



RLSS UK Qualifications - Complaints and Appeals Policy

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| Applicable to: | ✓ | Astley Community High School |
| | | Seaton Sluice Middle School |
| | | Whytrig Middle School |
| Approval body: | Executive Headteacher | |

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| Approval by | School to determine |

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| Business Manager (BW) | 16 September 2019 | 0.1 | Initial draft based on IQL UK model policies (May 2018) |
| Changed by | Revision Date | | |
| Business Manager (BW) | 17 September 2019 | 1.0 | Final approved version for publication |
| Business Manager (BW) | 9 December 2020 | 1.1 | Annual review; change to review frequency only as no updates to IQL UK model policies |
| Business Manager (BW) | 9 December 2020 | 2.0 | Final approved version for publication |
| Business Director (BW) | 29 March 2023 | 2.1 | Addition of malpractice and maladministration details |
| Business Director (BW) | 25 May 2023 | 2.2 | Updated to reflect IQL UK name and email address changes |
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1 Introduction

- 1.1 This document sets out the school's RLSS UK Qualifications Complaints and Appeals policy and procedure and is aimed at all staff, learners and all interested parties who encounter a direct or indirect service.
- 1.2 RLSS UK Qualifications require us to provide a high-quality service to staff, learners and others involved in the delivery, assessment and awarding of RLSS UK qualifications. RLSS UK Qualifications consider a high-quality service of paramount importance and if individuals or organisations consider they are receiving a level of service that is below both theirs and RLSS UK Qualifications expectations, they should raise any concerns immediately in order that these may be addressed efficiently.

2 Policy aims

- To provide a clear and robust framework to support those not satisfied with RLSS UK Qualifications services for raising concerns
- To ensure RLSS UK Qualifications has systems in place to implement improvements because of a complaint (lessons learned)
- To affect a prompt resolution
- To ensure all complaints are treated seriously, equitably and without prejudice
- To raise awareness of policy and procedures and ensure all those responsible for the delivery, training, assessment of RLSS UK Qualifications understand appropriate processes
- To provide protection and resolution for learners, customers and stakeholders and any others who seek to complain or appeal against an action taken by RLSS UK Qualifications

3 Scope

- 3.1 This policy contains information for those who wish to formally complain about our services, including staff, learners, other stakeholders and subcontractors. It also sets out the process to be followed when submitting appeals to us and the process we will follow to ensure we respond to enquiries and appeals in a consistent manner.
- 3.2 Where there is a question about the way an assessment was delivered and/or conducted, and malpractice and/or maladministration is suspected, concerns should be directed to us in the first instance. In exceptional circumstances, concerns may be raised directly with RLSS UK Qualifications via compliance@rlss.org.uk.

4 Definitions

- 4.1 A complaint is a statement that something is unsatisfactory or unacceptable by an organisation or individual, whether verbal or written, and requires a response. Disciplinary appeals are not considered as complaints and therefore do not fall under this process.
- 4.2 Malpractice and maladministration are two distinct, but related, concepts. In broad terms, maladministration generally covers mistakes or poor process where there has been no intention on the part of the person responsible to do any harm. It may involve some degree of incompetence or ineptitude or may result from carelessness or inexperience.

- 4.3 By contrast, malpractice will generally involve some form of intent. It may also include circumstances where an individual has been negligent or reckless as to the consequences of their actions.

5 Our responsibilities

- 5.1 We will take all reasonable steps to ensure that any staff involved in the management, assessment and quality assurance of RLSS UK Qualifications, including learners, are aware of the contents of this policy.
- 5.2 If an individual is unhappy about a service or activity being delivered by us, they should follow the federation's Complaints Procedure before bringing the matter to RLSS UK Qualifications.
- 5.3 If an individual wishes to appeal against a decision taken by us, they must, in the first instance, go through our internal appeals process before bringing the matter to RLSS UK Qualifications.

