

DELEGATE COMPLAINTS PROCEDURE



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Introduction

Real Group is committed to providing a high quality experience for each delegate and encourages delegates to inform us where there is any cause for concern. Our Complaints Procedure exists to enable delegates to make complaints about such matters.

The guiding principles within this procedure are that complaints will be:

- treated seriously and with fairness
- dealt with without undue delay, and in as straightforward a manner as possible
- treated consistently across all programmes and departments
- dealt with and resolved, wherever possible in an informal way
- progressed through stages leading, if necessary, to a formal stage

Definition and Scope

A complaint is defined as an expression of dissatisfaction about matters that affect the quality of the delegate's learning experience, or about a standard of service provided by or on behalf of Real Group.

This process covers all delegates registered on Real Group's training programmes. Former delegates may raise issues of complaint within the timescales stated in below.

Each complaint will be considered on its own merits, subject to all legal and professional requirements.

A delegate will not be treated less favourably by Real Group or suffer any detriment or disadvantage if s/he makes a complaint in good faith, regardless of whether the complaint is successful. We recognise that delegates are often concerned about making complaints however the Real Group leadership team welcome complaints so that we can resolve matters and where appropriate to change and improve what we do.

These internal procedures will be operated in accordance with Real Group's Equal Opportunities Policy. Complaints will be handled with an appropriate level of confidentiality. There is an expectation that delegates and staff members will treat both the complaints processes and each other with respect.

Timeframe for making a complaint

A current or recent delegate, or a group of delegates wishing to complain should normally do so within 2 calendar months of the event which has given rise to the complaint or, if a series of events has given rise to a complaint, within 2 calendar months of the final event in the series.

Delegation of responsibility

Stage 1 (Early Resolution) delegate complaints are dealt with by the appropriate departments as applicable.

Stage 2 (Formal Stage) delegate complaints are dealt with by the appropriate heads of department or directors.

Complaints Procedure Stages

Stage 1: Early Resolution

Initially, a delegate should seek to deal with his/her complaint at the level at which the event leading to the complaint occurred.

A delegate should, if at all possible, address his/her complaint to the team member most directly involved in the event leading to the complaint, in order to give that person the opportunity to address his/her concerns.

If for any reason the delegate does not feel that this is possible, s/he should seek advice from the operations team who can be contacted on 01273 35 80 80 / admin@realgroup.co.uk.

The team will work with the appropriate team members/heads of department to either resolve the issue at the time (1a) or investigate the issue further if necessary (1b). Every effort will be made by Real Group to enable the clear articulation of the issue and to resolve the complaint simply and quickly.

1a) If the complaint is one that can be resolved at the time, or if steps can be agreed to start the resolution of the complaint, the process will often end then, or as soon as the agreed steps have been taken.

1b) If the complaint cannot be resolved quickly or requires further investigation, further steps will be necessary.

Stage 1b complaints will be dealt with in a timely fashion. Those involved in investigating the complaint will establish appropriate timescales based on its nature and complexity. Real Group will communicate these timescales to the delegate and keep them informed of any changes. Where possible, the investigation should be completed within 28 working days.

At the end of Stage 1b, a delegate will be provided with a written response, setting out the outcome to his/her complaint, copied to the Siobhan Mellor, Director which will either:

- Detail the proposed resolution; OR
- If no resolution has been proposed, explain why resolution has not been considered to be possible.

When it is clear early resolution is not appropriate or possible, and that a concern will need to proceed immediately to the formal stage, the delegate will be directed promptly to the Formal Complaint processes.

Stage 2: Formal Complaint

The formal complaints process is triggered when:

- the delegate declines to engage with early resolution and initiates the formal process in line with Real Group's procedures
- early resolution was attempted, but the delegate remains dissatisfied and initiates the formal process in line with Real Group's procedures
- the issues raised are complex and will require detailed investigation, for example where a complaint relates to the conduct of staff members or covers a number of different incidents.

The delegate will be directed to the form "[Report a formal complaint](#)" in order to provide full details of the complaint and to submit any relevant documentation. The delegate is requested to complete the form within one week. Real Group cannot progress the complaint without the "Report a formal complaint" form being submitted. If a delegate requires support to complete the form they can request this and support will be provided.

On receipt of the formal complaint form, Real Group will undertake an initial evaluation to check that the complaint is submitted under the right procedures, within any deadline, and in the required format.

If the complaint is accepted for consideration Real Group will allocate it to a senior member of staff, who will ideally have had no previous involvement in the matter. Every effort will be made to find a staff member who is sufficiently removed from any earlier process. It may be appropriate to ask a manager from another department to investigate.

The appointed member of staff will offer an appointment to speak with the delegate who has raised the complaint, within 10 working days of the form being submitted. This would normally be done via phone, due to the restrictions of distance learning, however a video conference or face-to-face meeting may be possible. The conversation will be to establish clarity regarding exactly what is being investigated.

The member of staff investigating the complaint may talk to key staff or other delegates and consider documents and other evidence. The staff member will produce a report, after a maximum of a further 10 working days, based on his or her investigations which outlines the process followed, the information gathered, the conclusions drawn and any recommendations.

The delegate or their representative should receive copies of the information considered and a copy of the investigation report.

Exceptional panel hearing

In exceptional circumstances it may be agreed by Real Group and the delegate to hold a panel meeting to investigate the complaint and provide an opportunity for mediation and resolution. A panel meeting would be expected to be held within a further 15 days.

