

Customer complaints

Issue Date: 01.09.17

Summary

1. All staff should actively encourage students and other clients to register their complaints or compliments formally with ELATT by using the complaints form or talking to the Student Support team.
2. Wherever necessary, staff should assist students confidentially to complete the complaint form or wherever the learner consents to record the complaint.
3. All staff should regard complaints as an opportunity to improve services
4. All staff should respond to complaints positively, without defensiveness or personal animosity. All complaints are made about the organisation.
5. All complaints will be thoroughly investigated by the relevant manager. All staff must co-operate fully and swiftly with the investigation.
6. The manager will keep the complainant informed throughout the process of investigation
7. A full response to the complaint will be made within ten working days of the complaint being made.

This policy is non-contractual and may change from time to time.

Purpose

ELATT recognises that its customers have the right to demand the highest possible quality of service. This procedure is designed to ensure that ELATT responds positively to complaints to protect and further the interests of the learner and utilises complaints to improve the quality of service.

Scope of the procedure

The procedure applies to all customers including service users, funders, external agencies, etc. Staff should not use the Complaints Procedure to raise grievances against their employer. In these cases staff should use the Staff Grievance Procedure.

Performance indicators

- To acknowledge complaints within three working days.
- To give a full reply to complaints within 10 working days.
- The Chief Executive will compile a Customer Complaints report annually to present trends to staff trustees and learners. This report will also report on the operation of this procedure

Definitions

A complaint is where a service user or external agency feels that ELATT has given them poor service or treated them unfairly. Any customer can use the complaints procedure where they feel they have a grievance against ELATT services, standards or staff.

A compliment is where a service user or external agency wishes to commend an aspect of ELATT's activity. Any customer can use the complaints procedure to record and acknowledge this.

Responsibility

- All staff have a responsibility for helping clients complete the complaints or the compensation form.
- The Chief Executive has responsibility for receiving complaints and compliments and passing these on to the appropriate manager.
- Managers have responsibility to investigate complaints forwarded to them by the Chief Executive, to identify recommended changes in practice and to execute such changes.
- The Chief Executive is responsible for compiling complaints reports, monitoring trends and making changes to practice.

Principles

ELATT welcomes complaints as a useful tool in quality improvement.

In general we will assume that the customer is giving us accurate information unless there is evidence to the contrary. If we disagree with a customer on facts and interpretation we will try to reach an agreement with them, although the final decision must rest with us.

Complaints are made against ELATT and the operation of its policies, procedures and instructions, therefore;

- We will always treat complaints professionally without personal recrimination, animosity or defensiveness.
- We will accept responsibility for complaints to customers as an organisation – we will not attempt to blame or exonerate individuals.

This policy is non-contractual and may change from time to time.

How customers can complain or detail a compliment

There is a complaint form that provides customers with the opportunity of making complaints against the organisation or to offer compliments. This form will be circulated to students at induction and is available from reception at both sites.

All clients should be encouraged to use these forms for registering complaints and compliments as they provide the best means of monitoring these issues and using them for service improvements.

Where customers cannot complete these forms for any reason, a member of staff must complete the form on their behalf, ensuring it is signed by the client, or where the client agrees, to make an audio recording of the complaint. Where a client requests help in making a complaint, staff should assist them to complete the relevant forms immediately or at least within one week of the request being made.

When assisting clients in completing these forms staff should give honest feedback if their complaint is outside the boundaries of our policies. Obviously if they still wish to pursue their claim or complaint, they should be assisted to do so.

External agencies should be invited to use the complaints form and these forms should be given to them once contracts are signed, or service level agreements reached. However, external agencies are more likely to telephone staff members with complaints and the staff member can complete the form on their behalf over the telephone. The need for signing it should be waived if the staff member is not face to face with the customer, unless it is a very serious complaint.

Encouraging complaints

Complaints and compliments are to be acknowledged as being very useful in improving our services, particularly in improving them as our customers perceive them. Complaints are to be welcomed and used as a genuine tool for service improvement.

Staff should use their discretion in talking to our clients about registering a complaint. Some clients may be reluctant to do so and should not feel pressured into complaining unduly.

Similarly, staff should take care not to use customer complaints to promote their own agendas. There are clear mechanisms for staff to register concerns over their work or the service provided to customers.

