



Complaint Handling Procedure

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CATS LTD Complaint Handling Procedure (CHP)

1 Foreword

1.1 This Complaint Handling Procedure reflects CATS Ltd's commitment to valuing complaints. Learners and recent Learners, applicants and members of the public should feel free to raise matters of concern without risk of disadvantage. Our aim is to resolve issues of dissatisfaction as close to the initial point of contact as possible and to conduct thorough and fair investigations of complaints so that, where appropriate, we can make evidence-based decisions on the facts of each individual case.

1.2 Resolving complaints early saves time and resource and contributes to the overall efficiency of CATS Ltd. Concentrating on achieving an early resolution of a complaint as close to the point of contact as possible will free up the time of academic and support staff and ultimately contribute to the continued positive experience of our Learners and members of the public.

1.3 This procedure has been drawn up from *The Scottish Higher Education Model Complaints Handling Procedure* published by the Scottish Public Services Ombudsman (SPSO) on 19 December 2012.

1.4 This procedure was formally approved by The Directors on 2nd March 2014, for implementation from 2nd March 2014.

2 Scope and purpose

2.1 What is a complaint?

For the purpose of this procedure, a complaint may be defined as:

'An expression of dissatisfaction by one or more individuals about the standard of service, action or lack of action by or on behalf of the Institution.'

A complaint may relate to:

- ❖ the quality and standard of service
- ❖ failure to provide a service
- ❖ the quality of facilities or learning resources
- ❖ treatment by or attitude of a staff member, Learner or contractor
- ❖ inappropriate behaviour by a staff member, Learner or contractor
- ❖ the failure of CATS Ltd to follow an appropriate administrative process
- ❖ dissatisfaction with CATS Ltd's policies, although it is recognised that policy is set at the discretion of CATS Ltd.

The definition of a complaint is very broad and the list above is not exhaustive. However, not every concern raised with CATS is a complaint. For example, the following **are not complaints**:

- ❖ a routine, first-time request for a service
- ❖ a request under the Freedom of Information Act or Data Protection Act*
- ❖ a request for information or an explanation of policy or practice
- ❖ a response to an invitation to provide feedback through a formal mechanism such as a questionnaire or committee membership will generally not be treated as a complaint
- ❖ an insurance claim
- ❖ an issue which is being, or has been, considered by a court or tribunal
- ❖ a request for compensation only
- ❖ an attempt to have a complaint reconsidered where CATS Ltd's procedure has been

- completed and a final decision has been issued
- ❖ a grievance by a member of staff which is eligible for handling through the [Staff] Grievance Policy**
- ❖ an appeal about an academic decision on assessment or admission***.

These issues will be dealt with under the alternative appropriate processes rather than under the CHP. It should be noted, however, that some situations can involve a combination of issues, some are complaints and others are not, and each case should be assessed on a case by case basis.

*For information on **Freedom of Information** or **Data Protection Act** requests, please see <https://www.gov.uk/make-a-freedom-of-information-request/the-freedom-of-information-act>

**For information on the Grievance Policy for members of staff, please see:

Grievance Policy & Procedures

***For information on **academic appeals**, please see:

Appeals Policy & Procedures

2.2 Who can make a complaint?

The CHP covers complaints from anyone who receives, requests or is affected by our services. Complaints may be submitted by:

- ❖ current Learners and those who have left recently (all referred to as ‘Learners’ through the remainder of this document), where they have a complaint about matters which are (or were at the time they arose) the responsibility of CATS Ltd
- ❖ members of the public, where they have a complaint about matters which are (or which were at the time the issue arose) the responsibility of CATS Ltd
- ❖ members of the public who are applying for admission to CATS Ltd and whose complaint does not relate to academic judgement.

The basic processes for investigating complaints are the same for Learners, members of the public and applicants to CATS Ltd.

