



Complaints Policy and Procedure

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Contents

1	<i>Introduction</i>	3
	1.1 Purpose	3
	1.2 Scope of the policy	4
	1.3 The regulators	4
	1.4 Responsibilities	5
	1.5 Confidentiality and data protection.....	5
	1.6 Anonymous complaints	5
	1.7 Review arrangements	6
2	<i>Process for making a complaint</i>	6
	2.1 Introduction	6
	2.2 Process	7
	2.3 Flowchart	10
Appendix 1	Qualification regulators' contact details	11
Appendix 2	Excerpts from Ofqual's General Conditions of Recognition	12
	Complaints submission form	15

Complaints Policy and Procedure

1 Introduction

1.1 Purpose

In keeping with its core values, VTCT is committed to providing an excellent service to its approved centres offering ITEC and VTCT qualifications. From time to time we may fall short of our high standards and it is important that those affected have an effective means of bringing this to our attention with an expectation of resolution.

The complaints policy:

- defines what constitutes a relevant complaint;
- indicates which other policies and procedures might be more appropriate;
- sets out the process for making a complaint to VTCT;
- explains the steps taken to resolve complaints;
- gives the timescale for each part of the process;
- aims to ensure that complaints are handled within a reasonable timescale and in a consistent manner;
- explains how to escalate a complaint to the relevant regulator.

A complaint is an expression of dissatisfaction with an aspect of the service provided by your centre or awarding organisation, which is deemed to have fallen below your expectations and our own standards.

Customers who wish to complain should make sure they follow the relevant policy and procedures. Issues relating to assessment decisions should be addressed using the Enquiries and Appeals Policy and Procedure, and others may be covered by the Malpractice and Maladministration Policy and Procedure. Reference to the following policies may also be useful:

- the Centre Agreement;
- the Whistle-blower Policy;
- the Sanctions Policy.

All policies are available on the VTCT and ITEC websites. Complainants who are unsure of the correct policy and procedure to follow should contact the awarding organisation at our London or Southampton offices for advice.

Where an associated investigation identifies a rectifiable problem, VTCT takes all reasonable steps to:

- identify any other learner who has been affected by the issue;
- correct, or where it cannot be corrected, mitigate its effect as far as possible;
- take steps to ensure that the issue does not recur in the future.

Complaints should be made by the centre/person(s) directly affected by the matter, or a person acting on their behalf, with their written permission.

VTCT aims to deal with complaints reasonably, to the customer's satisfaction and as quickly as possible. Complaints can normally be resolved informally. If this is not achieved, a formal complaint must be raised without delay and by no later than 20 days after the occurrence of the issue which gave rise to the complaint.

1.2 Scope of the policy

This policy is provided for the use of:

- learners who are or have been registered for VTCT or ITEC qualifications;
- personnel with responsibilities for managing, delivering, assessing and quality assuring qualifications in approved centres offering VTCT or ITEC qualifications;
- members of the public accessing our services

who wish to make a complaint in relation to the qualifications and associated services offered by VTCT or one of its approved centres offering ITEC or VTCT qualifications.

1.3 The regulators

1.3.1 Regulatory requirements

This policy addresses the requirements of the relevant regulatory authorities' criteria. The relevant conditions from Ofqual's General Conditions of Recognition are included as appendix 2 to this document.

1.3.2 Situations brought to our attention by the regulators

Where the regulators notify us about failures that have been discovered in the assessment process or other activities of another awarding organisation, we will review whether or not a similar failure could affect our own processes and arrangements.

1.4 Responsibilities

VTCT personnel are required to follow the related procedures in order to deal with complaints as transparently, consistently and effectively as possible.

Centres are responsible for ensuring that all personnel involved in the management, delivery, assessment and quality assurance of VTCT and ITEC qualifications are fully aware of the policy and conversant with the related procedures.

Centres must have their own internal complaints policy and procedures in place to deal with complaints from learners and members of the public, and must provide easy access to them. The centre's own complaints procedures must be exhausted before a complaint about a centre is raised with VTCT. Failure to have its own complaints policy and procedures or to make them available to learners constitutes a breach of the centre agreement.

