



## Complaints policy and procedure

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## Section 1: Overview

### 1.1 Purpose

1.1.1 Frontline recognises that there will inevitably be occasions where people are dissatisfied with the service we provide. We are committed to ensuring that people are able to voice their concerns, in order to help us identify where we can take action to rectify the situation and to learn from our mistakes.

1.1.2 This policy sets out the principles and procedures to be followed should anyone have a concern falling within the remit of section 1.2. It exists to ensure that the concern is dealt with fairly, transparently and in a timely manner.

### 1.2 Scope

1.2.1 This policy and set of procedures applies to registered participant concerns and complaints. The concern or complaint may be about any service provided by Frontline or provided by an organisation Frontline is in partnership with, including Lancaster University.

1.2.2 There are a few scenarios that fall outside the scope of this policy and where an alternative policy should be followed. These include, but are not limited to:

Situation	Applicable policies
A concern is raised about the conduct, academic or otherwise, of a participant on the Frontline programme	Academic discipline policy Fitness to practise policy
A concern is raised about the conduct of a Frontline employee that constitutes a disciplinary offence	Disciplinary policy
A concern is raised on the scale such that the well-being of the wider public or the organisation itself is at risk (public interest disclosure)	Whistleblowing policy



A Frontline participant wishes to appeal against the decision of an examination board	Lancaster University's academic appeals policy and procedure
The complaint closely relates to an existing and active procedure that the participant is being considered under, e.g. Fitness to Practise, Academic Malpractice	It may be appropriate to consider the complaint as part of the relevant participant procedure
A complaint primarily regarding an element of service offered by a partner (subject to 1.2.5 and (1.2.6 below)	

- 1.2.3 Where an issue is raised that falls under more than one policy, or is not easily assignable to a policy, Frontline will, in collaboration with Lancaster University as required, use its discretion to identify the most appropriate approach and will communicate this to those involved.
- 1.2.4 This policy does not relate to matters which are governed by employment legislation or those where the principles of civil contract law would normally apply, e.g. service/supply contracts entered into with Frontline.
- 1.2.5 If a registered participant has a complaint about the service provided by another organisation on behalf of Frontline, but excluding Lancaster University, they are advised to make the complaint directly to that organisation. For example, if a registered participant is not satisfied with the cleanliness of their accommodation at a residential training event they should raise the complaint with the venue provider. However, Frontline will still consider all complaints where the complainant feels their experience of Frontline has been impacted by the other organisation.
- 1.2.6 If a registered participant has a complaint about the service provided either in full or in part by Lancaster University and it has not been possible/is not appropriate to resolve informally at stage one, they should raise the stage two formal complaint with Frontline in the first instance. See section 2.3 for details on how the complaint will be progressed.



1.2.7 A copy of this policy is available to employees on Frontline's HR information system and to registered participants on the virtual learning environment (Moodle). It is also available on Frontline's website. All formal complainants are informed that there is a complaints procedure and will be provided with a copy of this policy.

### **1.3 Responsibilities**

1.3.1 This policy is owned by the Chief Operating Officer (COO). They are responsible for ensuring the procedure is understood and followed by all individuals involved in handling a complaint. The COO is also responsible for making decisions on the consideration of anonymous, third party or late complaints and for approving recommendations from an investigation report except in a case where a conflict has arisen. In such an event, recommendations from an investigation report may be approved by the chief executive officer or the chief social worker.

1.3.2 The COO is responsible for assessing the effectiveness of the policy. They reserve the right to make ad hoc changes and updates to the policy, outside of the formal review period, to increase the effectiveness and appropriateness of the policy. For example, this may include updating a role title if it changes.

1.3.3 Team heads and/or directors are responsible for maintaining a register of all complaints received by their team and notifying the Legal and Compliance (L&C) manager if they reach stage two. The L&C manager is responsible for maintaining a central register of such complaints. Such records will be used for internal review and made available to Lancaster University as part of the standards and quality monitoring arrangements.

1.3.4 All staff are responsible for reporting complaints received to their team head and/or director and applying the principles and procedures in this policy when involved in any of the stages of resolution.

