

Complaints Procedures

CEAL's Complaints Procedure is available for learners, learners' relatives, centre staff, employers, external individuals and organisations and describes what a complaint is, and what must happen when one occurs.

This procedure does not apply to Safeguarding concerns. The Safeguarding Policy must be followed in these circumstances.

There will be a named 'Responsible Person' at CEAL and this will be the first point of contact for complaints about the centre. The 'Responsible Person' for CEAL is: Sophie Keene.

DEFINITIONS

A complaint is:

- Any expression of dissatisfaction or discontent about CEAL or a CEAL project, training event or qualification, whether this is justified or not
- This can be verbal, written or any other form of communication, either from the person who is dissatisfied or by another person acting on their behalf
- A person might complain if they feel:
 - They have not been provided with an acceptable standard of help or support
 - They have been treated unfairly or discriminated against
 - Someone associated with CEAL has behaved unacceptably towards them or other people
- There has been a breach of the CEAL standards of behaviour or rules.

Points to note:

- A person may not describe their concern as a "complaint", saying instead that they have a problem, concern or worry
- If in doubt it is important to ask the person if they wish to make a complaint
- If the person does not wish to make a complaint, it is still important to seek a resolution to their concern.

PROCEDURE

The person who first becomes aware of the complaint must:

- Ensure that (if safe to do so) immediate actions are taken to prevent any potential harm to people.
- Verbally acknowledge the complaint.
- Report the complaint to the Responsible Person at CEAL.
- Report the complaint using the Complaint Reporting system as soon as possible.

The Responsible Person must:

- Confirm all necessary immediate actions for people's well-being and safety have been taken.
- Confirm that the complaint is not related to Child or Adult Safeguarding concerns (if it is, the Safeguarding Policy **must** be followed)
- Help the person who reported the complaint to complete the necessary actions.
- Assess whether the complaint is serious.
- Seek advice if needed.
- Consider the effect of the complaint on people, and ensure they receive the support and information they need.
- Ensure that information about the complaint is shared only with people who need to know.
- Acknowledge the complaint in writing, explaining the process that will be followed, within 7 days.
- Investigate the complaint, or arrange for an investigation to be undertaken, in line with the following stages.

STAGE 1 – INFORMAL INVESTIGATION AND RESOLUTION

There will be an informal investigation within 7 working days.

- This may be undertaken by the person receiving the complaint or the Responsible Person at CEAL.
- Every effort should be made to resolve the complaint quickly and informally.
- Key tasks include listening, checking facts, providing information and considering possible outcomes.
- Outcomes include offering an apology, providing an explanation, changing practices.
- The outcome of Stage 1 will be communicated in writing to the complainant, and a record of the outcome will be entered into the Complaints Book (including whether the complaint is resolved at Stage 1 or progresses to Stage 2).

STAGE 2 – FORMAL INVESTIGATION AND RESOLUTION

- Within 14 working days.
- If the complaint is not resolved at Stage 1 then the complainant has the right to have the complaint formally investigated.
- This may be undertaken by the Responsible Person (if they did not handle Stage 1) or another appointed person.
- The appointed person will meet the complainant to:
 - Clarify the specifics of the complaint.
 - Assess why the complainant remains dissatisfied.
 - Clarify what resolution is being sought.
 - Investigate matters and interview other parties as appropriate.

- Assess whether the complaint is justified.
- Put in place and implement a plan to:
 - Resolve the issues arising as a result of the complaint.
 - Minimise the risk of a similar complaint happening in future.
 - Consider what, if any, communication is needed including funders. and the media.
- The outcome of Stage 2 will be communicated in writing to the complainant, and a record of the outcome will be entered into the Complaints Book (including whether the complaint is resolved at Stage 2 or progresses to Stage 3).

STAGE 3 – GOVERNING BODY OR INDEPENDENT REVIEW AND RESOLUTION

- Within 28 working days.
- If the complaint is not resolved at Stage 2 then the complainant has the right to have the complaint investigated by the CEAL Proprietor or by an independent person.
- Following the investigation a meeting will be held by the CEAL Proprietor to consider the facts, and review the conduct and findings of Stage 2
- The complainant may attend the relevant part of the meeting, and bring someone with them for support if they wish to (this must not be a solicitor or legal representative).
- The CEAL Proprietor will make a decision about whether the outcome of Stage 2 was fair and whether any other actions are needed to resolve the complaint.
- If necessary, the CEAL Proprietor will put in place and implement a plan to resolve the issues arising as a result of the complaint.
- Minimise the risk of a similar complaint happening in future.
- Consider what, if any, communication is needed, including funders and the media.
- The outcome of Stage 3 will be communicated in writing to the complainant, and a record of the outcome will be entered into the Complaints Book.
- The CEAL Proprietor may, on occasions, conclude that a complaint has been made maliciously. In this case any investigation will be ended, a record will be entered into the Complaints Book, and the complainant will be advised in writing that the complaint has not been upheld.

Assessment-related Complaints

For assessment-related complaints, CEAL candidates of SQA, OCN London or other awarding organisation may also have the right to complain to their awarding organisation. The awarding organisation will only consider your complaint if you have already exhausted all stages of CEAL's complaints procedure and you remain dissatisfied with the outcome or the way in which we handled your complaint, or you believe that we have unreasonably failed to apply the procedure correctly.

SQA or other Awarding Organisation may consider complaints about:

- Assessment — in the broadest sense, including the conduct of, preparation for, and environment for, assessment.
- Dissatisfaction with the way in which the centre handled the complaint.

SQA or other Awarding Organisation will not consider complaints about:

- Academic judgement (use Appeals or Post-results Services)
- The wider experience of being a candidate (e.g. support services, funding, facilities).

Other duties of the Responsible Person:

- Ensure people know how to complain.
- Ensure the person investigating a complaint is independent from the concerns raised in the complaint.
- Ensure that personal information is not shared with anyone who does not have a right to that information.
- Ensure that information is shared with the relevant agency if appropriate to do so.
- Ensure that records are confidentially destroyed 3 years after the last contact with the complainant unless:
 - The record contains details of a Children's or Adult's safeguarding concern, or the record is a Stage 2 or Stage 3 formal complaint, and in each case, the record is kept for 6 years from the date of the ruling on the complaint.
- Arrange for complaints that are made anonymously to be investigated using the Serious Incidents Procedure.
- Give due consideration to the support that may be needed to all parties involved in the circumstances leading up to, and during the investigation of, the complaint.

LEARNING

It is important to learn from complaints:

- At an appropriate future date, review the Complaint Book to act on any lessons learnt (at least annually), including the effects of the reasons for the complaint and the investigation has had on the complainant and others associated with CEAL.
- The review will be undertaken by CEAL.
- Where the person who made the complaint considers that it has not properly been addressed, this should be discussed with the Responsible Person and recorded in the Complaints Book.

- A plan to implement actions arising from lessons learnt will be overseen by CEAL.

LINK WITH SERIOUS INCIDENTS

It may be appropriate to use this procedure to investigate a complaint. If the scope of the investigation into the serious incident does not include all the elements of the complaint, then the Complaints Procedure must be followed.

TRAINING AND DEVELOPMENT

People involved with CEAL will be made aware of this procedure and where they can find it. They will receive training, as appropriate to their involvement, in:

- Their roles and responsibilities.
- How to use this procedure.
- Lessons learnt and actions arising.

Proprietor's Signature: Sophie Keene

Adopted on: 17th April 2023

Reviewed on:

Next Review: 16th April 2024