

# Complaints Policy

## Overview

This policy supports Thornton and Lowes commitment to provide excellence in the quality and standards of the services we provide to our customers. Thornton and Lowe recognise that occasionally things may go wrong, or customers may be dissatisfied with our services and it is important to us that we act quickly to resolve the situation in such cases.

In these instances, we value feedback to enable us to learn lessons, facilitate change and continuously improve our services to our customers.

Thornton and Lowe and its representatives will adhere to this policy at all stages in the complaints process and will operate within the framework of current legislation for both Freedom of Information and Data Protection.

This document provides details on Thornton and Lowes Complaints Handling Procedure and is designed to enable learners, customers and stakeholders to bring matters of concern to our attention and to address those concerns in the most expeditious manner to achieve a satisfactory outcome.

## Equality Statement

Thornton and Lowe are committed to providing an environment that celebrates diversity and supports individual needs where all staff, learners and service users feel safe from prejudice, discrimination and harassment.

Thornton and Lowe have a strong commitment to ensuring everyone is treated fairly and equally within and ethos of mutual trust and respect regardless of the protected characteristics of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

## Scope

This policy may be used by learners, customers, visitors, partners, stakeholders of Thornton and Lowe. It covers any expression of dissatisfaction about standards of service, course or facilities, and the actions or lack of actions by Thornton and Lowe or its representatives. The policy does not apply to matters covered by separate policies or procedures including, but not limited to, appeals and disciplinary issues.

Thornton and Lowe are committed to providing excellence in quality and standards within all services to our customers and recognises that continuous improvement can be enhanced with a better understanding of where customers are dissatisfied. The following procedures outline the approach to the handling of customer complaints across Thornton and Lowe.

Well trained staff will contribute to the development and enhancement of our services by responding to a customer's concerns timeously and appropriately. The procedures therefore aim to help us record and monitor our complaints and our performance in dealing with them.

Thornton and Lowes approach to the recording, monitoring and handling of complaints will keep learners and customers at the heart of what it does improving relationships with all stakeholders and enhancing our reputation.

## Introduction

Thornton and Lowe aim to provide a quick, simple and streamlined process for resolving complaints early and locally by capable, well trained staff.

## Roles and Responsibilities

Overall responsibility for the management of complaints lies with the Director and Senior Management.

**Director:** Provides leadership and direction in ways that guide and enable us to perform effectively across all services. This includes ensuring that there is an effective Complaints Handling Policy, with a robust investigation process, that demonstrates how we learn from the complaints we receive. The Director may take a personal interest in all or some of the complaints or may delegate responsibility to senior staff. Regular management reports assure the Director of the quality of complaints performance.

The final response on serious, high risk and/or high-profile complaints must be signed off by the Director.

**Head of Learning and Development:** On the director's behalf, the Head of Learning and Development: may be responsible for:

- managing complaints and the way we learn from them
- overseeing the implementation of actions required because of a complaint
- ensuring complaints are investigated appropriately
- deputising for the Director on occasion

The Head of Learning and Development may decide to delegate some elements of complaints handling (such as investigations and the drafting of response letters) to other senior staff. However, the Head of Learning and Development retain ownership and accountability for the management and reporting of complaints and should be satisfied that investigations are complete, and that Thornton and Lowes response addresses all aspects of the complaint.

Serious, high risk or high-profile complaints will be directly management the Head of Learning and Development.

The Director and the Head of Learning and Development may be involved in the operational investigation and management of complaints handling and are responsible for acting as, or appointing, the Investigating Officer; overseeing the investigation stage; preparing and signing decision letters to customers. They should therefore be satisfied that the investigation is complete and that their response addresses all aspects of the complaint.

**Senior Management Team:** The Senior Management Team is responsible for the review of complaints on a quarterly basis and for implementing corrective action to address adverse trends.

**Investigating Officer:** The Investigation Officer (IO) is responsible and accountable for the management of the investigation. They may work in an academic department or a service/support role and will be identified by the Director /Head of Learning and Development to investigate the complaint. They will carry out the investigation and prepare a comprehensive written report, (including details or any procedural changes in service delivery that could result in wider opportunities for learning) which is submitted to the Director and/or Head of Learning and Development.

Note: An investigator cannot investigate a complaint where they are subject of the complaints or have a clear conflict of interest in the matter.

**All Staff:** A complaint may be made to any member of staff at Thornton and Lowe. So, all staff must be aware of the Complaints Handling Policy and how to handle and record complaints at the frontline stage. We encourage all staff to try to resolve complaints early, as close to the point of service delivery as possible, and quickly to prevent escalation.

Staff will ensure that frontline resolution of complaints is dealt with courteously, professionally and in an unbiased manner.

