

Learner Complaints Procedure DSIS-LCP01

**CDS Defence & Security Internal Standard
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Learner Complaints Procedure

1 Introduction

CDS Defence & Security (CDS DS) is committed to providing high-quality education solutions to its Learners. Integral to this is monitoring and evaluating those services to maintain quality and to ensure specified standards are met.

CDS DS recognises that there may be occasions when normal feedback mechanisms are not sufficient to deal with problems. It is for this reason that a formal Complaints Procedure has been established.

For the purposes of this procedure a complaint is defined as, “an oral or written expression of dissatisfaction or concern a Learner may have about services provided by CDS DS, or about actions or lack of actions by CDS DS or its Associates or staff”.

For the purposes of this procedure a complaint does NOT include harassment and bullying or contesting an academic decision relating to a Learner’s performance against set assessment criteria. These issues are covered by separate procedures, but if in doubt contact CDS DS.

The purpose of this procedure is to outline both an informal and a more formal route through which Learners can bring a complaint to the attention of CDS DS.

The following procedure aims to:

- be accessible
- encourage informal conciliation and resolution nearest to the source of the complaint
- allow speedy handling, within established timeframes
- ensure full and fair consideration of complaints
- respect complainants’ confidentiality
- provide an effective and appropriate response
- support the right of the complainant to be accompanied at any stage of the procedure
- identify areas of weakness in order to support the development and improvement of CDS DS.

The Higher Education and Accreditation Lead has overall responsibility for the CDS DS Approved Centre Complaints Procedure, including reviewing, monitoring and reporting on its implementation. If any complaint relates to the Higher Education and Accreditation Lead, then it should be reported to the Head of Professional Development & Accreditation or an independent third party to consider the complaint.

2 Key Principles

Before making a formal complaint, a learner should seek to resolve the matter informally with the relevant person and both parties should try to take appropriate action to prevent unnecessary escalation of the complaint.

At all stages of both the informal and formal procedure, a Learner should expect their complaint to be acknowledged, handled in a quick, polite and straightforward way and investigated thoroughly and impartially.

A Learner should not be disadvantaged in any way by raising a complaint.

CDS DS will not investigate or act on anonymous complaints or those made on behalf of an anonymous third party or where the complainant does not give consent.

Similarly, if a Learner's complaint is found to be frivolous, vexatious or motivated by malice, CDS DS reserves the right to act against them.

Any person(s) that a Learner raises a complaint against will be informed of the complaint.

A Learner must put their complaint in writing and state their desired outcomes for any formal stage of the procedure to be instigated.

The timescales laid down in this procedure may be changed by agreement and, under certain circumstances, may need to be extended, in which case a complainant will be notified accordingly.

Privacy and confidentiality will be maintained, involving only the complainant, the other person(s) concerned and the investigating officer.

All persons involved should have access to any written materials at least five working days before any interview or hearing.

When making a formal complaint a Learner and the person(s) being complained about may be accompanied at any time by a friend, representative or colleague, but not by a solicitor or barrister acting in a professional capacity, if this is agreed by both parties. If the complainant is considering legal action, CDS DS will take suitable steps to ensure that its legal position is fully protected.

If the Learner is under the age of 18, subject to their agreement, CDS DS will notify their parent(s)/guardian(s) in writing and keep them informed of the progress of the complaint. CDS DS will allow them to act on the Learner's behalf, provided the Learner agrees to this in writing.

If Learners choose to complain as a group, one person should be prepared to act as a spokesperson and correspondent for the formal procedure, and all Learners should be able to demonstrate that they have been personally affected by the matter. Learners must all agree in writing to the spokesperson acting on their behalf.

Decisions and outcomes will be communicated to the person(s) complained about at the same time as the complainant.

Throughout the process due regard will be given to the Data Protection Act (2018).

