaints procedure provides an opportunity to raise a matter officially:

- in instances where it has not been possible to resolve a complaint at the informal stage
- where a complaint is of a more serious nature
- where the complainant does not wish to raise the matter on an informal level.

Scope of the Formal Complaints Procedure

The formal complaints procedure covers complaints from:

- students (or their parents, or their nominated representative)
- employers of students, apprentices or trainees
- customers who purchase a service provided by the Centre
- visitors
- members of the local community.

The procedure covers both matters of policy and of operational matters. It covers equality and diversity issues, including harassment.

With regards to complaints specifically relating to a member of staff, consultation and advice will take place with Senior Management Team (SMT) to determine the most appropriate way forward which may result in this being pursued in accordance with Centre policies and procedures.

Formal complaints must be raised within 90 days of the subject of the complaint arising.

The procedure does not include areas that are specifically covered by other Centre procedures such as:

- The Appeals Process for awarding bodies
- The Assessment Appeals Procedure (students/apprentices)
- The Staff Grievance Procedure

- Complaints against the decisions of Awarding Bodies

There are other methods by which customers of the Centre may express their views about its services. These can be expressed during our surveys and/or review process.

Definition of a Formal Complaint

A formal complaint is:

- an expression of dissatisfaction about a matter over which the Centre has some control, or is perceived by the complainant to have some control
- is made in writing
- is sufficiently specific to allow for an investigation to take place

Help is available for any complainant to set out their complaint clearly in writing or to direct their complaint to an appropriate body if this is not the Centre. The SMT can advise on this.

Confidentiality

The Centre is committed to confidentiality and protection of the complainant. Should the complainant wish to remain anonymous, the Centre will endeavour to uphold this, providing it still allows a thorough investigation to be conducted. However, the complainant should be aware that anonymity may restrict some elements of the investigation or in some cases, prevent a full investigation from taking place. Upon submitting a formal complaint to the SMT, the complainant will be required to sign a declaration indicating their permission (or not) for disclosure of their identity.

Stages in the Process

There are two stages in the Centres Formal Complaints Procedure. There may be bodies to which a complainant can refer their complaint once the internal procedure has been exhausted if they are not satisfied with the outcome. The SMT can provide relevant information on request.

Formal Complaint

A written acknowledgement from the SMT, investigation by an Independent Investigator and a written response (complaint outcome letter) to the complainant. It is not necessary for a complaint to have been raised informally before being raised formally but it is desirable.

Appeal

It is likely that an appeal will be based on:

- inadequate investigation into the original complaint
- a challenge to the evidence used to support the judgment made in the original response to a complaint
- the judgment in the original response is not adequately supported by evidence
- new evidence that has come to light
- the action and/or compensation offered is viewed by the complainant as inadequate

Advice and Guidance

Individuals can obtain advice on this process from a number of sources. In particular, a representative from the SMT can provide advice, including assistance in submitting a

complaint. Staff can seek advice and support on understanding the process from a member of the SMT, providing the complaint or grievance doesn't involve them.

Fair Treatment

No individual raising a complaint under this process, whether successfully or otherwise, will be treated less favourably by any member of staff than if the complaint had not been brought. All staff involved in handling any stages of a complaint have a duty to ensure that any decision they make regarding assessment of evidence, or the way a student is treated, must not be influenced by the raising of a complaint. If evidence to the contrary is found, the member of staff may be subject to action under the Disciplinary Procedure.

Impartiality of Decision-Makers

In order to ensure impartiality in the dealing of complaints no person shall be permitted to take part in the making of a decision regarding a complaint where s/he has an interest through being a member of the same team in which the complainant is registered.

Appeals

Where a complainant doesn't agree with how a complaint or appeal has been dealt, they will be given details of how to escalate the complaint. This could be to one of the following;

- Chairman of Centre
- An Awarding Body
- Ofqual
- Education and Skills Funding Agency
- Information Commissioners Office
- Ofsted

FORMAL COMPLAINTS PROCEDURE

Management of the Procedure

The complaints handling process is managed by the Senior Management Team (SMT).