All members of staff will ensure confidentiality is maintained and complainants will not be discriminated against or fear retribution from making a complaint.

Employees who are subject of a complaint or have a clear conflict of interest in the matter cannot deal with the complaint, in which case the complaint must be passed to a senior manager for consideration.

Employees who deal with a complaint via frontline resolution must ensure that details of the complaint are recorded on the complaints form and submitted to the Centre Coordinator.

**Centre Coordinator:** The Centre Coordinator will ensure details of all complaints and resolutions are recorded on the Complaints Database and that timelines are monitored and that customers are kept informed of the progress of their complaint.

## Model Complaints Handling Procedure

Our complaints process provides two opportunities to resolve complaints internally:

1. Stage 1 – Frontline Resolution
2. Stage 2 – Investigation

**Frontline Resolution:** for issues that are straightforward and easily resolved requiring little or no investigation.

- ‘On-the-spot’ apology, explanation, or other action to resolve the complaint quickly, in five working days or less, unless there are exceptional circumstances.
- Complaints addressed by any member of staff, or alternatively referred to the appropriate frontline resolution
- Complaint details, outcome and action taken are recorded and used for service improvement

**Investigation:** for issues that have not been resolved at the frontline or that are complex, serious or ‘high risk’.

- A definitive response provided within 20 working days following a thorough investigation of the points raised
- Responses signed off by senior management
- Senior Management have an active interest in complaints and use information gathered to improve services.

**Independent External Review:** for issues that have not been resolved by the service provider

- Complaints progressing to Independent External Review will have been thoroughly investigated by the service provider
- The Independent External Reviewer will assess whether there is evidence of service failure or maladministration not identified by the service provider.

## What is a Complaint

‘An expression or dissatisfaction, by one or more customers or stakeholders, about Thornton and Lowes action or lack of action or about the standard of service provided by Thornton and Lowe or on its behalf’

A complaint may relate to, for example:

- a failure to provide a service
- an inadequate quality or standard of service
- the admissions process
- the learner disciplinary process
- a request for a service or information which has not been actioned or answered
- our policies
- incorrect information about programmes, courses or our services
- the quality or availability of facilities and learning resources
- accessibility of our buildings or services
- the behaviour of a member of staff or contractor

- a learner's behaviour
- treatment or attitude of a member of staff or contractor
- discrimination in relation to the protected characteristics of age, disability, gender reassignment, marital status, pregnancy or maternity, race, religion or belief, sex or sexual orientation
- disagreement with a decision where a customer cannot use another procedure (such as and appeal) to resolve the matter
- our failure to follow the proper administrative process

This list is not exhaustive. Appendix 1 provides some examples of complaints we may receive and how we might handle them.

A complaint is not:

- a routine first-time request for a service
- a request for information or an explanation of policy or practice
- a disagreement with an academic judgement
- a claim for compensation from Thornton and Lowe
- issues that are in court or have already been heard by a court or tribunal
- disagreement with a decision where a right to appeal exists, for example, the appeals process
- a request for information under Data Protection or Freedom of Information Acts
- a grievance by a member of staff
- an attempt to have us reopen or reconsider a complaint we have concluded or given our final decision on

These issues must not be treated as complaints. Customers should be directed to use the appropriate procedures.

Appendix 1 gives more examples of 'what is not a complaint' and how to direct customers properly.

## Handling an anonymous complaint

We value all complaints. This means we treat all complaints seriously and will act to consider them further, wherever it is possible to do so. This includes anonymous complaints. Generally, we will consider an anonymous complaint if it gives enough information for us to make further enquiries. Failing this, we may decide not to pursue it. A decision not to pursue an anonymous complaint must be authorised by the Director or Head of Learning and Development.

If any anonymous complaint contains serious allegations it must be referred to the Director immediately.

If we pursue an anonymous complaint, we will record the issues as an anonymous complaint. This will help ensure the completeness of the complaints data we record and allow us to take corrective action where suitable.

## What if the customer doesn't want to formally complain

We regard as complaints all expressions of dissatisfaction that meet our definition of a complaint. If someone does not want to begin the formal complaints procedure, we will still record their dissatisfaction as a complaint so that we can take the opportunity to improve our services. We should encourage customers/stakeholders to submit their complaint and allow us to deal with it through the procedure. This will ensure they are updated on the action we take and get a timely response to their complaint. If, however, the customer insists they do not wish to complain we will record the issue as an anonymous complaint. This will ensure that:

1. we do not record their details
2. we do not contact them again about the matter
3. the complaints data we record enables us to fully consider the matter and take corrective action where suitable.

