



Complaints Policy

Date	Review Date	Designated Lead	Deputy Designated Lead
19/6/19	19/12/19	Jojo Rassekh	Corinne Smith

Introduction

Liberty Training believes that if a learner or other person wishes to make a complaint or register a concern they should find it easy to do so. It is our policy to welcome complaints and look upon them as an opportunity to learn, adapt, improve and provide better services. This policy is intended to ensure that complaints are dealt with properly and that all complaints or comments by learners, their relatives and carers, members of the community, other professionals or external organisations are taken seriously.

The policy is not designed to apportion blame, to consider the possibility of negligence or to provide compensation. It is not part of Liberty Training's disciplinary policy.

Liberty Training believes that failure to listen to or acknowledge complaints will lead to an aggravation of problems, learner dissatisfaction and possible litigation. Liberty Training supports the concept that most complaints, if dealt with early, openly and honestly, can be resolved at a local level. If this fails due to either Liberty or the complainant being dissatisfied with the result, the complaint will be referred to the Director of Operations and legal advice will be taken if necessary.

Where a complaint involves a safeguarding issue, the Safeguarding Policy should be followed.

Aim

The aim of Liberty Training is to ensure that its complaints procedure is properly and effectively implemented, and that learners and other complainants feel confident that their complaints and worries are listened to and acted upon promptly and fairly. Liberty Training will ensure the Complaints Policy is made available to all staff and learners, and to other persons if requested.

Goals

The goal of Liberty Training is to ensure that:

- Learners, carers, and their representatives are aware of how to complain, and that each department provides easy to use opportunities for them to register their complaints
- A named person will be responsible for the administration of the procedure
- Every written complaint is acknowledged within two working days
- Investigations into written complaints are held within 28 days
- Complaints are dealt with promptly, fairly and sensitively with due regard to the upset and worry that they can cause to both staff and learners.

Liberty believes that, wherever possible, complaints are best dealt with on a local level between the complainant and Liberty. If either of the parties is not satisfied by a local process the case should be referred to the Director of Operations.

Learner Complaints

If this policy is to be effective, learners will need confidence that it is acceptable to raise matters which concern them, that they will be listened to, and that they will be treated fairly. The knowledge that they have been listened to and dealt with fairly on previous occasions will give them the confidence to broach more serious issues.

Liberty staff will need to understand this aspect of their role; this will mean being a good listener on a day-to-day basis and having the confidence to receive criticism and complaints, without feeling threatened or misunderstood.

Learners with learning/communication difficulties will be provided with appropriate communication aids and afforded the same opportunity as their peers to services such as advocacy, etc.

Liberty hopes that its reacting positively to complaints will:

1. Help learners to make complaints and criticism in a positive way
2. Make it possible to deal with the majority of issues raised on a day to day basis
3. Make learners aware that they have rights
4. Reduce the number of complaints that need to be dealt with formally

Encouraging an Open Culture

The culture of the organisation should be such that learners are able to express their complaints through a properly organised procedure, and should be one in which comments and concerns are readily heard, and listened to carefully. Where learners are not heard or listened to, and where complaints are not considered seriously, then an atmosphere of suspicion will develop and unhelpful sub cultures will grow.

In encouraging a culture where complaints are acceptable Liberty staff will aim to avoid being defensive about their own and others practice. It is important to remember that experiences are individual to each learner, and what may be acceptable to one may give rise to a complaint from someone else. Staff should avoid making spontaneous judgements about the validity of a complaint. It is essential that everyone should welcome any views and comments, no matter how critical, and always be ready to consider change.

Complaints Procedure

Verbal Complaints

- All verbal complaints, no matter how seemingly unimportant, should be taken seriously. There is nothing to be gained by staff adopting a defensive or aggressive attitude.
- Staff who receive a verbal complaint should seek to solve the problem immediately if possible and within their remit to do so.
- If staff cannot solve the problem immediately they should refer the matter to the Manager to deal with the problem. If the complaint involves the Manager, the named Complaints Manager should be contacted and deal with the complaint.
- After talking the problem through, each Manager or the member of staff dealing with the complaint should suggest a course of action to resolve the complaint. If this course of action is acceptable to the complainant then the member of staff/Manager should clarify the agreement with the complainant and agree a way in which the results of the complaint will be communicated to the complainant (i.e. through another meeting or by letter).
- If the suggested plan of action is not acceptable to the complainant then the member of staff or Manager should ask the complainant to put their complaint in writing to Liberty and give them a copy of the complaints procedure.
- All contact with the complainant should be polite, courteous and sympathetic.
- At all times staff should remain calm and respectful.

- If the complaint is being made on behalf of the learner by an advocate it must first be verified that the person has permission to speak for the learner, especially if confidential information is involved. It is easy to assume that the advocate has the right or power to act for the learner when they may not. If in doubt it should be assumed that the learner's explicit permission is needed prior to discussing the complaint with the advocate.
- In all cases, details of the complaint should be recorded on a Complaints Form and should be passed on to the named Complaints Manager within 2 days. The Complaints Manager will also record details in the Complaints Summary sheet on the Directors share drive.

Written Complaints

- Learners have access to a Complaints Log in which they can write their complaint. Alternatively, they may wish to make a complaint in other written form e.g. letter, email.
- When a complaint is received in writing it should be passed on to the Manager who should record it on a Complaints Form and send an acknowledgment letter within two working days. If the complaint involves the Manager, the named Complaints Manager should be contacted and deal with the complaint.
- If necessary, further details should be obtained from the complainant. If the complaint is not made by the learner but on the learner's behalf, then consent of the learner, preferably in writing, must be obtained from the complainant.
- A copy of this procedure should be forwarded to the complainant with a letter explaining that an investigation will take place and will take no longer than 28 days.
- If the complaint raises potentially serious matters, advice should be sought from a legal advisor. If legal action is taken at this stage any investigation by Liberty under the complaints procedure should cease immediately.
- If the complainant is not prepared to have the investigation conducted by Liberty he or she should be advised to contact the relevant organisation to contact (e.g. training funding provider) and be given the contact details.
- Immediately on receipt of the complaint the company should launch an investigation and within 28 days should be in a position to provide a full explanation to the complainant, either in writing or by arranging a meeting with the individuals concerned.
- If the issues are too complex to complete the investigation within 28 days, the complainant should be informed of any delays.
- If a meeting is arranged the complainant should be advised that they may, if they wish, bring a friend or relative or a representative such as an advocate.
- At the meeting a detailed explanation of the results of the investigation should be given and also an apology if it is deemed appropriate (apologising for what has happened need not be an admission of liability).
- Such a meeting gives the company the opportunity to show the complainant that the matter has been taken seriously and has been thoroughly investigated.
- After the meeting, or if the complainant does not want a meeting, a written account of the investigation should be sent to the complainant. This should include details of how to approach relevant organisations if the complainant is not satisfied with the outcome.
- The outcomes of the investigation and the meeting should be recorded on appropriate documentation and any shortcomings in the company's procedures should be identified and acted upon.
- Complaints and their outcomes should be discussed at the next Directors meeting and Liberty Trainings complaints procedure should be reviewed every six months.

Training

All staff should be trained in dealing with, and responding to, complaints. Complaints policy training should be included in the induction training for all new staff and in-house training sessions on handling complaints should be conducted at least annually and all relevant staff should attend.