

## Concerns and Complaints Procedure

### Defining Concerns and Complaints

In its role as a UKAS Accredited 'Certification Body' ACT has a responsibility to provide the opportunity for people to raise concerns or complaints, and for ACT to have a clear procedure for dealing with them.

It is useful to distinguish between concerns and complaints, and to provide the definitions that ACT are working to:

- A **concern** can be defined as "when someone is unhappy or worried in some way about something a third party has responsibility for". In this instance this would be something relevant to the way ACT conducts business, or the way a certified/certifying training service conducts or represents itself.

Concerns are typically shared informally. Importantly they are not raised with any stated or requested expectation of a formal response.

- A **complaint** is defined as "a formal expression of dissatisfaction or discontent, that requires resolution'. Once again, this would be something relevant to the way ACT conducts business, or the way a certified/certifying training service conducts or represents itself.

Complaints must be received in some written form and include a stated expectation that it will be investigated and the outcomes of that investigation, including any recommendation or remedial actions, will be communicated to the complainant.

The broad types of concerns and complaints processed by ACT are as follows:

A <b>concern</b> is raised in relation to the business operations and/or service provided by ACT	A <b>concern</b> is raised in relation to the business operations and/or service provided by a certified [or certifying organisation] or an Affiliate Organisation thereof
A <b>complaint</b> is made in relation to the business operations and/or service provided by ACT	A <b>complaint</b> is made in relation to the business operations and/or service provided by a certified [or certifying organisation] or an Affiliate Organisation thereof

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## Managing Concerns and Complaints

Individuals contacting ACT may do so with the clear intention of it being:

- An informal concern, or
- A formal complaint.

In other instances, a decision may not have been made as to the form it will take at point of contact. The process then for responding to people who contact ACT with issues they wish to raise will be managed as follows.

### Managing Concerns

- The individual [or organisation] is asked to fully explain the concern they have.
- They will be asked whether they can provide evidence<sup>1</sup> to substantiate the matter that has been raised.
- Where concerns can be readily resolved, by providing an explanation or readily accessible information this will be done.
- The ACT Certification Director may appoint a member of the team to investigate and report back. This may result in remedial actions.

### Managing Complaints

- Where any matter raised cannot be quickly remedied, and dealt with as a concern, the person will be asked whether they wish the matter to be dealt with as a formal complaint.
- In the event the decision is made by the individual to escalate it to a complaint, they will be asked to write directly to the Certification Director. This communication should contain:
  - The complainants name and contact details
  - A detailed description of the complaint
  - Any evidence supporting the complaint
  - A request for the matter to be formally investigated
- The Certification Director will then determine a course of action. The complaint will be recorded in the 'Complaint Log', and a named individual will be tasked with undertaking an investigation within a defined timeframe.

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### Acceptable Evidence

There is an expectation that the evidence provided in support of any concern or complaint will be gathered from the public domain, such as statements made on websites. Evidence may also include booking documentation that has been provided to an attendee or training commissioner.

ACT will not accept evidence that amounts to a breach of GDPR, for example private and confidential correspondence.

ACT will not accept covert audio or video evidence when investigating complaints about certification integrity, including misrepresentation.

Concerns about the safety of techniques used in a practice setting are best advanced through local safeguarding or whistleblowing policies.

All acceptable data will be processed in line with the current GDPR policy.

### The Report

Both complainant and subject of the complaint receiving a copy of the investigation report. It should be noted that discretion may be exercised by the Certification Director in respect as to whether to keep the complainant anonymous. This will be considered on a case-by-case basis.

In the event the report includes suggested remedial actions the Certification Director will take steps to make changes [which will be entered into updated versions of the 'Quality Manual', 'Customer Handbook' and/or 'Assessor Handbook' and any ancillary policies.

The status of the complaint will be updated in the 'Complaint Log'.

In the event the complainant is unhappy with the outcome, they may appeal. See the ACT procedure covering the 'Right of Appeal'.

### CONCERNS OR COMPLAINTS CAN BE MADE VIA THE FOLLOWING CHANNELS:

POST	EMAIL	PHONE
Association of Certified Training Brick Yard 28 - 30 Charles Square London N1 6HT	enquiries@bildact.org.uk	0121 415 6960

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## Concerns Raised About ACT

Any concerns raised about any aspect of ACT's Day-to day business operations will be informally, internally investigated upon receipt of credible evidence.

The Certification Director will review the concern and appoint a member of the ACT team to investigate where credible evidence exists.