Sometimes individuals may be unable or reluctant to make a complaint on their own. CATS Ltd will accept complaints brought by third parties, as long as the individual affected has given their personal consent under the requirements of the Data Protection Act (1998). This usually means that the complainant must give clear written authority to CATS Ltd for the third party to act on their behalf. Complaints made by a third party with the explicit permission of the complainant will be dealt with according to the same timescales.

2.3 Anonymous complaints

Complaints submitted anonymously will be considered if there is enough information in the complaint to enable CATS Ltd to make further enquiries. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it further. However, CATS Ltd may give consideration to the issues raised, and will record the complaint so that corrective action can be taken as appropriate.

Any decision not to pursue an anonymous complaint must be authorised by a senior member

of staff. If an anonymous complaint contains serious allegations, it should be referred to a senior member of staff immediately.

2.4 Complaints involving more than one department

If a complaint relates to the actions of two or more departments, the staff member receiving the complaint must confer with the other area(s) to decide who will take the lead on the complaint. The complainant will be told to whom the complaint is being passed and given their contact details. Coordination may be required between different areas of CATS Ltd to ensure that the complaint is fully addressed in a single response. The nature of the complaint may also require parallel procedures to be initiated (such as referral to Appeal procedures or staff or Learner disciplinary procedures).

2.5 Complaints involving other organisations or contractors who provide a service on behalf of CATS Ltd

If an individual complains to CATS Ltd about the service of another organisation, but CATS Ltd has no involvement in the issue, the individual should be advised to contact the appropriate organisation directly.

Where a complaint relates to a CATS Ltd service and the service of another organisation the complaint must be handled through the CHP in the first instance. In particular, the same timescales will apply. This relates to complaints that involve services provided on CATS Ltd's behalf (such as partner institutions and contractors) or to those provided by a separate organisation (such as awards agencies). If enquiries to an outside organisation in relation to the complaint are required, care must be taken to comply with Data Protection legislation and the guidance on handling personal information. Such complaints may include, for example:

- ❖ A complaint made in relation to provision of third-party services
- ❖ A complaint made about a service that is contracted out
- ❖ A complaint made to CATS Ltd about a Learner loan where the dissatisfaction relates to the service we have provided and the service the loan agency has provided.

2.5 Time limit for making complaints

Complaints should be raised with CATS Ltd as soon as problems arise to enable prompt investigation and swift resolution. This CHP sets a time limit of three months to raise a complaint with CATS Ltd, starting from when the complainant first became aware of the problem, unless there are special circumstances for requesting consideration of a complaint beyond this time.

Beyond the three-month time limit, CATS will exercise discretion in the way that the time limit is applied. This will take account of the time limit within which a member of the public can normally ask the SPSO to consider complaints, which is twelve months from when the person first became aware of the issue about which they are complaining.

