

Complaints policy and procedure

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Section 1: Overview

1.1 Purpose

1.1.1 Frontline recognises that there will inevitably be occasions where people are dissatisfied with the service we provide. We are committed to ensuring that people are able to voice their concerns, in order to help us identify where we can take action to rectify the situation and to learn from our mistakes.

1.1.2 This policy sets out the principles and procedures to be followed should anyone have a concern falling within the remit of section 1.2. It exists to ensure that the concern is dealt with fairly, transparently and in a timely manner.

1.2 Scope

1.2.1 This policy and set of procedures applies to **registered participant concerns and complaints**. The concern or complaint may be about any service provided by Frontline or provided by an organisation Frontline is in partnership with, including Lancaster University.

1.2.2 There are a few scenarios that fall outside the scope of this policy and where an alternative policy should be followed. These include, but are not limited to:

Situation	Applicable policies
A concern is raised about the conduct, academic or otherwise, of a participant on the Frontline programme	Academic discipline policy Fitness to practise policy
A concern is raised about the conduct of a Frontline employee that constitutes a disciplinary offence	Disciplinary policy
A concern is raised on the scale such that the well-being of the wider public or the organisation itself is at risk (public interest disclosure)	Whistleblowing policy
A Frontline participant wishes to appeal against the decision of an examination board	Lancaster University's academic appeals policy and procedure
The complaint is closely related to a participant procedure	It may be appropriate to consider the complaint as part of the participant procedure

A complaint primarily regarding an element of service offered by a partner (subject to 1.2.5 and 1.2.6 below)	Partner complaints policy
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- 1.2.3** Where an issue is raised that falls under more than one policy, or is not easily assignable to a policy, Frontline will, in collaboration with Lancaster University as required, use its discretion to identify the most appropriate approach and will communicate this to those involved.
- 1.2.4** This policy does not relate to matters which are governed by employment legislation or those where the principles of civil contract law would normally apply, e.g. service/supply contracts entered into with Frontline.
- 1.2.5** If a registered participant has a complaint about the service provided by another organisation on behalf of Frontline, but excluding Lancaster University, they are advised to make the complaint directly to that organisation. For example, if a registered participant is not satisfied with the cleanliness of their accommodation at a residential training event they should raise the complaint with the venue provider. However, Frontline will still consider all complaints where the complainant feels their experience of Frontline has been impacted by the other organisation.
- 1.2.6** If a registered participant has a complaint about the service provided either in full or in part by Lancaster University and it has not been possible/is not appropriate to resolve informally at stage one, they should raise the stage two formal complaint with Frontline in the first instance. See section 2.3.6 for details on how the complaint will be progressed.
- 1.2.7** A copy of this policy is available to employees on Frontline's HR information system and to registered participants on the virtual learning environment. It is also available on Frontline's website. All formal complainants are informed that there is a complaints procedure and will be provided with a copy of this policy.

1.3 Responsibilities

- 1.3.1** This policy is owned by the chief programmes officer. They are responsible for ensuring the procedure is understood and followed by all individuals involved in handling a complaint. They are also responsible for making decisions on the consideration of anonymous, third party or late complaints and for approving recommendations from an
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investigation report.

- 1.3.2** The chief programmes officer is also responsible for assessing the effectiveness of the policy. They reserve the right to make ad hoc changes and updates to the policy, outside of the formal review period, to increase the effectiveness and appropriateness of the policy. For example this may include updating a role title if it changes.
- 1.3.3** Team heads and/or directors are responsible for maintaining a register of all complaints received by their team and notifying the governance and compliance (GC) manager if they reach stage two. The GC manager is responsible for maintaining a central register of such complaints. Such records will be used for internal review and made available to Lancaster University as part of the standards and quality monitoring arrangements.
- 1.3.4** All staff are responsible for reporting complaints received to their team head and/or director and applying the principles and procedures in this policy when involved in any of the stages of resolution.