Publicising the Procedure

Information about the Centre complaints procedure will be included in the information provided for all students and apprentices at induction and by employers at their request. Information will also be available on the Centre's website.

Target Timescales

The Centre aims to provide a substantive response in writing to a formal complaint within a specified timescale.

Normally this will be 30 working days of receipt. It is recognised that some complaints are complex and require extensive investigation. In such circumstances the investigation will be deemed by the SMT to be complex and the Centre will provide a substantive response within 60 working days. This will be communicated to the complainant. This also includes complaints involving a member of staff for which consultation will take place with the SMT to determine the most appropriate way forward and may be pursued in accordance with policies and procedures.

Definition of “working days” constitutes as Centre opening hours, i.e. when the Centre is open to students and customers.

The performance target for response times is 100%.

Receipt of a Formal Complaint

The Centre is committed to confidentiality and protection of the complainant. Should the complainant wish to remain anonymous, the Centre will endeavour to uphold, providing this still allows a thorough investigation to be conducted. However, the complainant should be aware that anonymity may restrict some elements of the investigation or in some cases, prevent a full investigation from taking place. Upon submitting a formal complaint to the QPS department, the complainant will be required to sign a declaration indicating their permission (or not) for disclosure of their identity.

A reference number will be issued for each formal complaint.

A record of all formal complaints received will be monitored.

The SMT will send a letter acknowledging receipt of the formal complaint to the complainant.

The SMT will appoint an independent investigator who will examine the complaint and decide upon the appropriate course of investigative action.

The independent investigator will have had no direct involvement in the matter being complained about.

The independent investigator will be sent the documents to support the process:

- A copy of the original complaint
- Complaints Policy and Procedure
- SMT may, if deemed appropriate, send a copy of the original complaint (marked confidential) to another manager for information.

Investigation of a Formal Complaint

The independent investigator will:

Familiarise themselves with the Notes of the complaint.

Treat the investigation of a formal complaint as a matter of urgency and be mindful of the Centre’s target timescales for the response to complaints.

Thoroughly investigate the complaint always considering Equality, Diversity and Inclusion and in accordance with relevant Centre policies and procedures.

Maintain adequate records of their investigation.

Complete report and return to SMT. This will include lessons learned and actions which are monitored.

Response to a Formal Complaint

Following investigation, the independent investigator will send an outcome letter addressing all points raised in the original complaint to the SMT which will be forwarded onto the complainant. Receipt of the complaint report and the outcome letter by the SMT will enable the complaint to be closed. If the SMT are not in receipt of the aforementioned documents, the complaint will remain open and the investigator will continue to receive tracking queries.

The letter will contain:

- A decision as to whether the complaint is justified, partly justified or not justified and the reasons to support the decision
- A review of all concerns raised in the original complaint
- In cases where a complaint is justified or partly justified, the actions that the Centre proposes to take.
- The investigator will consult with the relevant Line Managers to take appropriate action. This will refer to recommendations included within the complaint report.

Appeal against the Judgement of a Formal Complaint

If the complainant is not satisfied with the substantive response to their complaint they have the opportunity to make an appeal. If they wish to do this they should write to the SMT stating that they are unhappy with the outcome, the reasons why and what they will consider as an alternative outcome. This should be done within 30 days of the outcome letter being sent to the complainant. The SMT will discuss the appeal with the Chairman, which will be investigated and a response generated to the complainant. The investigation will not be led by a manager who was designated the investigator or by a manager who was involved in the matter being complained of. The Chairman will have access to the file containing the records of the original complaint and nominate an independent investigator. The Chairman will respond to the appellant with a completion letter within 20 working days of receiving the appeal. The completion letter will advise that all internal complaints procedures have been exhausted.

Taking a Complaint Further

If, when the internal formal complaints procedure has been exhausted, the complainant remains dissatisfied they may have grounds to complain to the Education & Skills Funding Agency (ESFA), Ofsted or awarding bodies dependant on the nature of the complaint.

Monitoring

The SMT will ensure that adequate records of the complaints handling process are maintained.

The SMT will discuss complaints received at SMT meetings to include the outcome of investigation, lessons learned and actions taken.