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# COMPLAINTS POLICY



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# 1. SCOPE

1.1. It is the responsibility of all staff who carry out work for Smart Awards to ensure all our customer expectations are met and if possible surpassed. Our customers are the most important people in our business. All persons representing Smart Awards will endeavour to portray a professional image and attitude to ensure Smart Awards standing is maintained at the highest possible level. This policy maps to Ofqual general conditions and SQA Accreditation principles.

# 2. OFQUAL GENERAL CONDITIONS

2.1.C2.3: That agreement must in particular include provisions which – (i) require the Centre to operate a complaints handling procedure or appeals process for the benefit of Learners.

2.2.D3.2: An awarding organisation must – (a) have due regard to all information, comments and complaints received from Users of qualifications in relation to the development, delivery, and award of qualifications.

# 3. SQA ACCREDITATION PRINCIPLES

3.1. Principle 16. The awarding body and its providers must have open and transparent systems, policies and procedures to manage complaints.

3.2. Principle 18. The awarding body and its providers must ensure that it has safeguards to prevent and manage cases of malpractice and maladministration.

# 4. RESPONSIBILITIES

4.1. This policy is for qualifications offered by Smart Awards. This policy is for Centres and learners accessing Smart Awards qualifications and related services and all those involved with the development, delivery, and quality assurance of Smart Awards qualifications. Smart Awards has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it. Smart Awards has the day-to-day responsibility for implementing this policy and for monitoring its use and effectiveness and dealing with any queries on its interpretation.

# 5. POLICY PRINCIPLES

5.1. Smart Awards is committed to providing a high-quality service to all our customers and views complaints as an opportunity to learn and improve our services to customers as well as an opportunity to put things right for the person or organisation that has made the complaint.

5.2.A complaint is an expression of dissatisfaction about an act, omission, decision, or a service provided by Smart Awards, their approved Centres, the Approved centres staff and associates involved with delivery or assurance of Smart Awards products.

5.3. Our policy principles are to:

- Provide a fair complaints procedure which is clear and easy to use.
- Publicise our complaints procedure so that people know how to contact us.  
Make sure everyone at Smart Awards knows what to do if a complaint is received.
- Make sure all complaints are investigated fairly and in a timely way.
- Ensure complaints are, wherever possible, resolved and that relationships are repaired.
- Gather information which helps us to improve what we do.

- All complaint information will be handled confidently.

## 6. HANDLING COMPLAINTS

6.1. Smart Awards aim is to ensure complaints are handled sensitively and speedily to enable us to:

- Demonstrate our commitment to Centres and other stakeholders.
- Demonstrate our commitment to providing the best possible service.
- Help to find out about things that have gone wrong so we can fix them.
- Help to prevent things going wrong again in future.
- To show tractability of all complaints received
- To satisfy contractual needs

6.2.A complaint is defined as an expression of dissatisfaction with a product or service delivered by Smart Awards whether justified or not.

## 7. COMPLAINTS PROCEDURE

7.1. Smart Awards will not normally investigate complaints which are received more than six months after the incident or occurrence took place.

7.2. Complaints can arrive through many different channels and may be received verbally, by phone, by email or in writing. However, our preferred method is via Smart Awards Management System (SAMS).

7.3. Complaints received by telephone or in person: The person who receives a phone or in person complaint should:

- Write down the facts of the complaint.
- Take the complainant's name, address, and telephone number.
- Note down the relationship of the complainant to Smart Awards
- Tell the complainant that we have a complaint procedure.
- Tell the complainant what will happen next and how long it will take.
- Ask the complainant to send a written account by post or by email.

7.4. Practical guidance for handling verbal complaints.

- Remain calm and respectful throughout the conversation.
- Listen - allow the person to talk about the complaint in their own words.
- Do not debate the facts in the first instance, especially if the person is angry.
- Show an interest in what is being said.
- Obtain details about the complaint before any personal details.
- Ask for clarification wherever necessary.
- Show that you have understood the complaint by reflecting back what you have noted.
- Acknowledge the person's feelings (even if you feel that they are being unreasonable)
- If you feel that an apology is deserved, then apologise.
- Ask the person what they would like done to resolve the issue.
- Be clear about what you can do, how long it will take and what it will involve.
- Do not promise things you cannot deliver.
- Make sure that the person understands what they have been told.

7.5. Complaints by letter or e-mail: Written complaints may be sent to Smart Awards.

7.6. Complaints via SAMS:

- Create a complaint from via the SAMS system.

## 8. RESOLVING COMPLAINTS

8.1. In many cases, a complaint that is informal is best resolved by the person responsible for the issue being complained about. If the complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate. All complaints are required to be logged by Smart Awards whether informal or formal.