1.4 Definitions

Complaint	An expression of dissatisfaction about Frontline’s action or lack of action, or about the standard of service provided by or on behalf of Frontline. This may include, for example, a concern about delivery of a programme, teaching or administration.
Concern	An issue, query or request for clarification.
Conciliation	A voluntary and confidential process whereby an independent person tries to help the people in dispute to resolve their problem.
Exceptional circumstances	Circumstances in which strict application of the procedures would result in substantial unfairness to the complainant, or the complainant is in some way at risk because of health or disability.
GC manager	Second most senior Frontline employee in the compliance team.
Head of region	Most senior regional Frontline employee.
Investigator	An independent employee assigned to investigate a complaint
Mediation	A voluntary and confidential process whereby an impartial third party helps parties with a dispute to try and reach an agreement.

Registered participant	An individual who is registered or enrolled with Lancaster University as a student on the Frontline programme, or has been within the last three months.
Responsible individual	Head of team to which the complaint pertains or, if there is not one, the team director.
University-relevant complaint	A complaint that relates to a service that Lancaster University is primarily responsible for providing, such as library provision, or a complaint that relates to academic standards and/or quality of learning.

Section 2: Policy and procedures

2.1 Principles of dealing with complaints

2.1.1 Frontline commits to deal openly, fairly and effectively with any complaint about services, and to offer an appropriate response to anyone raising a concern.

2.1.2 All those involved in the complaints process are expected to act reasonably and fairly towards each other, and treat the processes themselves with respect.

2.1.3 The complaints procedure contains the following stages:

Stage one: Informal resolution

Stage two: Formal investigation

Stage three: Review by a review panel in qualifying circumstances

OIA: Review by the Office of the Independent Adjudicators (OIA) in qualifying circumstances

2.1.4 Every possible effort should be made to resolve a complaint informally within the relevant team.

2.1.5 Frontline will review all formal complaints when they are received and, where the complaint is a university-relevant complaint (see definitions in 1.4), Frontline will, in collaboration with Lancaster University, determine whether the complaint should proceed further under Frontline's complaints policy or under [Lancaster University's procedures](#). See section 2.3.6 for further detail.

2.1.6 If a university-relevant complaint is managed under Frontline's complaints policy at stage two, then stage three will always be conducted by Lancaster University. Such individuals

will also have the right to review to the awarding university if Frontline rejects their complaint at stage one or stage two. Detailed information will be provided to the complainant at the relevant point.

- 2.1.7** It is important that any complaint is timely. A formal complaint will not as a rule be investigated if a period of three months has elapsed since the alleged action which forms the basis of the complaint, although the chief programmes officer may allow such a complaint to proceed at their discretion in exceptional circumstances.
 - 2.1.8** Frontline will seek to complete stages two and three within 90 calendar days of receiving the formal complaint. However, there will occasionally be circumstances when this timeframe will need to be extended, and this will be communicated as early as possible.
 - 2.1.9** At any point during the complaints process, either party may make a request for mediation or conciliation. Where both parties agree to this approach during stage two, revised timescales will also be agreed.
 - 2.1.10** When making a complaint, the complainant is encouraged to set out the steps or actions that they consider would remedy the situation.
 - 2.1.11** Frontline will not consider unsubstantiated complaints that it regards as vexatious or malicious.
 - 2.1.12** Frontline does not as a rule deal with anonymous complaints or complaints from third parties who are not representing the person(s) affected, although it will consider the circumstances of any such submission and may, in exceptional circumstances, take the complaint forward. Where such complaints are received it will be at the discretion of the chief programmes officer, in consultation with the relevant team head or other senior staff members, to determine whether the complaint will be considered. Complainants should note that raising a concern anonymously may impede the investigation and communication of the outcome.
 - 2.1.13** Confidentiality will be respected throughout the complaints process and data protection legislation will be complied with, including when the process necessarily involves making enquiries of an outside organisation. Information pertaining to the complaint will only be released to those who need it for the purposes of investigating or responding to the
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complaint.

2.2 Stage one: informal resolution

2.2.1 Frontline encourages all individuals to seek to resolve their complaint informally prior to making a formal complaint where appropriate, with the expectation that some complaints could be satisfactorily resolved at this level. As per 2.3.1 below, Frontline acknowledges that some complex or serious complaints will need to progress directly to stage two.

