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Edit Date:	03/11/2026	Review Date:	03/11/2027
Director Approval:	Leonie Daley		

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 regulatory requirements.

This policy is available to all learners, employers and 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 UK data protection law
- 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 Assessment
- A training provider'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 (01925-964-903) or by letter to:

NQual Ltd.
Unit 14 Quay Business Centre
Warrington
Cheshire
WA2 8LT

Complaints About Centres

A complaint about a Centre, for example about its delivery or a member of its staff, should first be raised with the Centre under its own complaints policy. If it is not resolved, or if it concerns NQual's standards or the Centre's compliance with its Centre Agreement, the complainant can contact NQual. NQual will handle it under this policy and, where it suggests non-compliance, under the Sanctions Policy.

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 Directors, Responsible Officerand regulatory bodies where required.

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 Complaint's 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 10 working days to ensure a timely and efficient response. All complaints will be investigated by the Management Team and the Managing Director will always investigate serious complaints or those that involve the Quality Team.

Investigations will go directly to the Management Team 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 investigation 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 Management Team.

Extensions to the Investigation Timeline

Not all investigations will be able to meet the 10-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 10 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. A complainant who still believes NQual has not met its Conditions of Recognition may raise this with Ofqual

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 teams if something needs to be actioned immediately and it compromises the quality or the integrity qualifications or 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.

The Responsible Officer reviews complaints each quarter for patterns, logs actions in the Quality Improvement Plan, and decides whether any complaint is or may be an event that must be notified to Ofqual. The decision is recorded.

All policies relate to qualifications and assessments by NQual.

Policies will be reviewed annually as a minimum.