## **Who can make a complaint?**

Anyone who receives, requests or is affected by our services can make a complaint. Sometimes a customer/stakeholder may be unable or reluctant to make a complaint on their own. We will accept complaints brought by third parties if the customer/stakeholder has given their personal consent.

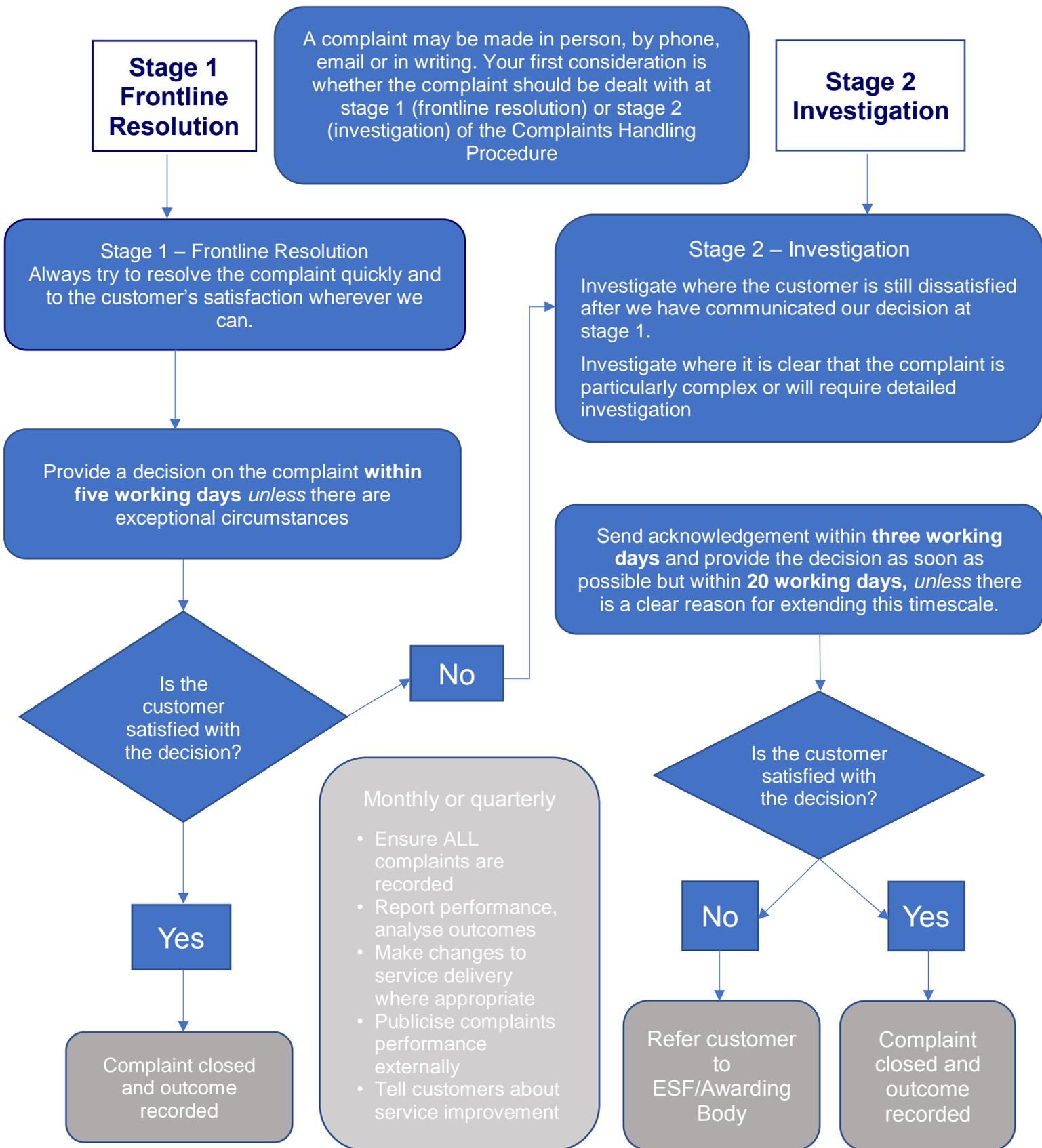
Thornton and Lowe will support individuals or organisations wishing to complain about an aspect of its service. This is because we want to understand the nature of the complaint and how we might need to respond if a service is substandard or failing. This may include involving outside support.