If a panel is to be convened, Real Group will contact the delegate let them know:

- the circumstances in which a hearing or meeting will be held or a panel convened
- the process to be followed
- whether and in what circumstances the delegate may attend a panel hearing or meeting
 - whether they can be accompanied and/or be represented
 - whether the delegate is permitted to attend the meeting or panel by alternative means (for example by video link)
- whether the panel is permitted to conduct its discussions electronically.

Real Group will take all necessary steps to ensure that the proceedings are conducted in a timely manner with adequate notice given to the delegate.

If the delegate is able to join via video link, Real Group will discuss with the delegate, the best software to use for the individual and organise a solution that meets their needs.

Real Group will provide the delegate in advance with information about the composition of the panel and others who may attend to give evidence and a copy of the information to be considered.

Real Group will carefully consider the constitution of the panel to ensure that those charged with reaching a decision or providing mediation have had no previous involvement in the matter, and are properly trained, resourced and supported.

The provider writes to the delegate, inviting them to a panel meeting making it clear whether the focus is to make a decision or provide mediation. The letter is sent three weeks before the proposed meeting and sets out:

- the date of the meeting and an explanation of what the delegate needs to do if he or she cannot attend on that date, or does not wish to do so
- the names of the panel members and their job titles
- the names of anyone else attending the meeting and what their role will be
- that he or she may be represented, or may bring a friend to support them
- an outline of how the meeting will proceed
- copies of relevant documents.

Closing the complaint at the formal stage

Once Real Group has written to the delegate to set out the outcome of the formal stage, including any decision to reject the complaint at initial evaluation, giving a clear explanation of and outlining

the reasons for each decision in straightforward language, this will help the delegate decide whether or not to pursue the matter further.

The decision will also give information about:

- the delegate's right to take the complaint to the review stage
- the grounds on which he or she can do so
- the time limit for escalating to the review stage
- the appropriate procedure
- where and how to access support. If the complaint has been rejected, for example because it has been submitted late, Real Group will issue a Completion of Procedures letter.

If the delegate does not take the complaint to the review stage within the time limit for doing so, Real Group will close the matter and notify the delegate in writing by writing a Completion of Procedures letter. The letter will explain that the delegate has not completed the internal processes. Where a complaint is upheld, Real Group will explain how and when it will implement any remedy, whether that includes an apology, and what the delegate can do if he or she remains dissatisfied.

Real Group will keep records of formal complaints and their outcomes.

Review of formal complaint

If a delegate is dissatisfied with the outcome of the formal stage, he or she can request a review. A request for a review must be made on one of the following grounds:

- the procedures were incorrectly followed at the formal stage
- the outcome was clearly unreasonable
- new material evidence which the delegate was unable, for valid reasons, to provide earlier in the process.

The review stage will not usually consider the issues afresh or involve a further investigation. A complaint must have been considered at the formal stage before it can be escalated to the review stage.

A delegate (or his or her representative) to submit a request for review in writing, by e-mail or letter with 20 working days of the date on the written communication about the outcome of the formal stage.

Receiving a request for review

Real Group will allocate the request for review to a designated member of staff not involved at any previous stage. It will be made clear from the start of the review stage exactly what is being reviewed, and Real Group will ensure that both the reviewer and the student understand the purpose and scope of the review.. If the delegate's expectations appear to exceed the scope of the review stage, the designated member of staff will explain this to the delegate as soon as possible in writing in order to manage expectations about possible outcomes.

The designated member of staff is able to overturn the outcome of the formal stage where it is clear that an incorrect decision has been made.

The designated member of staff will consider:

- Were the relevant procedures followed during the formal stage?
- Was the outcome reasonable in all the circumstances?
- Has the delegate received clear reasons why the complaint was rejected at the formal stage?
- If new material evidence has been provided, has the delegate given valid reasons for not supplying this earlier?

Closing the complaint at the review stage

If the complaint is not upheld the outcome of the review stage will be communicated to the delegate in writing by issuing a Completion of Procedures letter as soon as possible and within 28 days. This will include a clear explanation and outline the reasons for the decision. This will help the delegate decide whether or not to pursue the matter further.

The decision will also advise the delegate about:

- Their rights in relation to Middlesex University regulations and procedures if they are a student of Middlesex University
- where and how to access advice and support.

Where a complaint is upheld, Real Group will explain how and when it will implement any remedy, and whether that includes an apology. A Completion of Procedures letter will be sent if requested by the delegate.

Delegates on the validated provision

Once the Real Group procedures have been exhausted, delegates who are also students on the validated programme with Middlesex University have rights and responsibilities in relation to Middlesex University's regulations and processes. Middlesex University's complaints and grievance procedures are on their website and accessible at the following link

https://www.mdx.ac.uk/_data/assets/pdf_file/0021/424182/delegate-Complaints-and-Grievance-Procedures.pdf, accessed May 2018.

The Office of the Independent Adjudicator

Once all the stages are completed and only for Middlesex University students, the delegate is entitled to ask the Office of the Independent Adjudicator (OIA), the independent ombudsman service, to review his or her complaint about the outcome of the provider's complaints process. The complaint should be submitted to the OIA within 12 months of the date of the Completion of Procedures letter.

Information and eligibility rules are available at: www.oiahe.org.uk/

Related Policies

Equal Opportunities Policy

Implementation, monitoring and review of this policy

This policy will be implemented June 2018 and will be reviewed in May 2020.

Siobhan Mellor, Director, will be responsible for monitoring the effectiveness of this process and will report annually to Real Group's Board.