8.2. If a complaint cannot be resolved immediately and requires to be formally addressed by Smart Awards the complaint process applies.

## 9. COMPLAINT PROCESS

9.1. Complaint process

- the complaint information will be passed to Smart Awards within 3 days of a Centre receiving the complaint.
- the information will be added to the complaints log on SAMS and risk log.
- a letter acknowledging receipt of the complaint will be sent within one week of receiving it, enclosing a copy of this policy, a contact name and date of expected reply.
- the complaint will then be investigated.
- the complaint and risk will be reviewed by the Board.
- any adverse effects will be reported to the regulators.
- we will write within 28 days of receiving a complaint, confirming our final position - Whether the complaint is justified or not, the reply to the complainant will describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

9.2. If the complainant feels that the problem has not been satisfactorily resolved at this stage, they can appeal by following Smart Awards appeals process.

9.3. Complaints can be escalated to the relevant regulatory body (SQA Accreditation in Scotland, Ofqual in England and Northern Ireland or Qualifications Wales in Wales) – Event notification may be necessary. Users of public bodies in Scotland have the right to complain to the Scottish Public Service Ombudsman as the final arbiter. Users must exhaust the public body's own complaints procedure before the SPSO will consider their complaint, and it must usually have been raised within the previous 12 months.

9.4. For some complaints, there will be no requirement to escalate the complaint, for example if the complaint concerns the behaviour of a Centre staff member (in this case, once the complainant has exhausted the Centre's complaints process, they will go direct to the SPSO if dissatisfied). Note that the SPSO will not consider complaints about academic decisions, such as the outcome of an assessment. These types of complaints should be treated as an appeal and should follow Smart Awards appeals policy.

9.5. The SPSOs Further Education Colleges Model Complaints Handling Procedure can be found:

<http://www.valuingcomplaints.org.uk/wp-content/media/The-Further-Education-Model-Complaints-Handling-Procedure.pdf>

## 10. MANAGEMENT REVIEWS

10.1. Smart Awards Board will review complaints at the quarterly board meetings to ensure necessary action plans are put in place to solution any major issues that may be identified.

10.2. The Managing Director (MD) Smart Awards holds the responsibility to:

- Review all complaints.
- Ensure necessary action plans are put in place to solution any major issues that may be identified.
- Report against KPIs
- Ensure that Smart Awards is proactive in relation to all Centre issues.
- Ensure that all complaints are dealt with efficiently and effectively.
- Ensure that all responses are complete and within time.
- Ensure that all weekly reports are dispatched to relevant managers.
- Monitor very critically the escalation process, to enable Smart Awards to meet their customer KPIs.

## 11. VALIDITY

11.1. Validity and the principles of equity, fairness and practicability will be reviewed with any reported complaint. This will include checking that the qualification is still valid and appropriate for its purpose. That it still effectively tests the knowledge, skills and behaviour as prescribed within the assessment strategy. Enable results to be trusted as a measure of what a learner knows and can do. Has a purpose and content that meets the needs of the learner and is graded in line with clear and defensible prescriptions contained in the assessment plan.

## 12. MONITORING

12.1. Complaints are reviewed quarterly to identify any trends which may indicate a need to take further action. All records of complaints will be held for 7 years.

## 13. REVIEW OF THIS POLICY

13.1. This policy is reviewed and revised annually in response to feedback, changes in legislation and guidance from the regulators, SQA Accreditation or Ofqual.

# COMPLAINTS PROCESS

Process Step Description	Process	Person Responsibility	Organisation Responsibility
Complaint raised within 6 months of issue	Process	Complainant	Complainant
Complaint raised within 3 days of the event	Process	Centre Manager	Centre
Complaint added to the complaints log on SAMS and risk log	Process	MD	Smart Awards
A letter acknowledging receipt of the complaint will be sent within one week	Process	MD	Smart Awards
The complaint will then be investigated	Process	MD/CEO/Standards and Compliance Officer	Smart Awards
Board review complaint and risk	Process	Board	Smart Awards
Mitigate risk	Decision	Board - holds responsibility and experience to make decisions and measured risks	Smart Awards
Action and confirm outcome	Decision	Board - holds responsibility and experience to make decisions and apply suitable actions.	Smart Awards
Report to regulators if adverse effect	Process	MD	Smart Awards
Confirming final position in writing within 28 days	Process	MD	Smart Awards
Lessons learned	Process	MD	Smart Awards
Keep under review on risk register	Process	Board	Smart Awards
Stop	End	MD	Smart Awards

# COMPLAINTS FLOWCHART