### **1.4 Definitions**



Complaint	An expression of dissatisfaction about Frontline’s action or lack of action, or about the standard of service provided by or on behalf of Frontline. This may include, for example, a concern about delivery of a programme, teaching or administration
Concern	An issue, query or request for clarification.
Conciliation	A voluntary and confidential process whereby an independent person tries to help the people in dispute to resolve their problem.
Decision Maker	A impartial third party with the responsibility of considering evidence collated by the investigator within the Stage 2 complaint process and who acts as the adjudicator.
Exceptional circumstances	Circumstances in which strict application of the procedures would result in substantial unfairness to the complainant, or the complainant is in some way at risk because of health or disability
Investigator	An employee assigned to conduct an independent investigation into a complaint or an independent contractor retained for the purpose of investigating a complaint.
Mediation	A voluntary and confidential process whereby an impartial third party assists the parties involved in the dispute to try to reach an agreement
Registered participant	An individual who is registered or enrolled with Lancaster University as a student on the Frontline programme, or has been within the last three months
Responsible individual	Head of team to which the complaint pertains or, if there is not one, the team director.
University-relevant complaint	A complaint that relates to a service that Lancaster University is primarily responsible for providing, such as library provision, or a complaint that relates to academic standards and/or quality of learning.

## Section 2: Policy and procedures



## **2.1 Principles of dealing with complaints**

- 2.1.1 Frontline commits to deal openly, fairly and effectively with any complaint about services, and to offer an appropriate response to anyone raising a concern.
- 2.1.2 All those involved in the complaints process are expected to act reasonably and fairly towards each other and treat the processes themselves with respect.
- 2.1.3 The complaints procedure contains the following stages:
  - Stage one: Informal resolution
  - Stage two: Formal investigation
  - Stage three: Review by a review panel in qualifying circumstances
  - OIA: Review by the Office of the Independent Adjudicators (OIA) in qualifying circumstances
- 2.1.4 Every possible effort should be made to resolve a complaint informally within the relevant team.
- 2.1.5 Frontline will review all formal complaints when they are received. Where the complaint is a university-relevant complaint (see definitions in 1.4), Frontline will, in collaboration with Lancaster University, determine whether the complaint should proceed further under Frontline's complaints policy or under [Lancaster University's procedures](#). Where an agreement has been made as to which party shall lead the complaint process, a written record shall be kept and Frontline and Lancaster University shall both keep the other party regularly updated with the progression of the complaint including the outcome.
- 2.1.6 If a university-relevant complaint is managed under Frontline's complaints policy at stage two, then stage three will always be conducted by Lancaster University. Complainants will also have the right of review by the Lancaster University if Frontline rejects their complaint at stage one or stage two. Detailed information will be provided to the complainant at the relevant point.
- 2.1.7 It is important that any complaint is timely. A formal complaint will not normally be investigated if a period of three months has elapsed since the alleged action which forms the basis of the complaint, although the COO may allow such a complaint to proceed in exceptional circumstances.



- 2.1.8 Frontline will seek to complete stages two and three within 90 calendar days of receiving the formal complaint. However, there will occasionally be circumstances when this timeframe will need to be extended, and this will be communicated as early as possible.
- 2.1.9 At any point during the complaints process, either party may make a request for mediation. Where both parties agree to this approach during stage two, revised timescales will also be agreed.
- 2.1.10 When making a complaint, the complainant is encouraged to set out the steps or actions that they consider would remedy the situation.
- 2.1.11 Frontline will not consider unsubstantiated complaints that it regards as vexatious or malicious.
- 2.1.12 Frontline does not normally deal with anonymous complaints or complaints from third parties who are not representing the person(s) affected, although it will consider the circumstances of any such submission and may, in exceptional circumstances, take the complaint forward. Where such complaints are received, the Chief Operating Officer, in consultation with the relevant Head of Delivery or other senior staff members, will determine whether the complaint will be considered. Complainants should note that raising a concern anonymously may impede the investigation and communication of the outcome.
- 2.1.13 Confidentiality will be respected throughout the complaints process and data protection legislation will be complied with, including when the process necessarily involves making enquiries of an outside organisation. Information pertaining to the complaint will only be released to those who need it for the purposes of investigating or responding to the complaint.

## **2.2 Stage one: informal resolution**

- 2.2.1 Frontline encourages all individuals to seek to resolve their complaint informally prior to making a formal complaint where appropriate, with the expectation that some complaints could be satisfactorily resolved at this level. As per 2.3.1 below, Frontline acknowledges that some complex or serious complaints will need to progress directly to stage two.



2.2.2 The complainant should seek to discuss their complaint with the person to whom the complaint relates or who is responsible for the matter that gives rise to the complaint. They should make it clear that they have a complaint and outline what they consider to be a suitable resolution. If they are uncertain who the best person to raise their complaint with is, they should email [complaints@thefrontline.org.uk](mailto:complaints@thefrontline.org.uk).