6 Raising concerns and making complaints

- 6.1 It is important that learners and/or members of the public who wish to complain about the level of service provided by us in the first instance follow our own complaints process before bringing any complaints to the attention of RLSS UK Qualifications.
- 6.2 In exceptional circumstances learners can make complaints directly to RLSS UK Qualifications where they feel there is a significant breach by us of RLSS UK Qualifications policies and procedures. All complaints must be sent to RLSS UK Qualifications, preferably in writing through email via compliance@rlss.org.uk or by letter addressed to the Head of Compliance, RLSS UK Qualifications, Red Hill House, 227 London Road, Worcester, WR5 2JG and include a completed Complaints form (Appendix 1) within one calendar month of the event you have issues with.
- 6.3 Complaints should detail:
- a full description of the complaint (including dates, times, context where appropriate)
 - names of others involved
 - copies of any evidence e.g. letters, completed forms, witness testimony
 - contact details (in accordance with Data Protection legislation e.g. name and contact email/phone number)
- 6.4 All actual or suspected cases of malpractice and/or maladministration should be put in writing. Where possible the report should include:
- what has happened or is about to happen
 - who was involved
 - where it happened
 - when it happened
- 6.5 We expect that reports of suspected or actual malpractice and/or maladministration will be made as soon as possible after an incident arises, and no later than ten working days afterwards. We will consider exceptions to this timeframe in circumstances where there were valid reasons for not reporting the incident at that time and the case can still be investigated in a fair manner for all involved.

7 Complaints brought to our attention by RLSS UK Qualifications and/or regulators

- 7.1 Where we are notified about failures that have been discovered in the assessment process or other activities of another awarding organisation, these will be reviewed in the same manner as other external complaints, in accordance with the procedures below, to ascertain if the same issue could affect RLSS UK Qualifications.

8 Confidentiality and whistleblowing

- 8.1 To enable a full investigation to take place it will be necessary for complainants to provide their names. However, in some instances a complainant will wish to remain anonymous e.g. where there are concerns over possible adverse consequences should their identity be revealed to another party. If you wish to remain anonymous you should tick the relevant box on the Complaints Form (see Appendix 1).
- 8.2 We will always aim to keep a whistleblower's identity confidential where asked to do so although cannot guarantee this. There may be situations where we have a duty to disclose identity, for example to:
- the police, fraud prevention agencies or other law enforcement agencies (to investigate or prevent crime, including fraud)
 - the courts (court proceedings)
 - relevant authorities where there are safeguarding concerns
 - RLSS UK Qualifications or RLSS UK as part of any investigations into issues around qualification delivery
 - other third parties e.g. regulators

9 What will happen to my complaint?

- 9.1 We will acknowledge receipt of your complaint within two working days and aim to investigate complaints within five working days thereafter. For more complex cases, or those involving people who are not available at the time, we may extend this period to carry out thorough investigations and may pass your complaint through to RLSS UK Qualifications for further review. We may contact you within this period to seek further information or clarification, and in some instances we may recommend a meeting. At the end of the investigation we shall inform you of our decision.
- 9.2 When responding to reports of malpractice and/or maladministration, we aim to:
- be impartial and non-adversarial
 - facilitate a full and fair investigation by an independent person or panel, where necessary
 - address all the points at issue and provide an effective and prompt response
 - respect complainants' desire for confidentiality
 - treat the report with respect
 - seek guidance from RLSS UK Qualifications where necessary
 - notify RLSS UK Qualifications where necessary
 - keep complainants informed of the progress of the report's process

10 Successful complaints and/or issues brought to our attention by RLSS UK Qualifications and/or regulators

- 10.1 If any part of your complaint is upheld we will respond to you accordingly and where appropriate give due consideration to how we can improve our service and

arrangements. In situations where a complaint has been successful, or where an investigation following notification from RLSS UK Qualifications and/or regulators indicates a failure in our processes, we will give due consideration to the outcome and will take appropriate actions such as:

- identify any other learner/s and/or organisations who have been or may be affected by that failure
- correct, or where it cannot be corrected, mitigate as far as possible the effect of the failure
- review and amend our arrangements, where appropriate, to reduce the likelihood that the failure will reoccur in the future

11 What if I am not happy with the reply?

11.1 If you are still unhappy with the decision we have taken in reviewing the complaint you can, where relevant, take the matter through our appeals process

11.2 If you are not happy with the way your report of malpractice and/or maladministration has been handled they should contact compliance@rlss.org.uk.

12 Fees

12.1 We will not charge learners a fee to cover the administrative and personnel costs involved in dealing with appeals.

13 Process for raising an appeal

13.1 Applications for appeals must be made within seven working days of notification of the decision an individual is appealing against.