3 The Complaint Handling Procedure

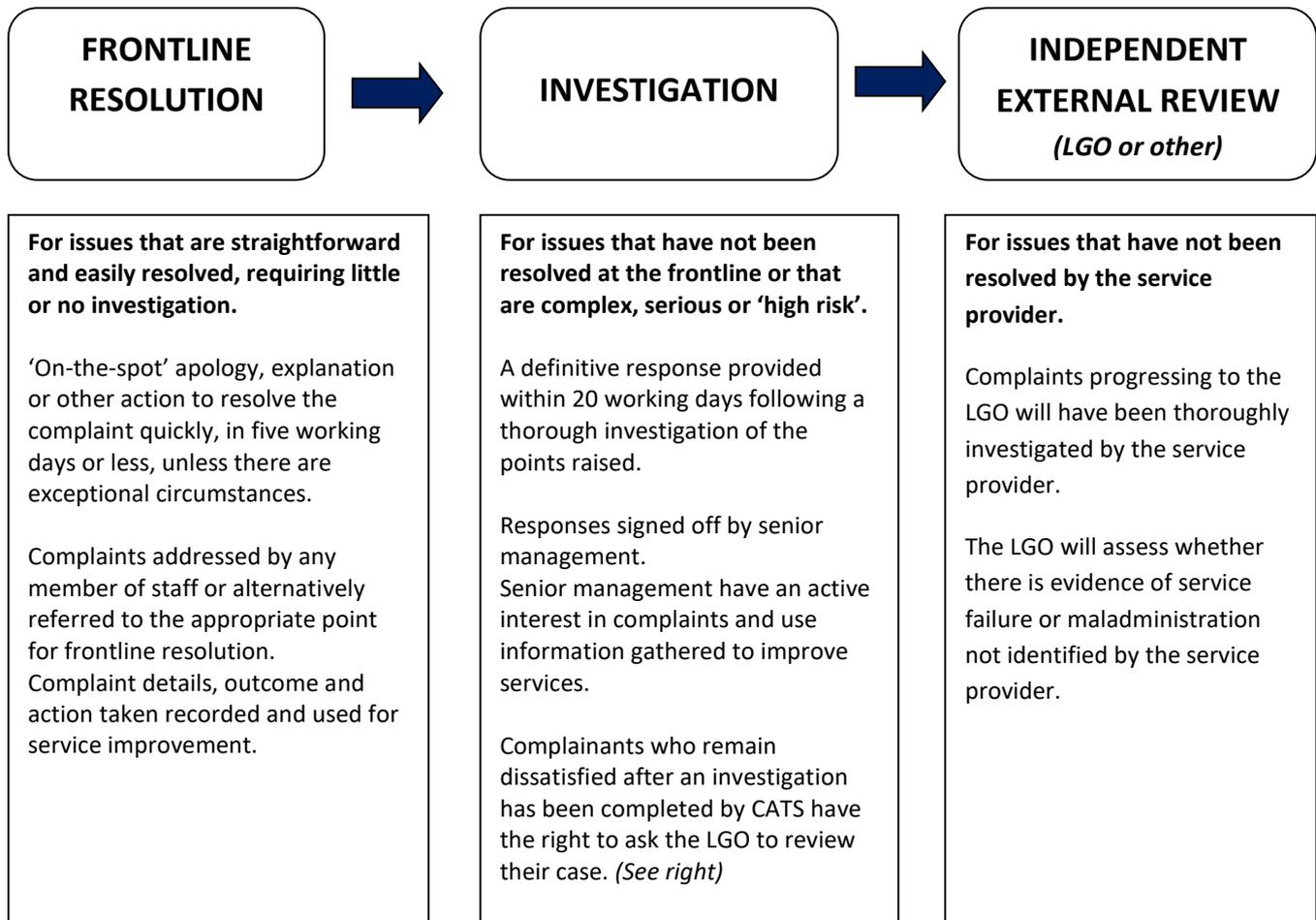
3.1 Overview

The CHP is intended to provide a quick, simple and streamlined procedure with a strong focus on early resolution by empowered and well-trained staff. The procedure involves up to two stages, details of which are explained below. Stage 1 - Frontline Resolution seeks to resolve straightforward complaints swiftly and effectively at the point at which the complaint is made,

or as close to that point as possible.

Stage 2 - Complaint Investigation is appropriate where a complainant is dissatisfied with the outcome of frontline resolution, or where frontline resolution is not possible or appropriate due to the complexity or seriousness of the case.

The Complaints Handling Procedure



NOTE: For clarity, the term ‘frontline resolution’ refers to the first stage of the complaints process. It is not intended to reflect any job description within CATS, rather it refers to the process which seeks to resolve complaints as soon as possible.

3.2 Stage 1: Frontline Resolution – to be completed within five working days

Anyone who has a complaint is encouraged to raise it initially at the point of, or as close to the point of, becoming aware of it as possible and to raise it with the department or service area in which the issue arose. Complaints at this stage may be made face-to-face, by phone, in writing or by email.

The purpose of frontline resolution is to attempt to resolve as quickly as possible complaints which are straightforward and require little or no investigation. Complaints at this stage of the process may be addressed by any relevant member of CATS Ltd’s staff and may be handled by way of a face-to-face discussion with the complainant, or by asking an appropriate member of staff to deal with the complaint.