2.2.2 The complainant should seek to discuss their complaint with the person to whom the complaint relates or who is responsible for the matter that gives rise to the complaint. They should make it clear that they have a complaint and outline what they consider would remedy the situation in order to assist with finding a suitable resolution. If they are uncertain who the best person to raise their complaint with is, they should email complaints@thefrontline.org.uk.

2.2.3 It may be possible for the complaint to be fully addressed and resolved through a meeting between the parties concerned. Alternatively, further enquiries may be required.

2.2.4 Should at any point in the procedure an informal resolution be proposed and accepted by all parties, the formal procedure does not need to continue.

2.3 Stage two: formal investigation of written complaint

2.3.1 A complaint will proceed to stage two where;

- the complainant is not satisfied with the outcome of stage one; or
- the complainant can provide good reason why stage one cannot be conducted due to the character, complexity or seriousness of the case.

2.3.2 The stage two procedure is designed to enable the complaint to be resolved to the satisfaction of all parties through a formal investigation.

Issuing the complaint

2.3.3 The complaint must be raised by sending a completed complaint form to complaints@thefrontline.org.uk. The complaint form is available on Frontline's website.

2.3.4 An individual making a complaint may be supported and advised by a third party throughout the process, for example a students' union officer or an adviser. Registered

participants are able to contact Lancaster University Students' Union if they require assistance.

2.3.5 In exceptional cases the complainant may also choose to be represented by a third party (but not legal representation), who acts on their behalf. Frontline will require written consent from the participant making the complaint and will then communicate with the third party going forward.

2.3.6 A group of people affected by the same set of circumstances may want to make a group complaint. In such circumstances the group should nominate a single representative to liaise with Frontline. Each member of the group should provide their names and contact details in the initial submission.

Receipt of written complaint

2.3.7 On receipt of the complaint the GC manager, or designated alternate nominated by the Director of Finance and Compliance, will review the complaint and will determine, in collaboration with relevant parties, whether it is appropriate for the complaint to be considered under this policy and whether the nature of the complaint warrants its consideration under other procedures. They will also assess whether a complaint is a university-relevant complaint (see definitions in 1.4). Where this is the case they will, in collaboration with Lancaster University, determine whether the complaint should proceed further under Frontline's complaints policy or under Lancaster University's policy.

2.3.8 The GC manager will inform the complainant in writing of their decision and the next steps to be taken. This will include details of what to do if the complainant does not agree with the decision.

Investigation of complaint

2.3.9 Where the GC manager finds it is appropriate for the complaint to be considered under Frontline's complaints policy, they will assign an investigator (a staff member at the appropriate level or an external professional, with no prior direct involvement in the matter), to investigate the complaint.

2.3.10 As part of the investigation, it may be necessary for the investigator to conduct a meeting with the complainant and/or the persons subject to the complaint and/or any witnesses.

Minutes of the meeting will be taken and the complainant and persons subject to the complaint will have the right to be accompanied by their adviser or represented by their representative if they have one.

2.3.11 The GC manager can provide advice on the process of the investigation as required.

2.3.12 The burden of proof is on the complainant, albeit within a recognition of the responsibilities of Frontline.

Outcome of complaint

2.3.13 On completion of the investigation the GC manager will then respond to the complainant and inform them of the outcome of the investigation.

2.3.14 The investigation outcome may provide remedy such as deemed appropriate and fair in relation to the participant, subject to the following parameters:

- Review of a policy or a participant process-related decision (but not an automatic change of a policy or decision);
- Referral to relevant human resource procedures (but not changes to a staff member's contract);
- Referral to relevant participant disciplinary procedures (but not the imposition of a disciplinary restriction on a participant).

2.4 Stage three: review by a review panel

2.4.1 Complainants will be entitled to seek a review by a complaints review panel when they are dissatisfied with the outcome of the formal stage and:

- there exists evidence of a material procedural irregularity in the consideration; and/or
- there exists evidence that could not reasonably have been made available for the formal investigation; and/or
- there exists evidence that the judgement was not a judgement that could have been reached by a reasonable person in receipt of the materials formally considered. For example this could include if the investigation did not consider all relevant issues or information available.

2.4.2 The review stage will not usually consider the issues afresh or involve a further investigation or consider a new complaint.

- 2.4.3** If the complaint relates to a university-relevant complaint then this section 2.4 will not apply as stage three will be conducted by Lancaster University. Please refer to 2.1.6.