1.5 Confidentiality and data protection

In following this process an individual might provide us with confidential information, and during our investigation we may need to request information of a confidential nature. Complainants are assured that VTCT complies fully with data protection legislation at all stages. We ensure that confidential information is kept securely and used only for the purposes for which it is intended.

1.6 Anonymous complaints

Anonymous complaints cannot be considered. VTCT will note their contents and may seek to verify them if this is possible and appropriate. We may include related information in our review activities.

1.7 Review arrangements

This policy is reviewed annually as part of VTCT's self-evaluation activity, which includes consideration of customer and regulatory feedback and good practice guidance. A policy review may also be triggered as an action resulting from the outcome of the investigation of a complaint.

2 *Process for making a complaint*

2.1 Introduction

The following pages set out the process for making a complaint to VTCT/ITEC. A process flowchart is set out on page 10, and timescales are provided for each stage.

There are three stages to making a complaint:

- Stage 1 - following the centre's complaints procedures;
- Stage 2 - making an informal complaint to VTCT;
- Stage 3 - making a formal complaint to VTCT.

Complainants should normally have exhausted the centre's own complaints procedures before referring a matter to VTCT. Exceptionally, learners may make the complaint direct to VTCT if they consider it is not appropriate to raise it with the centre. VTCT will refer the complainant back to the centre in the first instance if it deems this is appropriate.

Formal complaints should be submitted using the form provided at the end of this document, and should include the information listed below. If any of the information below is not available a statement to that effect should be made so that the form is not returned as incomplete.

- The centre's complaints policy and procedures.
- The outcome of the centre's investigation of the complaint.
- A statement of the circumstances and facts surrounding the complaint.
- Copies of any correspondence regarding the complaint.
- Written statements from all parties concerned.
- Any material relevant to the complaint.
- Any other supporting documents relevant to the complaint.
- Outline of the reason for dissatisfaction with the centre's decision.

- Outline of the reason for dissatisfaction with the outcome of the informal stage of the complaint to VTCT.

VTCT reserves the right not to accept or process complaints which are deemed to be frivolous, vexatious or malicious. If we consider that a complaint falls into this category, we will let the complainant know that this is our judgement, setting out the reasons and making it clear that we will no longer communicate on the matter.

2.2 Process

Stage 1 - the centre's complaints policy and procedure

- The complainant raises their complaint at the centre which delivers the qualification.
- The complaint is handled in line with the centre's policy and procedure.
- The complainant may proceed to stage 2 if not satisfied with the outcome.

Stage 2 - informal

- The complainant raises their complaint informally by email or telephone with the member of staff responsible for the related issue.
- The member of staff aims to resolve the matter to the complainant's satisfaction and communicate this to the complainant within 7 working days.
- If the complainant is not satisfied, they may ask for the complaint to be referred to a manager from the relevant department.
- The manager will aim to resolve the matter to the complainant's satisfaction and communicate this to the complainant within 7 working days.

Stage 2 - formal

- If the matter has not been resolved to the complainant's satisfaction, the formal complaints policy may be triggered by completing and submitting the complaint submission form provided at the end of this document within 20 days of the date the matter arose. Additional information is not normally accepted after submission unless it was not originally available and is considered to be highly relevant to the complaint. If at any point the complainant or others involved in the complaint wish to be legally represented in relation to any aspect of the complaint, VTCT must be informed. VTCT reserves the right to be legally represented and to act upon legal advice.

- Upon receipt of the completed complaint documentation, VTCT/ITEC will:
 - acknowledge receipt and log the complaint within 3 working days;
 - allocate the complaint to a member of the team who has no involvement in the related issue;
 - investigate the complaint. We will contact you if we wish to seek further information or a meeting at this stage;
 - provide a decision to the complainant within 14 working days of receipt, outlining proposed remedial action. If this involves the imposition of a centre sanction, the centre will be notified at the same time. In complex cases the timescale may be extended by 14 working days. We will let you know if this is the case.