Members of staff to whom complaints are made will consider some key questions:

- ❖ Is this a complaint or should the individual be referred to another procedure?
- ❖ What specifically is the complaint (or complaints) about and which area(s) of CATS Ltd is /are involved?
- ❖ What outcome is the complainant hoping for and can it be achieved?
- ❖ Is this complaint straightforward and likely to be resolved with little or no investigation?
- ❖ Can the complaint be resolved on the spot by providing an apology /explanation / alternative solution?
- ❖ If I cannot help, can another member of staff assist in seeking a frontline resolution?
- ❖ What assistance can be provided to the complainant in taking this forward?

Resolution may be achieved by providing an on-the-spot explanation of why the issue occurred and/or an apology and, where possible, what will be done to stop this happening in the future.

If responsibility for the issue being complained about lies in the staff member's area of work, every attempt will be made to resolve the problem at source. If responsibility lies elsewhere, the staff member receiving the complaint will liaise with the relevant area rather than simply passing the complainant on to another office.

3.3 Stage 2: Complaint Investigation – to be completed within 20 working days

These complaints may already have been considered at the frontline resolution stage, or they may be complaints identified upon receipt as appropriate for immediate investigation.

A complaint will be moved to the investigation stage when:

- ❖ frontline resolution was attempted, but the complainant remains dissatisfied. This may be after the case has been closed following the frontline resolution stage
- ❖ the complainant refuses to recognise or engage with the frontline resolution process and is insistent that the issue be addressed by a more senior member of staff
- ❖ the issues raised are complex and will require detailed investigation
- ❖ the complaint relates to issues that have been identified by CATS Ltd as high risk or high profile.

Special attention will be given to identifying complaints considered high risk or high profile, as these may require particular action or may raise critical issues requiring direct input from senior management. Potential high risk /high profile complaints may:

- ❖ involve a death or terminal illness
- ❖ involve serious service failure, for example major delays in service provision or repeated failures to provide a service
- ❖ generate significant and on-going press interest
- ❖ pose a serious operational risk to CATS Ltd
- ❖ present issues of a highly sensitive nature.

A person can make a complaint in writing, in person, by telephone, by email or online or by having someone complain on their behalf. Where it is clear that a complaint will need to be considered at the investigation stage rather than through frontline resolution, the complainant will be asked to complete the appropriate complaint form to provide full details of the complaint and any relevant documentation. If they choose not to write it down and would prefer to complain in person, the complaint form can be completed with them and a letter to confirm the scope of the complaint issued to them.

The purpose of conducting an investigation is to establish all of the facts relevant to the points made in the complaint and to provide a full, objective and proportionate response to the complainant that represents CATS Ltd's definitive position.

3.4 What CATS Ltd will do when it receives a complaint for Stage 2 Complaint Investigation

CATS Ltd will allocate the complaint to a Complaint Investigator (see section 5.1 of this procedure). It is important to be clear from the start of the investigation stage exactly what is being investigated, and to ensure that both the complainant and the investigator understand the scope of the investigation. In discussion with the complainant, three key questions should be considered:

- 1 What specifically is the complaint (or complaints)?
- 2 What does the complainant hope to achieve by complaining?
- 3 Do the complainant's expectations appear to be reasonable and achievable?

If the complainant's expectations appear to exceed what CATS Ltd can reasonably provide or are not within CATS Ltd's power to provide, the complainant will be advised of this as soon as possible in order to manage expectations about possible outcomes.

Details of the complaint must be recorded on the system for recording complaints. Where the complaint has been through the frontline resolution stage this must be shown in the complaints log. At the conclusion of the investigation the log must be updated to reflect the final outcome and any action taken in response to the complaint.

3.5 Timelines

The following deadlines will be used for cases at the investigation stage of the CHP:

- ❖ complaints will be acknowledged in writing within three working days
- ❖ CATS Ltd will provide a full response to the complaint as soon as possible but not later than 20 working days from the time that the complaint was received for investigation.