Issuing the request

- 2.4.4** A complaint at stage three is initiated by the complainant submitting a request in writing to complaints@thefrontline.org.uk, within ten working days of having received the outcome of the investigation at stage two. A request made after this date will not as a rule be considered, although the GC manager may allow such a complaint to proceed at their discretion in exceptional circumstances.
- 2.4.5** The request should include full details of the complaint, action taken to resolve the complaint at previous stages, why the complainant remains dissatisfied, the reason for their request for review (as per 2.4.1) and the steps or actions that they consider would remedy the situation.
- 2.4.6** Where additional information is introduced at this stage, the complainant will need to detail the circumstances that prevented its earlier disclosure.
- 2.4.7** Where the review is requested on the basis of the judgement not being that of a reasonable person, the complainant will need to provide evidence in support of this.

Receipt of a request

- 2.4.8** The GC manager will determine whether the request is eligible for review.
- 2.4.9** The GC manager will acknowledge the request for a review by the review panel and inform the complainant of the outcome of their consideration.
- 2.4.10** If relevant, the GC manager will subsequently send a letter to the complainant confirming the date of the review panel hearing and details of what is involved and required.

Frontline review panel hearing

- 2.4.11** The complainant and the investigator are both expected to attend the review panel hearing but will not be required in the hearing at the same time. Non-attendance by either party will result in the hearing continuing in their absence, based only on the
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documentation submitted as per 2.4.11.

2.4.12 A member of the compliance team will be assigned to act as the clerk to the panel.

2.4.13 The review panel will consist of at least two senior members who are independent to the complaint and have not been involved in the earlier stages.

2.4.14 The documentation submitted to the review panel will consist of:

- the request for a stage three review from the complainant;
- a report from the stage two investigator on the process and findings of their investigation;
- the documentation considered during the stage two investigation;
- evidence supporting the criteria (from 2.4.1) under which the review is being held.

2.4.13 If the review panel has been convened on the basis that evidence exists that could not reasonably have been made available during the formal investigation, then relevant witness statements may also be submitted with the documentation to the review panel.

2.4.16 Complainants and staff members required to attend the hearing of the review panel can be accompanied by another individual as specified in 2.3.4.

2.4.17 It is the responsibility of the complainant and investigator to ensure that any witnesses whom they wish to call to support their view of the complaint are available for the meeting of the appeals board and briefed on the arrangements.

2.4.18 All documentation must be submitted by the complainant and investigator to the clerk to the panel no less than ten working days before the meeting of the review panel.

2.4.19 Papers will be circulated to review panel members, the complainant and the investigator at least five working days before the meeting date.

Outcome of the review panel hearing

2.4.20 Following the hearing the review panel will make its decision. The GC manager will send the complainant a letter outlining the review panel's decision.

2.4.21 The decision of the review panel will bring Frontline's consideration of the complaint to a close.

2.5 Independent external review

2.5.1 If the registered participant remains dissatisfied once Frontline's complaints procedure has been completed and the complainant is a current or recent participant, they are entitled to ask the Office of the Independent Adjudicator (www.oiahe.org.uk/) to review the outcome. The application must be made within twelve months of the issue of a completion of procedures letter.

2.5.2 If the complaint made by a registered participant is a university-relevant complaint then they have the right of review by Lancaster University following the completion of Frontline's complaints procedures. Any appeal to the Office of the Independent Adjudicator can only be made once Lancaster University's procedures have also been completed.



Section 3: Relevant references

3.1 Laws and regulations

3.1.1 The following laws and regulations are applicable to this policy:

- Consumer Rights Act
- Equality Act
- Rules of the OIA scheme
- OIA The good practice framework

3.2 Frontline policies and documents

3.2.1 This policy should be read in conjunction with the following Frontline policies:

- Academic discipline policy and procedure
- Data protection policy
- Disciplinary and grievances policies (staff only)
- Mitigating circumstances policy
- Suitability for professional practice and practice review policy and procedure
- Whistleblowing policy

And with the following Lancaster University policies:

- [Lancaster University academic appeals policy](#)
 - [Lancaster University complaints procedures](#)
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