The conclusions of any investigation will be shared with the ACT team, and consideration given to any learning arising and any possible changes to systems, processes and practices required.

There is a clear commitment to resolve any concerns at the earliest opportunity without the need to make a formal complaint. Where ACT is unsuccessful in achieving this, any affected party has the right to make a formal complaint.

## Complaints Made About ACT

Where the Bild ACT team have failed to deliver the expected standard of service delivery, those affected have the right to raise a formal complaint.

When a complaint is made in relation to the certification scheme, personnel employed or commissioned by ACT, or members of the independent panel, the ACT Certification Director [or their nominated representative] – will acknowledge receipt of the concern or complaint within **7 days** of receipt of the complaint, along with a commitment to investigate and report back to the complainant within **12 weeks** of the date of the complaint. In the event that a complaint is more complex this deadline may be extended, but the complainant will be notified.

The complaint will be added to the ACT 'Complaint Log' with details of the nature of the complaint.

The Certification Director will then appoint an appropriate investigating officer who will gather and verify all the appropriate information needed to investigate the complaint.

The investigating officer will be appointed on the basis of having no conflict of interest or direct managerial responsibility for the subject of the complaint, or the part of the certification process about which the complaint is being made.

In the event no such person exists the Certification Director may reach out to the wider Bild charity for such a person.

The investigating officer will complete and return a report to the Certification Director within the stated timeframe.

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The Certification Director will then review and notify the complainant of the outcome of the investigation within **7 working days** of its completion

If the complaint owner is not satisfied with the outcome of the complaint and wishes to appeal the decision, it will be escalated via the appeals process.

### **Concerns Raised About Certified [or certifying] Training Services**

Any concerns raised about any aspect of a certified [or certifying] training operations will be informally, internally investigated upon receipt of credible evidence.

The Certification Director will review the concern and appoint a member of the ACT team to investigate where credible evidence exists.

The conclusions of any investigation will be shared with the ACT team, and consideration given to any learning arising and any possible changes to systems, processes and practices required. Where relevant findings will be shared with stakeholders such as the RRN and UKAS

There is a clear commitment to resolve any concerns at the earliest opportunity without the need to make a formal complaint. Where ACT is unsuccessful in achieving this, any affected party has the right to make a formal complaint.

### **Complaints Made About Certified [or Certifying] Training Services**

#### Complaints about quality of service

Any complaints about the day-to-day business operations or provision of certified training by certified [or certifying] training services should first be referred to the relevant training provider. If the response is unsatisfactory, then it may be raised with ACT.

Organisations seeking certification, or operating as Certified Training Services, are required to ensure that they have provided clear guidance related to 'how to complain' for any commissioning organisation, individual, family carer, or advocate.

Any response or documented resolution agreed with the complainant by the training provider should be notified to ACT as per certification contract stipulation.

The outcome of such a complaint will be added to the ACT 'Complaint Log' with details of the nature of the complaint.

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### Complaints amounting to a certification breach

Complaints made in relation to certified [or certificating] training services, where there are grounds [including evidence] to believe that a breach of the RRN Training Standards, or the certification contract has occurred will be formally investigated.

The Certification Director will review the complaint and appoint a member of the ACT team to investigate, who will gather and verify all the appropriate information needed to investigate the complaint.

The investigating officer will be appointed on the basis of having no conflict of interest or direct managerial responsibility for the subject of the complaint, or the part of the certification process about which the complaint is being made.

In the event no such person exists the Certification Director may reach out to the wider Bild charity for such a person.

Dependent on the nature of the complaint, the Certification Director reserves the right to refer the complaint to the appropriate authority / organisation, e.g., police, LEA, social services, Care Quality Commission, Ofsted, or the certification panel.

The investigating officer will be required to investigate and report back to the Certification Director within **12 weeks** of the date of the complaint.

The investigating officer will complete and return a report to the Certification Director within the stated timeframe.

The Certification Director will then review and notify the complainant of the outcome of the investigation within **7 working days** of its completion.

A copy of the report will also be sent to the certified/certificating training service.

If it is concluded that the complaint is upheld [and/or there has been a breach of the RRN Training Standards or Certification scheme, the provider of training will have **14 working days** to evidence effective resolution related to the breach.

*Please note that this process is at the discretion of the Certification Director who will assess the severity of the breach. The Certification Director has the authority to instigate an immediate suspension pending investigation if the breach is likely to pose an immediate risk.*