## **Addressing unacceptable behaviour by complainants**

We define unacceptable behaviour as being aggressive behaviour, inappropriate language, threats or other offensive behaviour. We recognise that people may act out of character in times of concern or distress and that occasionally the circumstances leading to a complaint may result in the complainant acting in an unacceptable way. Where a complainant exhibits unacceptable behaviour, we will:

- record the details of complaint
- apply our policies and procedures to protect our staff
- restrict the complainant's access to staff and communication the decision to the complainant with notification of a right to appeal our actions

# The Complaints Handling Flowchart



# The Complaints Policy

Our complaints policy provides two opportunities to resolve complaints internally:

- **Stage one: Frontline resolution**, and
- **Stage two: Investigations**

## Stage one: Frontline resolution

Frontline resolution aims to quickly resolve straightforward customer complaints that require little or no investigation.

**Any member of staff may deal with complaints at this stage unless they are subject of the complaint or have a clear conflict in the matter.** In this instance, the complaint should be handed to a senior manager.

The main principle is to seek early resolution – resolving complaints at the earliest opportunity and as close to the point of service as possible. This may mean face-to-face discussion with the customer/stakeholder or asking a suitable member of staff to deal directly with the complaint.

**Appendix 1** gives examples of the type of complaint we may consider at this stage with suggestions on how to resolve them.

In practice, frontline resolution means resolving the complaint at the first point of contact with the customer. This can be done by the member of staff receiving the complaint or other appropriate staff.

In either case, you may settle the complaint by:

- Providing an on-the-spot apology where suitable and/or
- Explaining why the problem occurred and, where possible, what will be done to stop it happening again.

You may also explain that we value complaints and may use the information the customer has given when we review service standards in the future.

A customer can make a complaint in writing, in person, by telephone, by email or online, or by having someone complain in their behalf. A Complaints Form should be completed either by the customer/stakeholder or by the member of staff receiving the complaint.

You must always consider frontline resolution regardless of how you have received the customer's complaint.

## What to do when you receive a complaint

On receiving a complaint, you must first decide whether the issue can indeed be defined as a complaint. The customer may express dissatisfaction about more than one issue. This may mean you treat one element as a complaint, while directing the customer to pursue another element through an alternative route (See Appendix 2). Where you think, frontline resolution is appropriate, you must consider four key questions:

1. What exactly is the customer's complaint (or complaints)?
2. It is important to be clear about exactly what the customer is complaining of. You may need to ask the customer supplementary questions to get a full picture
3. What does the customer want to achieve by complaining?
4. At the outset, clarify the outcome the customer wants. Of course, the customer may not be clear about this so may need you to probe further to find out what they expect and whether it can be satisfied
5. Can I achieve this, or explain why not?
6. If you can achieve the expected outcome by providing an on-the-spot apology or explain why you cannot achieve it, you should do so.
7. The customer may expect more than we can provide. If so, you must tell them as soon as possible. (for example – where the customer is so dissatisfied with the location and day of a course that they demand that both be changed but we are only able to consider changing its location)

8. You are likely to give the decision face to face or by telephone. If you respond face to face, by telephone or by email, you need not write to the customer as well but you may choose to do so. It is important, however, to keep a full and accurate record of the decision you have reached and passed to the customer. This will be recorded on the Complaints Form.
9. If I can't resolve this, who can help with frontline resolution?
10. If you cannot deal with the complaint because, for example, you are unfamiliar with the issues or area of service involved, pass details of the complaint immediately to someone who can try to resolve it. This may be a member of staff in the relevant department. In this case, you must
  - a. Inform the customer that you are passing the complaint on and to whom
  - b. Record details of the complaint and your action and email this to [hello@thorntonandlowe.com](mailto:hello@thorntonandlowe.com)
11. If you have received, identified and satisfied a complaint, record the details and email to [hello@thorntonandlowe.com](mailto:hello@thorntonandlowe.com)

## Timelines

Frontline resolution must be completed within **five working days**, although in practice, this should be much sooner. It is important to respond to the customer within five working days, either resolving the matter or explaining that Thornton and Lowe will investigate their complaint.

### Extension to the timeline

In exceptional circumstances, where there are clear and justifiable reasons for doing so, you may agree an extension of no more than five working days with the customer. This must only happen when an extension will make it more likely that the complaint will be resolved through frontline resolution.

If, however, the issues are so complex that they cannot be resolved in five days, it is right to escalate the complaint straight to investigation stage. Where appropriate you must tell the customer about the reasons for delay, and when they can expect a response.

If the customer does not agree to an extension but it is unavoidable and reasonable, the Head of Learning and Development must decide on the extension. You must then tell the customer about the delay and explain why the extension has been granted. This must be recorded on the Complaints Form.

It is important that such extensions do not become the norm; extensions to the timeline at frontline resolution stage should occur only rarely.

## Document Review

Version	Creation Date	Created by	Reviewed by	Next Review Date
V1.0	17/04/2017	Louise Docherty	Dave Thornton	16/04/2018
V1.1	16/04/2018	Louise Docherty	Dave Thornton	15/04/2019