**Complaints Policy**

*Date created: August 2016*

*Date for review: AJanuary 2020*

Related policy: **Equal Opportunities Policy, Appeals Policy**

## Introduction

This document sets out Be Positive complaints policy and procedure and is aimed at our learners and all interested parties who encounter a direct or indirect service from us. Be Positive values our learners who undertake our courses, values and vision.

1. Value people
2. Focus on quality
3. Be customer oriented
4. Seek opportunity
5. Promote openness
6. Challenge and innovate

Therefore, it is important should you feel you have encountered a level of service that is both yours and our expectations that you raise any concerns you may have with us immediately so that we may address them and learn lessons appropriate to improving service level expectations.

## Scope

This policy covers complaints that learners and members of the public may wish to make in relation to the qualifications offered by Be Positive

It is not to be used to cover enquiries about services offered by Be Positive or appeals in relation to assessment decisions made by Be Positive. These areas are covered by our *Appeals Policy*. Should a complaint be submitted which is in fact an appeal we will respond to inform the relevant party that the issue is being considered in accordance with our *Appeals Policy*.

If you are unhappy about the way an examination or assessment was delivered and conducted and you suspect malpractice and/or maladministration may have occurred you should send your concern to us in accordance with the arrangements in our Malpractice & Maladministration Policy. This should occur as soon as possible to protect any associated evidence that may form part of your complaint.

## Be Positive responsibility

## We advise that our staff and learners involved in the management, assessment and quality assurance of our qualifications, are aware of the contents of this policy and that Be Positive has a complaints handling procedure in place to deal with complaints from learners about the services they receive from us.

## How should I complain?

This procedure shall apply to complaints made by any learner, parent, employer or member of the community using the Providers services or facilities. A response to the complaint will be made within five working days of its receipt.

***Informal Stage***

In the first instance, the member(s) of staff involved should attempt to resolve the problem informally by talking with the complainant.

If the complaint cannot be resolved informally to the satisfaction of the complainant then the formal procedure shall be invoked.

***Formal Stage***

1. The complainant shall contact The Lead Assessor who will provide a Complaints Form **(Appendix A)** for completion. Alternatively, a letter or email of complaint will be accepted.
2. Staff will help with the completion of the form if so requested. If the complaint is by letter, this shall be attached to a complaints form for processing.
3. Upon receipt of a written complaint, staff shall either send a copy of the complaint to the Managing Director who will decide that action to take
4. After receiving a reply, the complainant has up to 2 weeks to respond if they are not satisfied. If there is no response it will be assumed that the complainant is satisfied and the complaint will be considered resolved.
5. If the complaint is not resolved the complainant may write to the Active IQ.

**Records of Complaints**

Be Positive shall ensure that records of every formal written complaint are kept for a period of at least three years.

## Confidentiality and whistle blowing

Sometimes a complainant will wish to remain anonymous. However, it is always preferable to reveal your identity and contact details to us. If you are concerned about possible adverse consequences please inform us that you do not wish for us to divulge your identity.

## What happens if my complaint is upheld?

If any part of your complaint is upheld we will of course respond to the complainant accordingly and give due consideration to how we can improve our service and arrangements. For example, by reviewing our procedures to assess the impact on our arrangements and assessment process (if relevant) or arranging for staff training. In extreme circumstances, internal disciplinary procedures may be exercised where the performance or behavior of our staff is deemed inappropriate.

In situations where a complaint has been successful, or where an investigation following notification from NCFE indicates a failure in our processes, Be Positive will give due consideration to the outcome and will, as appropriate, take actions such as:

* identify any other learner, who has been affected by that failure
* correct, or where it cannot be corrected, mitigate as far as possible the effect of the failure
* ensure that the failure does not recur in the future
* compensate the learner if the centre is found it has compromised its own terms and conditions that form part of the contract between us and the learner in question.

**Appendix A – Complaints Form**

**Date of Issue**

**Nature of Complaint**

*Describe the nature of your complaint as fully as possible; include dates and times of all incidents*

*Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*To Complainant* - email or take this form to: Angus Laing

anguslaing@bepositivenow.co.uk