3 Informal Handling of Complaints

The proposed first step regarding any complaint is to try to resolve it informally with the person(s) concerned at the point at which the problem arose. If the complaint is about treatment by a specific individual, then a Learner should try to approach this person in the first instance. Alternatively, they may wish to talk informally with someone else or approach the Professional Development Operations Manager or the Higher Education and Accreditation Lead for advice.

Normally a learner should raise a complaint verbally or in writing as soon as possible after the event that is the cause for complaint.

A Learner should normally expect to receive a response and hopefully a resolution within 20 working days.

The informal process will generally remain an oral one and may not involve a written record.

All involved should try to reach a resolution before considering any formal procedures.

4 Formal Procedure – Stage 1

If a Learner remains dissatisfied after an informal complaint or feels that they cannot make an informal complaint direct to the person(s) concerned, then they should formalise the complaint to initiate Stage 1 of the Procedure. This should be done by completing the CDS DS Learner Complaint Form below and submitting to the address identified below.

A Learner should clearly outline the nature of the complaint and what outcome is sought; this should be received within 10 working days of the failure to resolve the issues informally.

CDS DS should acknowledge receipt of the formal complaint within five working days and then arrange for an investigation to be undertaken; this may involve holding meetings and interviews with relevant people. Written notes of such meetings will be made.

The investigation will be completed as quickly as possible and the complainant and any other person(s) involved will be informed of the outcome by CDS DS within 30 working days. If the complaint is likely to take longer to investigate, then the complainant will be kept informed of progress.

If the complaint is upheld, then the complainant will be informed of any action which CDS DS intends to take, for example a formal apology, a statement on how systems will be changed in the future or a review of procedures.

5 Formal Procedure – Stage 2

If the Learner remains dissatisfied with the response from Stage 1 of the Formal Procedure, they may request that the outcome be reviewed by an investigator who will be independent of CDS DS. To initiate this process, the Learner should submit details in writing, outlining why the outcome of Stage 1 is not satisfactory, to CDS DS within 10 working days from the date of notification of the outcome of Stage 1.

Considering the substance of the complaint and previous attempts at resolution, the situation will normally be reviewed by an independent investigator, and the Learner should be notified within five working days that the investigation is to proceed.

The independent investigator will have access to all prior correspondence and the results of the Stage 1 investigation. S/he may wish to meet with the complainant and any other parties involved for a decision to be reached.

The independent investigator's enquiry should be completed and the decisions / recommendations communicated to the complainant and any other parties involved within 30 working days of the start of the investigation. If the review is expected to take longer the complainant will be kept informed of progress.

At the end of the investigation the independent investigator will inform the complainant of the outcome and, where appropriate, of any action which CDS DS intends to take.

6 Formal Procedure – Stage 3

If the Learner remains dissatisfied with the response from Stage 2 of the Formal Procedure, they may request, where appropriate, that the outcome and the complaint be reviewed by the Awarding Body of the qualification for the course giving rise to the complaint. To initiate this process, the Learner should submit details in writing, outlining why the outcome of Stage 2 is not satisfactory, to CDS DS within 10 working days from the date of notification of the outcome of Stage 2.

CDS DS will then provide the complainant with all the necessary details of the Awarding Body (e.g. City & Guilds or ILM), and their complaint procedures and if necessary, facilitate the acceleration of the complaint to the Awarding Body for consideration.

CDS DS will remain impartial in any deliberation but will facilitate communication between the Awarding Body and the complainant as required.

7 Policy Review

This policy is kept under regular review.

8 Complaints Address and Learner Complaints Form

Please complete the form below. All complaints should be sent to:

CDS DS Head of Professional Development

CDS Defence & Security

The Bramery

44 Alstone Lane

Cheltenham

GL51 8HE

Learner's Name	
Learner's Email Address	
Learner's Home Address	
Learner's Contact Number	
Date Complaint Submitted	
Date of Event to Which the Complaint Relates	
Name of Person Against Who the Complaint is Being Made	
Please detail the nature of the complaint as fully as possible. Please use an additional sheet if necessary.	
Learner's Signature	
Date	

Additional Detail	
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