



## **CALAT Apprentices/Learners/Users Complaints Policy and Procedure**

### **1. The purpose of this policy is to:**

- clarify how users of the service make a complaint or an appeal;
- define the standards people can expect when they make a complaint,
- recognise the importance of complaints in providing feedback about CALAT services and performance,
- set out how CALAT will monitor complaints, and use that information to improve services and identify training needs.

### **2. For the purposes of this policy and procedure, a complaint is:**

"an expression of dissatisfaction with the standard of service provided by CALAT or with something CALAT or a member of its workforce may or may not have done".

This definition is in line with those of the Local Government Ombudsman and the British Standards Institute.

Complaints under this Policy may include:

- failure to follow agreed CALAT or Croydon Council policies and procedures;
- inadequate or unsatisfactory services;
- rudeness and inappropriate or offensive behaviour;
- unfair discrimination;
- delays in or failure to make decisions which give rise to a statutory right of appeal.

The definition does not include appeals against, or objections to, decisions of CALAT which should generally be pursued by way of the appropriate statutory or other appeals procedure.

### **3. Complaints about CALAT can be received from:**

- Any person or organisation receiving, or seeking to receive, a service from CALAT or its contractors.

- With that person's consent, any organisation, next of kin or other person acting on their behalf.
- Either of the above concerning misconduct within CALAT ("whistleblowing" complaints). N.B Whistleblowing Complaints are dealt with under Croydon Council's Whistleblowing Procedure.
- Via a Member or the MP's Enquiries Procedures.
- Complaints can be made in person, by phone, by e-mail, on audiotape, in writing, in Braille and in languages other than English.

#### **4. Minimum standards for handling complaints:**

- i. CALAT expects staff and contractors to meet the following minimum standards in dealing with complaints:
  - Each complaint will be recorded on receipt;
  - Each complaint will be acknowledged within 5 working days of receipt in an appropriate medium and language;
  - Response standards will be set in the first correspondence sent to the complainant following receipt of the complaint and customers will be told what they can expect to happen and when;
  - Complainants will be kept informed of progress in dealing with their complaints, and if it cannot be resolved within the agreed time scales;
  - Where there is more than one stage in the process for dealing with a complaint, customers will be told at the end of each stage how they may pursue their complaint further.
- ii. The outcome of each complaint will be monitored. Information obtained will be fed back to the relevant service and included in periodic complaints reports to CALAT's Senior Management Team.
- iii. The Business Support officer supporting the Strategic Service Manager has responsibility for ensuring that complaints are logged, progress is tracked at each stage, and outcomes are recorded. The appropriate manager will be responsible for monitoring its contractors' compliance with CALAT's complaints standards where these are a contract requirement.

#### **5. Complaints reports**

The CALAT Senior Management Team and Governance advisory board will receive an termly report on complaints activity in the previous year which will include a regular statistical report on the number of complaints received, outcomes achieved, and trends which can be identified. The report will:

- identify improvements to service delivery introduced in response to complaints;
- recommend action to minimise or avoid similar complaints in future;
- recommend procedural improvements for handling and resolving complaints;
- identify training and information needs.

## The Procedure

***N.B. managers – please refer to the Managers Guide for dealing with complaints, compliments and comments.***

### 1. The purpose of this procedure is to ensure that:

- as many complaints as possible are resolved at the initial point of contact without the need for the complainant to pursue the matter further;
- any faults are acknowledged and an apology is offered;
- the complainant is given a clear and relevant explanation where this is requested;
- acknowledged deficiencies in CALAT's services are identified and remedied as quickly as possible;
- effective action is taken to avoid similar complaints in future;
- best practice in dealing with complaints is shared across CALAT.

### 2. Operation of the procedure

In most cases, service delivery problems reported by users are resolved satisfactorily by the member of staff they contact first, without any need for further action. If the complainant is not satisfied with the response given at the first stage under CALAT's Complaints Procedure, they are entitled to ask for their complaint to be dealt with at the second stage. All complaints will be recorded under the Procedure, and that information regularly analysed to identify patterns of complaints and possible service improvements.

### 3. CALAT's Complaints Procedure has two formal stages:

#### Stage 1

Users of the service are advised (Course Directory and website) to make any complaints to the Head of Service. However, complaints can also be received by any member of staff in the service (written or oral). If the complainant has difficulties in making a written complaint at any stage of the procedure; they can request assistance or submit their complaint in an alternative form.

The complainant will receive an acknowledgement of receipt of the complaint within **5 working** days and will get a written response to the complaint from the appropriate manager within **20 working days** of receipt of the complaint. The response will acknowledge their complaint and tell them that they can ask for an investigation at Stage 2 of the procedure if they are not satisfied with the response.

## Stage 2

A request for a Stage 2 review should be made in writing to the Head of Service and should include an explanation of the complainant's reasons for dissatisfaction with the Stage 1 response. If relevant reasons are given, a review of the Stage 1 investigation and response will be carried out under the supervision of the Head of Service. The aim of the review is to ensure that all matters raised in the original complaint have been comprehensively and accurately addressed and, if not, to ensure that this now happens. The Head of Service will consider the recommendation(s) made in the original response at stage one and reply to the complainant with the findings. The Head of CALAT may authorise another Senior Manager to undertake this role if absent from work.

The Stage 2 review will be completed within **20 working days** of receipt of the Stage 2 complaint, with the customer receiving an acknowledgement within the first three days of this timeframe. In exceptional circumstances, the review may take longer than 20 working days. If so, the complainant will be kept updated of its progress - given the reason for the delay and given a target date for a final response. The final response will tell the complainant, if they are dissatisfied with the outcome, that they can complaint to the Local Government Ombudsman.

## Councillors', GLA Member and MPs' Enquiries

- i. Members of the Council, the GLA Member for Croydon and Members of Parliament sometimes make enquiries of CALAT about a range of matters raised with them by constituents. The general purpose of these enquiries is to obtain information in order to respond to the constituent.
- ii. If the constituent wishes to make a complaint about the delivery of a service, the Member (i.e. Councillor or the GLA Member) or MP can refer the matter to be dealt with under the CALAT Complaints procedure. This will avoid the Member or MP acting as an intermediary and enables them to represent their constituent if they feel this is appropriate. If the matter is not within the remit of the complaints procedure and there is a statutory or other appeal process available, the Member or MP will be advised promptly to ensure that the constituent does not miss the opportunity of exercising a statutory right by using an inappropriate complaint channel.
- iii. There are three main routes used by a Member to make enquiries:
  - direct to the officer who deals with the subject of the complaint.
  - to the Head of CALAT
  - to the Members Support Officer, Democratic and Legal Services (Croydon Councillors only).

Both the Members Support Officer and the Department Complaints Office will ensure the Member and/or their constituent receives a full response from the relevant officer.

- iv. There are two main routes used by MPs to make enquiries:

- v. to the Council's Chief Executive or the Director of Corporate Services
- vi. to the Council Director of the service concerned.
- vii. MPs' enquiries received by the Chief Executive or Director of Corporate Services will be referred to the Council's Head of Democratic and Legal Services for a response. Enquiries to Directors will be referred to the relevant Department Complaints Officer or will be dealt with under the departmental Members' Enquiries procedure.
- viii. The Council's aims to respond to Members' and MPs' Enquiries within **10 working days** of receipt, whichever route is used. Where the matter is urgent, the response time will be reduced as appropriate. If the enquiry concerns a complaint about a Council service that has not been referred to the corporate complaints procedure, it may take longer to provide a full response.