2.2.3 It may be possible for the complaint to be fully addressed and resolved through a meeting between the parties concerned. Alternatively, further enquiries may be required.

2.2.4 Should at any point in the procedure an informal resolution be proposed and accepted by all parties, the formal procedure does not need to continue.

### **2.3 Stage two: formal investigation of written complaint**

2.3.1 A complaint will proceed to stage two where;

- the complainant is not satisfied with the outcome of stage one; or
- the complainant can provide good reason why stage one cannot be conducted due to the character, complexity or seriousness of the case.

2.3.2 The stage two procedure is designed to enable the complaint to be resolved to the satisfaction of all parties through a formal investigation.

#### **Issuing the complaint**

2.3.3 The complaint must be raised by sending a completed complaint form to [complaints@thefrontline.org.uk](mailto:complaints@thefrontline.org.uk). The complaint form is available on Frontline's website.

2.3.4 An individual making a complaint may be supported and advised by a third party throughout the process, for example a students' union officer or an adviser. Registered participants are able to contact Lancaster University Students' Union if they require assistance.

2.3.5 In exceptional cases the complainant may also choose to be represented by a third party who acts on their behalf. Frontline will require written consent from the participant making the





complaint and will then communicate with the third party going forward.

- 2.3.6 A group of people affected by the same set of circumstances may want to make a group complaint. In such circumstances the group should nominate a single representative to liaise with Frontline. Each member of the group should provide their names and contact details in the initial submission.

### **Receipt of written complaint**

- 2.3.7 On receipt of the complaint the L&C Manager, or their nominee, will review the complaint and will determine, whether it is appropriate for the complaint to be considered under this policy and whether the nature of the complaint warrants its consideration under other procedures. They will also assess whether a complaint is a university-relevant complaint. Where this is the case they will, in collaboration with Lancaster University, determine whether the complaint should proceed further under Frontline's complaints policy or under Lancaster University's policy. This determination shall be confirmed in writing as per clause 2.1.5 above.
- 2.3.8 The L&C manager will inform the complainant in writing of their decision and the next steps to be taken. This will include details of what to do if the complainant does not agree with the decision.

### **Investigation of complaint**

- 2.3.9 Where the L&C manager finds it is appropriate for the complaint to be considered under Frontline's complaints policy, they will assign;
- A. an investigator (a staff member at the appropriate level or an external professional, with no prior direct involvement in the matter), to investigate the complaint and
  - B. a decision maker to arrive at a conclusion based on the facts
- 2.3.10 As part of the investigation, it may be necessary for the investigator to conduct meetings with the complainant and/or other persons subject to the complaint. This may include other stakeholders or any witnesses. Minutes of meetings will be taken and the complainant and persons subject to the complaint will have the right to be accompanied by their adviser or represented by their representative if they have one.



2.3.11 All the evidence collated by the investigator will be submitted to the decision maker who will assess the facts and take a decision on the outcome of the complaint. The decision maker may determine that further lines of enquiry are needed before they can take a decision, in which case they will issue instructions for further steps to be taken by the investigator.

2.3.12 The L&C manager will advise on the process of the investigation as required.

2.3.13 The burden of proof is on the complainant. Frontline recognises that it owes a responsibility to its participants in facilitating the processing of complaints

### **Outcome of complaint**

2.3.14 On completion of the investigation the L&C manager will respond to the complainant and inform them of the outcome of the complaint.

2.3.15 The outcome of the complaint may provide a remedy as deemed appropriate and fair in relation to the participant, subject to the following parameters:

- Review of a policy or a participant process-related decision (but not an automatic change of a policy or decision);
- Referral of staff to relevant human resource procedures (but not changes to a staff member's contract);
- Referral to relevant participant disciplinary procedures (but not the imposition of a disciplinary restriction on a participant).

## **2.4 Stage three: review by a review panel**

2.4.1 Complainants will be entitled to seek a review by a complaints review panel when they are dissatisfied with the outcome of the complaint and:

- there exists evidence of a material procedural irregularity in the consideration; and/or
- there exists evidence that could not reasonably have been made available for the formal investigation; and/or
- there exists evidence that that no reasonable decision maker with knowledge of the facts could have arrived at the decision. For example, this could include if the investigation or decision maker did not consider all relevant issues or information available.



- 2.4.2 The review stage will not usually consider the issues afresh or involve a further investigation or consider a new complaint.
- 2.4.3 If the complaint relates to a university-relevant complaint then this section 2.4 will not apply as stage three will be conducted by Lancaster University. Please refer to 2.1.6.