- If you remain dissatisfied with the decision at this stage you may ask for it to be reviewed by a senior manager.
- A VTCT senior manager will review the complaint and report their decision to you within 14 working days of referral. If this involves the imposition of a centre sanction, the centre will be notified at the same time. This decision is final and the complaints procedure has been exhausted.
- If any part of the complaint is upheld VTCT will:
 - consider the implications for the improvement of services and procedures and agree actions;
 - advise the complainant, and centre if relevant, of proposed remedial actions.
- Remedial actions will be proportional to the matter under consideration, and may include:
 - an apology, eg for poor service;
 - an explanation of how the matter will be ameliorated;
 - review of and improvements to policies and procedures;
 - imposition of centre sanction(s);
 - staff training and development.

Complainants who remain dissatisfied may wish to take their case to the relevant qualification regulator. Our regulators are:

- Ofqual
- Qualifications Wales
- CCEA
- SQA Accreditation.



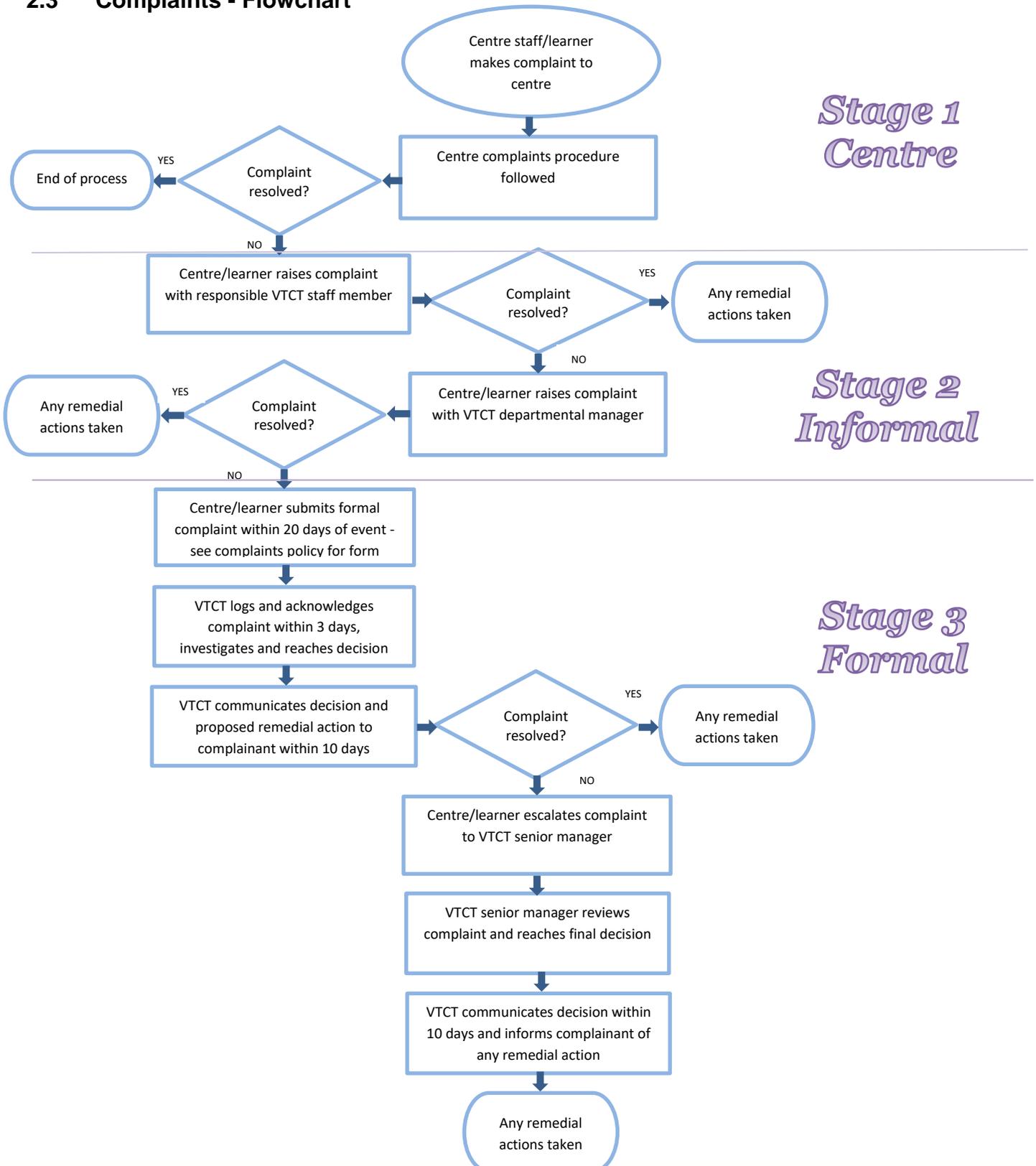
The regulators deal with complaints relating to:

- an awarding organisation's failure to comply with the relevant regulator's requirements (eg conditions of recognition or regulatory principles);
- the award or certification of a regulated/accredited qualification;
- issues that could undermine public confidence in regulated/accredited qualifications.

The regulators' contact details have been provided in appendix 1. More information is available through each regulator's website.

In addition, the Scottish Public Service Ombudsman (SPSO) handles complaints about Scottish public services, including complaints about Scottish colleges when the formal complaints procedure of the organisation concerned has been exhausted. If a complainant is dissatisfied with a Scottish school/college after using its complaints process, they may escalate the complaint to the SPSO. More information is available on the SPSO website, <https://www.spsso.org.uk/college-or-university-complaints>.

2.3 Complaints - Flowchart



Qualification Regulators' Contact Details**England:****Ofqual**

Spring Place

Herald Avenue

Coventry

CV5 6UB

Email public.enquiries@ofqual.gov.uk

Telephone 0300 303 3344

Website: <https://www.gov.uk/government/organisations/ofqual>**Wales:****Qualifications Wales**

Q2 Building

Pencarn Lane

Imperial Park

Coedkernew

Newport

NP10 8AR

Email enquiries@qualificationswales.org

Telephone 0333 077 2701

Website: <http://qualificationswales.org/>**Northern Ireland:****CCEA**

The Council for Curriculum, Examinations and Assessment (CCEA)

29 Clarendon Road

Clarendon Dock

Belfast BT1 3BG

Email info@ccea.org.uk

Telephone 02890 261 200

Website: ccea.org.uk/

Appendix 2

Excerpts from Ofqual's General Conditions of Recognition June 2016

Condition C2 Arrangements with Centres

C2.1 Where a Centre undertakes any part of the delivery of a qualification on behalf of an awarding organisation, this condition applies in addition to the requirements in Condition C1.

C2.2 Where this condition applies, an awarding organisation must ensure that arrangements between it and the Centre include a written and enforceable agreement.

C2.3 That agreement must in particular include provisions which –

- (a) require the Centre to take all reasonable steps to ensure that the awarding organisation is able to comply with its Conditions of Recognition,
- (b) require the Centre to take all reasonable steps to comply with requests for information or documents made by the awarding organisation or Ofqual as soon as practicable,
- (c) require the Centre to assist the awarding organisation in carrying out any reasonable monitoring activities and to assist Ofqual in any investigations made for the purposes of performing its functions,
- (d) set out all the requirements with which the Centre must comply in order to continue to deliver the qualification,
- (e) establish a sanctions policy to be applied in the event that the Centre fails to comply with these requirements,
- (f) require the Centre to retain a Workforce of appropriate size and competence to undertake the delivery of the qualification as required by the awarding organisation,
- (g) require the Centre to have available sufficient managerial and other resources to enable it effectively and efficiently to undertake the delivery of the qualification as required by the awarding organisation,
- (h) require the Centre to undertake the delivery of the qualification required by the awarding organisation in accordance with Equalities Law,
- (i) require the Centre to operate a complaints handling procedure or appeals process for the benefit of Learners,
- (j) set out any Moderation processes that the awarding organisation will undertake or that will be undertaken on its behalf,

(k) specify a process to be followed in any withdrawal of the Centre (whether voluntary or not) from its role in delivering a qualification, and

(l) require the Centre to take all reasonable steps to protect the interests of Learners in the case of such a withdrawal.

