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NQual is committed to valuing complaints. NQual aims to resolve issues of dissatisfaction as close to the initial point of contact as possible and to conduct thorough and fair investigations of complaints so that, where appropriate, we can make evidence-based decisions on the facts of each individual case.

Resolving complaints early saves time and resources and contributes to the overall efficiency of NQual. Concentrating on achieving an early resolution of a complaint as close to the point of contact as possible will free up the time of staff and ultimately contribute to the continued positive experience of our apprentices and employers.

The Complaints Policy is set at the discretion of NQual and is in line with the Education and Skills Funding Agency Rules, the Institute for Apprenticeships and Technical Education External Quality Assurance Framework and Ofqual General Conditions of Recognition.

This policy is available to all learners, employers and training providers and can be found on our website.

This policy will be made available to learners and apprentices, by their employers and providers, as part of their induction.

Definition

A complaint may be defined as an expression of dissatisfaction, the standard of service, action, or lack of action by or on behalf of NQual.

A complaint may relate to:

- The quality and standard of the qualification or assessment service
- The quality of facilities for qualification or assessment resources
- Treatment by, attitude or behaviour of an NQual staff member or NQual representative
- The failure of NQual to follow an appropriate administrative process.

The definition of a complaint is very broad, and the list above is not exhaustive. However, not every concern raised with NQual is a complaint.

For example, the following are not:

- A query on the operation of NQual qualification or assessment
- A request under the Freedom of Information Act or Data Protection Act
- A request for information or an explanation of policy or practice
- A response to an invitation to provide feedback through a formal mechanism such as a survey.
- An issue which is being, or has been, considered by a court or tribunal.
- A grievance which is eligible for handling through the grievance procedure

- An appeal about an assessment decision

Who is Covered by the Complaint's Policy?

The Complaint's Policy covers complaints from anyone who receives, requests or is affected by our services. This includes, although is not limited to:

- A learner's experience during their qualification and assessment
- An employer's experience during EPA
- A training provider's experience during qualification and assessment
- A learner's experience during qualification and assessment
- Members of the public who have a complaint about matters which are the responsibility of the NQual.

Sometimes complainants may be unable or reluctant to make a complaint on their own. NQual will accept complaints brought by third parties, as long as the complainant affected has given their consent under the requirements of the General Data Protection Regulation (GDPR). This usually means clear written authority for the third party to act on their behalf must be given. Complaints made by a third party with the explicit permission of the complainant will be dealt with according to the same timescales.

How do I Make a Complaint?

Complaints can be sent via email (admin@nqual.co.uk), phone (01925 931684) or by letter to:

NQual Ltd.
Unit 11 Penketh Business Park
Liverpool Road
Warrington
Cheshire
WA5 2TJ

Maintaining Confidentiality

Confidentiality is an important factor in conducting complaint investigations. NQual will always have regard to any legislative requirements (for example GDPR), and also internal policies on confidentiality and the use of complainant information.

Complaints will be handled with an appropriate level of confidentiality and information released only to those who need it for investigating or responding to the complaint. No third party will be told any more about the investigation than is strictly necessary to obtain the information required from them.

An anonymised summary of complaints and resolutions will be shared with the Managing Director and governing body.

Anonymous Complaints

Complaints submitted anonymously will be considered if there is enough information in the complaint to enable NQual to make further enquiries. If, however, an anonymous complaint does not provide enough information to enable NQual to take further action, we may decide not to pursue it further.

If the complaint relates to "whistleblowing", this will be dealt with in line with the Public Interest Disclosure Act. For further information, please refer to the malpractice and maladministration and whistleblowing policies.

Complaints Involving Other Organisations

This relates to complaints that involve services provided by a separate organisation (such as certification bodies). If enquiries to an outside organisation concerning the complaint are required, care will be taken to comply with data protection legislation and the guidance on handling personal information. Such complaints may include, for example:

- A complaint made about the provision of third-party services, for example, IT systems.
- A complaint made to NQual about apprenticeship certification where the dissatisfaction relates to the service the certification body has provided.
- A complaint about External Quality Assurance

If a complaint is received about the service of another organisation, but NQual has no involvement in the issue, the complainant should be advised to contact the appropriate organisation directly.

Time Limit for Making Complaints

Complaints should be raised with NQual as soon as problems arise to enable prompt investigation and swift resolution. This Complaints Policy sets a time limit of two months to raise a complaint with NQual, starting from when the complainant first became aware of the problem unless there are special circumstances for requesting consideration of a complaint beyond this time.

Beyond the two-month time limit, NQual will exercise discretion in the way that the time limit is applied.

Investigation Timeline

NQual endeavours to resolve complaints within 20 working days to ensure a timely and efficient response. All complaints will be investigated by the Quality Lead and the Managing Director will always investigate serious complaints or those that involve the Quality Lead

*Investigations will go directly to the Quality Lead unless a conflict of interest is identified. If a conflict of interest is present, then an external quality consultant will undertake the first stage of the appeals process to ensure a fair and unbiased process. Where no conflict exists then this will continue to follow the normal process and be investigated by the Quality Lead.

Extensions to the Investigation Timeline

Not all investigations will be able to meet the 20-day deadline; for example, some complaints may require investigation involving subject knowledge experts.

Where there are clear and justifiable reasons for extending the timescale, the Managing Director will exercise judgement and will set time limits on any extended investigation, with the agreement of the complainant. In such circumstances, the complainant must be given a revised timescale for bringing the investigation to a conclusion. It is expected, however, that this will be the exception and that the NQual will always strive to deliver a definitive response to the complaint within 20 working days.

Mediation

Some complex complaints (where, for example, the complainant and/or other involved parties have become entrenched in their position) may benefit from a different approach to resolving the complaint. Using mediation can help both parties to understand what is driving the complaint and may be more likely to result in a mutually satisfactory

conclusion being reached. Where NQual and the complainant agree to mediation, revised timescales will be agreed upon.

Independent Governor Reviewer

If a complainant is not satisfied with the result of the investigation, they are entitled to request a further independent review. This will be undertaken by the board of Governors who will review the evidence and conduct an investigation. The complainant must submit their request in writing within 10 working days of the notification of the investigation outcome.

The Board of Governors is independent and will undertake an impartial review of the original complaint appeal. They will not be connected with the complainant or the organisation that the complainant works for in any way. Any board member with a connection to a complainant will not be able to be involved in the complaint process.

The decision of the independent Board review is final.

Recording and Reporting Complaints

All complaints will be recorded on the internal confidential data collection system. Anonymised summaries of complaints will be shared with the relevant IQA and Quality Lead if something needs to be actioned immediately and it compromises the quality or the integrity of the assessment. Information reported internally will include:

- Response and resolution timescales
- Complaint categories
- Resolution levels (immediate, investigation or governor review)
- Outcomes of complaints and the actions taken in response including examples to demonstrate how complaints have helped improve services.

All policies relate to qualifications and assessments by NQual.

Policies will be reviewed annually as a minimum.