



# South West Construction Academy Ltd

## Procedure for dealing with Complaints

### Key principles

- 1 South West Construction Academy Limited hereinafter referred to as SWCA should be receptive to genuine expressions of dissatisfaction
- 2 Complaints should be dealt with promptly, fairly and proportionately
- 3 SWCA should seek to learn from complaints that are upheld and make changes where necessary
- 4 Action taken as a result of complaints should help to improve SWCA delivery of learning and administration
- 5 In dealing with complaints SWCA will take account of its duty to promote equality and diversity and its obligation to adhere to the policies/procedures of the relevant awarding bodies

### Complaints procedure

#### When we investigate:

We will usually investigate complaints about the SWCA administration, invigilation and the delivery of training

We must investigate all allegations of irregularity/ unlawful or unethical conduct/equality and diversity issues and health and safety risks to staff/learners or the public

#### Complaints may include allegations of:

- a) Unsatisfactory, incompetent, arbitrary or unfair treatment
- b) The quality or management of learning provision
- c) Undue delay or non-compliance with published procedures/policies
- d) Poor administration
- e) Non-compliance with relation to requirements of data protection
- f) Health and Safety concerns (unless these are matters for the HSE)

#### When we will not investigate:

#### Complaints about:

- a) Exam results or course content where a more appropriate form of redress would be the examining and/or awarding body (see page 3)
- b) Individual learners eligibility for Security Industry Authority Licence
- c) Individual employment issues which are a matter for employer/employee
- d) Contractual disputes



e) Matters that are the subject of legal action or where legal proceedings are the most appropriate way of resolving the dispute

Except in relation to complaints about irregularity, SWCA will not usually investigate complaints more than 3 months after a decision or action was taken

SWCA reserve the right not to investigate complaints considered to be vexatious or malicious

Who will investigate:

SWCA will appoint a named individual, the Complaints Administrator, who will take responsibility for acknowledging the complaint and responding once the complaint has been investigated

Complaints should be made in writing to:

Complaints Administrator

South West Construction Academy Ltd

Unit 7 Whitby Road, St Philips Bristol BS4 3QF

The complaints administrator may:

- a) Conduct the investigation into the complaint themselves
- b) Ask a suitable member of the management team to conduct the investigation
- c) Appoint external investigators to assist where necessary
- d) Consider how to support the complainant if they require assistance putting the complaint in writing [i.e. alternative ways of receiving the information]

What we will do:

On receipt of a complaint the complaint administrator will:

- a) Check that the matter is one which SWCA can investigate
- b) Check if the decision or action complained about occurred more than 3 months ago  
(establishing if the complainant had good reason for any delay)
- c) Determine who is suitable to carry out an investigation

Within 5 working days of receiving a complaint in writing, by email or fax the Complaint Administrator should:

- a) Acknowledge receipt and send a copy of this procedure to the complainant
- b) Tell the complainant whether the complaint is one which SWCA can investigate
- c) Give a target date for determining the complaint
- d) Prepare a summary of the complaint which should be sent to the complainant for approval
- e) Ask the complainant to provide any response to the summary within a further 5 working days



The Complaints Administrator should consider any response from the complainant and amend the summary, if appropriate. The agreed summary can then be forwarded to the person appointed to undertake the investigation

The Complaints Administrator should consider whether the complaint can be resolved by mediation and with all parties agreement arrange a mediation meeting

The Complaints Administrator or investigator should then request any information/documentation required to complete the investigation [including permission for any document to be shown to the complainant if necessary]

If required the investigator can request a meeting with any of the parties involved

All investigations should normally be completed within 20 working days of agreeing a summary with the complainant [if this is not possible the complainant should be given an explanation and revised timetable for a response

Once the investigation is complete:

The Complaints Administrator should forward any conclusions and/or proposed actions to be taken to all interested parties ensuring that the complainant receives this within 5 working days of a final conclusion

Should the complainant remain dis-satisfied they have a right to appeal the decision/conclusion

The appeal should be made within 5 working days of the complainant receiving the conclusion

Any appeal should be made in writing to:

The Board of Directors

South West Construction Academy Ltd, Unit 7 Whitby Road, St Philips, Bristol. BS4 3QF

The Managing Director or a suitable nominated representative should within 5 working days of receiving the written appeal review all documentation relating to the investigation

The Managing Director or a suitable nominated representative should within 10 working days of receiving the written appeal arrange an invitation to a meeting, if deemed necessary, to hear the appeal

The outcome of the review or appeal meeting should be forwarded to all parties within 5 working days of the review or meeting, taking place

Failure to reach a resolution

Where SWCA internal procedures have failed to resolve a matter the complainant can refer their complaint to the relevant Awarding body, as final arbiter, (subject to the Awarding body's policy and procedure for complaints)

Awarding Body contact details:

EAL, Customer Services Dept, at 14 Upton Road, Watford WD18 0JT

BPEC, Customer Services Dept, 1-2 Mallard Way, Pride Park, Derby, DE24 8GX