13.2 Written permission of learners must be obtained when appealing on their behalf.

13.3 Learners who wish to appeal about their assessment results or about a related decision should be supported by us or should have exhausted our own appeals process before appealing to RLSS UK Qualifications. Learners must provide RLSS UK Qualifications with evidence that they have first appealed to us. It is expected that learners will only appeal directly to RLSS UK Qualifications in exceptional circumstances.

13.4 Learners wishing to submit a complaint about an assessment decision or other matter relating to RLSS UK Qualifications should follow the process outlined above.

13.5 To submit an appeal you will need to send us written correspondence which includes relevant supporting information such as the:

- individual's name and RLSS UK Qualifications registration number
- date(s) notification of any decision received (if appropriate)
- title and number of the RLSS UK Qualifications affected or nature of service affected (if appropriate)
- full nature of the appeal
- contents and outcome of any investigation carried out by us relating to the issue
- any supporting evidence e.g. witness statements, records etc.

14 Initial review of the appeal details

- 14.1 Upon receipt of all appeals we will acknowledge receipt of the appeal within two working days and aim to respond fully to the initial review of the potential appeal within ten working days. Please note that in some cases the review processes may take longer, for example, if we need to conduct further investigations. In such instances, we will contact all parties concerned to inform them of the likely revised timescale.
- 14.2 The first stage will be for us to undertake an initial, informal assessment of all potential appeals to ensure the application is complete and to ascertain if the issue can be resolved before it goes to a formal appeal. In all instances we will ensure that the person carrying out this initial check will not have a personal interest in the decision being appealed.
- 14.3 Following the initial review of the potential appeal we will write to the appellant with details of our decision to either:
- amend our original decision considering the rationale/evidence being put forward
 - confirm we uphold our original decision providing rationale for this decision.

15 Successful appeals and/or issues brought to our attention by RLSS UK Qualifications and/or regulators

- 15.1 In situations where an appeal has been successful, or where an investigation following notification from one of our regulators indicates a failure in our processes, we will take actions as appropriate - for example:
- identify any other learners who have been affected and correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure
 - review our associated processes and policies to ensure that the 'failure' does not occur again, or mitigate the situation as far as possible if the failure that occurred cannot be corrected
 - share 'lessons learned' with all those responsible e.g. through ongoing training, newsletters, standardisation etc.
- 15.2 We will cooperate with any follow-up investigations required by RLSS UK Qualifications and/or regulators and others with a vested interest, and if appropriate agree any remedial action with them.

Appendix 1: Complaints form

| | |
|-------------------------|--|
| Name | |
| ATC/P TA/ Candidate No | |
| Contact details (email) | |

| | |
|---|--|
| Please indicate if you wish to remain anonymous | Yes <input type="checkbox"/> No <input type="checkbox"/> |
|---|--|

Details of complaint

| | |
|---|--|
| Name of individual/organisation you are complaining about | |
| ATC/P TA, Candidate Number if Known | |
| Centre Name/Number if known | |
| Address | |

Please give details of the complaint.

Please include dates, times where possible and details of others involved

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Evidence Attached with this Form to support Claim

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|--------|-------|
| Signed | Dated |
|--------|-------|

Appendix 2: Appeals form

| | |
|----------------------------------|--|
| Name | |
| ATC/P TA/ Candidate No | |
| Contact details: | |
| Do you wish to remain anonymous? | Yes <input type="checkbox"/> No <input type="checkbox"/> |

Details of Person/Organisation's decision you are appealing against

| | | |
|---|--------------------------|--------------------------|
| Name of ATC/P/Candidate/TA/Mentor | | |
| ATC/P TA, Candidate Number if Known | | |
| Centre Name/Number if known | | |
| Address | | |
| Where appeal against IQL decision tick this box | <input type="checkbox"/> | <input type="checkbox"/> |

| | |
|--|-------|
| Please give details of decision you are appealing against (dates, times, details of others involved) | |
| | |
| Supporting evidence where appropriate | |
| | |
| Desired Outcome State how you would like IQL UK to remedy this appeal if we find in your favour | |
| | |
| Signed | Dated |
| | |