### **Issuing the request**

- 2.4.4 A complaint at stage three is initiated by the complainant submitting a request in writing to [complaints@thefrontline.org.uk](mailto:complaints@thefrontline.org.uk), within ten working days of having received the outcome of the investigation at stage two. A request made after this date will not normally be considered, although the L&C manager may allow such a complaint to proceed in exceptional circumstances.
- 2.4.5 The request should include full details of the complaint, action taken to resolve the complaint at previous stages, why the complainant remains dissatisfied, the reason for their request for review (as per 2.4.1) and the steps or actions that they consider would remedy the situation.
- 2.4.6 Where additional information is introduced at this stage, the complainant will need to detail the circumstances that prevented its earlier disclosure.
- 2.4.7 Where the review is requested on the basis that no reasonable decision maker with knowledge of the facts could have arrived at the decision the complainant will need to provide evidence in support of this.

### **Receipt of a request**

- 2.4.8 The COO will determine whether the request is eligible for review.
- 2.4.9 The L&C manager will acknowledge the request for a review by the review panel and inform the complainant whether it has been agreed that a review should take place.
- 2.4.10 If relevant, the L&C manager will subsequently send a letter to the complainant confirming the date of the review panel hearing and details of what is involved and required.



## **Frontline review panel hearing**

2.4.11 The complainant and the decision maker are both expected to attend the review panel hearing. Non-attendance by either party will result in the hearing continuing in their absence, based only on the documentation submitted.

2.4.12 A clerk will be assigned to provide administrative support to the panel.

2.4.13 The review panel will consist of at least two senior members of Frontline who are independent to the complaint and have not been involved in the earlier stages.

2.4.14 The documentation submitted to the review panel will consist of:

- the request for a stage three review from the complainant;
- a report from the stage two investigator on the process and findings of the investigation;
- the documentation considered during the stage two investigation;
- the outcome of the complaint;
- evidence supporting the criteria (from 2.4.1) under which the review is being held.

2.4.15 If the review panel has been convened on the basis that evidence exists that could not reasonably have been made available during the formal investigation, then relevant witness statements may also be submitted with the documentation to the review panel.

2.4.16 Complainants and staff members required to attend the hearing of the review panel can be accompanied by another individual as specified in 2.3.4.

2.4.17 It is the responsibility of the complainant and decision maker to ensure that any witnesses whom they wish to call to support their view of the complaint are available for the meeting of the review panel and briefed on the arrangements. A complete list of witnesses called to attend the hearing must be provided to the review panel no less than ten working days before the hearing. The review panel reserves a right to request the attendance of any witnesses not on this list who it believes is critical to its understanding of the facts and issues raised in the complaint. Where the review panel chooses so to do, it shall inform the complainant and the decision maker of this.



2.4.18 All documentation, including each party's list of witnesses must be submitted by the complainant and decision maker to the clerk to the panel no less than ten working days before the meeting of the review panel.

2.4.19 Papers will be circulated to review panel members, the complainant, and the decision maker at least five working days before the meeting date.

### **Outcome of the review panel hearing**

2.4.20 Following the hearing the review panel will make its decision. The L&C manager will send the complainant a letter outlining the review panel's decision, addressing the points the complainant has made, and giving reasons for the conclusion reached.

2.4.21 The decision of the review panel will bring Frontline's consideration of the complaint to a close.

## **2.5 Independent external review**

2.5.1 If the registered participant remains dissatisfied once Frontline's complaints procedure has been completed and the complainant is a current or recent participant, they are entitled to ask the Office of the Independent Adjudicator ([www.oiahe.org.uk/](http://www.oiahe.org.uk/)) to review the outcome. The application must be made within twelve months of the issue of a completion of procedures letter.

2.5.2 If the complaint made by a registered participant is a university-relevant complaint then they have the right of review by Lancaster University following the completion of Frontline's complaint procedures. Any appeal to the Office of the Independent Adjudicator may only be made once the Lancaster University complaints procedures have also been completed.

## **Section 3: Relevant references**

### **3.1 Laws and regulations**

3.1.1 The following laws and regulations are applicable to this policy:

- Consumer Rights Act
- Equality Act
- Rules of the OIA scheme



- OIA The good practice framework

### **3.2 Frontline policies and documents**

3.2.1 This policy should be read in conjunction with the following Frontline policies:

- Academic malpractice policy
- Privacy statement
- Disciplinary and grievances policies (staff only)
- Exceptional circumstances policy
- Suitability for professional training policy
- Whistleblowing policy

And with the following Lancaster University policies:

- Lancaster University academic appeals policy
- Lancaster University student complaints procedures