What we will do when complaints are received

- All complaint and claim forms should be passed directly to the Chief Executive who will then log them onto the customer complaints database. The Chief Executive will then immediately pass the complaint to the relevant manager to investigate. If it is about a manager the complaint will be investigated by the Chief Executive.
- The responsible manager will telephone, wherever possible, and write to the customer within 5 working days to acknowledge the complaint or claim and, if necessary clarify the content of the complaint. A copy of any correspondence or notes of telephone calls should be retained and logged on the database.
- The responsible manager will then investigate the complaint or claim. The customers' word should be taken at face value unless there is strong evidence to the contrary. While natural justice should be maintained this must be balanced against having a long drawn out investigation process.
- The responsible manager must approach the investigation as an opportunity for quality improvement. The responsible manager must act as a representative of the learner, testing actions and decisions to see if ELATT held the best interests of the learner uppermost and whether we failed to serve the interests of the learner and meet their reasonable expectations. Nothing should be taken for granted or on faith.
- The responsible manager will respond in full in writing within 10 working days.

This policy is non-contractual and may change from time to time.

- If there is a delay to this timescale the investigating manager should inform the complainant of the likely timescale and keep them informed.
- The full response to the complaint is likely to include some recommendations of changes to practice and policy. The investigating manager must ensure that such recommendations are fully discussed with colleagues required to implement them and reflected in documentation. The customer has a right to expect to see the recommendations implemented smoothly.
- Details of the final outcome must be logged into the complaints database. All documentation should be kept and added to the Customer Complaints file.

How we respond to complaints

In receiving and responding to complaints the following guidelines must be used to influence the nature and tone of replies:

- Clarify the nature of the complaint as we understand it.
- Apologise for dissatisfaction, even if we are not at fault: we are sorry for their distress.
- Provide an honest explanation of the events that led to the complaint
- Avoid excuses or defensiveness.
- If things have gone wrong, attempt to put the matter right including making reference to anything that the learner has requested as ways to address the complaint.
- If nothing has gone wrong, detail changes to policy and practice that have been agreed to prevent people feeling aggrieved in future.
- If things have gone wrong and no reasonable changes can be agreed, explain why it is essential that policy and practice are the way they are.
- Give a name and telephone number for people to call if they want to discuss the matter further, or if they have a similar experience again
- Give details of further rights of appeal if the customer is still not satisfied

In addition to the above, anyone investigating a complaint is responsible for recommending changes to the appropriate authority where we can avoid such complaints or claims occurring in the future.

The timescales set in this procedure are to be seen as maximum limits. Staff assisting with and responding to complaints should seek to do so in the shortest possible time.

Appeals against decisions

All customers have the right of appeal against decisions made under this procedure. They should register their appeal on a complaint form, ensuring that they state their reasons for appealing. Again staff should assist in the completion of these forms within one week of the customer requesting this.

Appeals will only be heard where the customer makes a case for the original investigation being inadequate or unfair. Restatements of the original complaint will not be accepted.

Such appeals will be heard by the next tier of management. All appeals should be acknowledged and clarified if necessary within one week and a full response should be provided within 2 weeks.

All customers will ultimately have the right of appeal to a panel of trustees at the next available trustee meeting. They can make their appeal in person or in writing bringing representation if they wish.

Final appeals

If a student still wishes to pursue their complaint having exhausted our internal complaints procedure, the student can complain directly to our major funder, the Education and Skills Funding Agency (ESFA), who will investigate complaints of behalf of our students.

The EFSA will consider the complaint so long as:

This policy is non-contractual and may change from time to time.

- Our student's course was funded or part-funded by the ESFA
- The complaint is made to the ESFA within 12 months of the initial incident taking place

To complain to the ESFA please email:

complaints.esfa@education.gov.uk

Or via:

The Complaints Team, Education and Skills Funding Agency,
Cheylesmore House, Quinton Road, Coventry, CV1 2WT

Please note that the ESFA will expect that you have fully exhausted ELATT's internal complaints procedure before contacting them. The ESFA will not investigate the original complaint itself, but will review whether ELATT has properly investigated the original complaint in line with its procedures.

To see the full ESFA Complaints Procedure, [please see their website](#).

This policy is non-contractual and may change from time to time.