C2.4 In the event that the Centre withdraws from its role in delivering a qualification, the awarding organisation must take all reasonable steps to protect the interests of Learners.

C2.5 The awarding organisation must, in respect of the parts of the delivery of qualifications which the Centre undertakes:

(a) provide effective guidance to the Centre, and

(b) make available to the Centre any information which, for the purposes of that delivery, the Centre may reasonably require to be provided by the awarding organisation.

Condition D3 Reviewing approach

Review of approach

D3.1 An awarding organisation must keep under review, and must enhance where necessary, its approach to the development, delivery and award of qualifications, so as to assure itself that its approach remains at all times appropriate.

Evidence to inform approach

D3.2 An awarding organisation must –

(a) have due regard to all information, comments and complaints received from Users of qualifications in relation to the development, delivery and award of qualifications, and

(b) identify and give due regard to any credible evidence which suggests that a change in its approach to the development, delivery and award of qualifications is required in order to ensure that the approach remains appropriate.

D3.3 Where an event relating to an awarding organisation (or an event, of which it is or should be aware, relating to any other awarding organisation) has had an Adverse Effect, the awarding organisation must review and revise where necessary its approach to the development, delivery and award of qualifications to ensure that its approach remains appropriate.

Condition D4 Responding to enquiries and complaints procedures Responding to enquiries from Users of qualifications

D4.1 An awarding organisation must answer accurately, fully and within a reasonable time any reasonable enquiries received by it from Users of qualifications.

D4.2 Nothing in this condition obliges an awarding organisation to disclose information if to do so would breach a duty of confidentiality or any other legal duty.

Complaints procedures

D4.3 An awarding organisation must establish, maintain, publish and at all times comply with a written complaints procedure.

D4.4 The complaints procedure must in particular include procedures and timescales for –
(a) responding to complaints, and

(b) dealing with the subject matter of complaints.

Condition I2 Compliance with Ofqual's appeals and complaints process

I2.1 An awarding organisation must comply with the requirements of any appeals and complaints process established by Ofqual in the form in which it may be published by Ofqual and revised from time to time.

I2.2 An awarding organisation must give due regard to the outcome of any such appeals or complaints process in relation to a qualification which it makes available.

I2.3 Where the application of any such appeals or complaints process in the case of a Learner leads an awarding organisation to discover a failure in its assessment process, it must take all reasonable steps to –

(a) identify any other Learner who has been affected by that failure,

(b) correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure, and

(c) ensure that the failure does not recur in the future.

I2.4 Where Ofqual notifies an awarding organisation of failures that have been discovered in the assessment process of another awarding organisation, the awarding organisation must review whether or not a similar failure could affect its own assessment process.



12.5 Where, following a review, the awarding organisation identifies such a potential failure, it must take the same action as if a failure has been discovered in relation to it by virtue of the application of Ofqual's appeals and complaints process.

Complaints submission form

Centre Name:		Tick the box if you are the complainant	
Centre Number:		Tick the box if you are the complainant's representative	
Please provide the information listed/attach the related evidence			
<ol style="list-style-type: none"> 1 The centre's complaints policy and procedure 2 The outcome of the centre's investigation of the complaint 3 A statement of the circumstances and facts surrounding the complaint 4 Copies of any correspondence regarding the complaint 5 Written statements from all parties concerned 6 Any material relevant to the complaint; 7 Any other supporting documents relevant to the complaint 			
Outline of the reason why you are dissatisfied with the centre's decision			
Outline of the reason why you were dissatisfied with the outcome of the informal stage of the complaint			
Centre representative	Learner/Other		
Name		Name	
Role		Learner ID (if relevant/known)	
Contact email		Contact email	
Contact phone number		Contact phone number	
Signature		Signature	
Date		Date	

Attach this form to the front of documents when submitting by mail, and send to complaints@vtct.org.uk

When submitting electronically, please include all evidence as file attachments, to complaints@vtct.org.uk