3.6 Extension to the timeline

Not all investigations will be able to meet this deadline; for example some complaints are so complex that they will require careful consideration and detailed investigation beyond the 20 working days timeline. Where there are clear and justifiable reasons for extending the timescale, senior management will exercise judgement and will set time limits on any extended investigation, with the agreement of the complainant. If the complainant does not agree to an extension but it is unavoidable and reasonable, then senior management must consider and confirm the extension. In such circumstances, the complainant must be kept updated on the reason for the delay and given a revised timescale for bringing the investigation to a conclusion. It is expected, however, that this will be the exception and that CATS Ltd will always strive to deliver a definitive response to the complaint within 20 working days.

Where an extension has been agreed, this will be recorded appropriately and the proportion of complaints that exceed the 20 working day-limit will be evident from reported statistics.

3.7 Mediation and other dispute resolution options

Some complex complaints (where, for example, the complainant and/or other involved parties have become entrenched in their position) may benefit from a different approach to resolving the complaint. Using mediation can help both parties to understand what is driving the

complaint, and may be more likely to result in a mutually satisfactory conclusion being reached. Whilst CATS Ltd does not have a formal mediation service, parties wishing to consider alternatives to complaint investigation should enquire about this with the investigator. Where other means of dispute resolution are attempted, the complaint investigation will be suspended pending the outcome. If the complaint is not resolved by alternative resolution techniques, complaint investigation will be resumed and revised timescales will be agreed.

3.8 Closing the complaint at the Complaint Investigation stage

The outcome of the investigation will be communicated to the complainant in writing. The decision, and details of how and when it was communicated to the complainant, must be recorded on the system for recording complaints. The decision will also advise the complainant about:

- their right to ask the LGO to review the complaint
- the time limit for doing so
- how to contact the LGO.

4. Independent external review (LGO) *Local Government Ombudsman*

4.1 Role of the LGO

Once the Stage 2 Complaint Investigation has been completed, the complainant is entitled to ask the LGO to look at their complaint. The LGO considers complaints from people who remain dissatisfied at the conclusion of CATS Ltd's CHP. The LGO looks at issues such as service failure and maladministration (administrative fault) as well as the way CATS Ltd has handled the complaint.

4.2 Contact information for the LGO

The LGO requires CATS Ltd to use the wording below to inform complainants of their right to ask the LGO to review the complaint.

Information about the LGO

Local Government Ombudsman (LGO) is the final stage for complaints about public services in England. This includes complaints about Education Providers. If you remain dissatisfied with CATS Ltd after its complaints process, you can ask the LGO to look at your complaint. The LGO cannot normally look at complaints:

- where you have not gone all the way through CATS Ltd's complaints handling procedure
- more than 12 months after you became aware of the matter you want to complain about, or
- that have been or are being considered in court.

The LGO's contact details are:

LGO

The Local Government Ombudsman

PO Box 4771
Coventry
CV4 0EH

0300 061 0614 (Calls to 03 numbers will cost no more than calls to national geographic numbers (starting 01 or 02) from both mobiles and landlines, and will be included as part of any inclusive call minutes or discount schemes in the same way as geographic

calls.

Online contact <http://www.lgo.org.uk/ContactUs>

Website www.lgo.org.uk

5 Governance of the Complaint Handling Procedure

5.1 Staff roles and responsibilities

All staff will be aware of:

- ❖ the CHP
- ❖ how to handle and record complaints at the frontline resolution stage
- ❖ who they can refer a complaint to if they are unable to handle the matter personally
- ❖ the need to try and resolve complaints early and as locally (within their department) as possible and their clear authority to attempt to resolve any complaints they may be called upon to deal with.

Senior management will ensure that:

- ❖ CATS Ltd's final position on a complaint investigation is signed off by an appropriate senior member of staff in order to provide assurance that this is the definitive response of the CATS Ltd and that the complainant's concerns have been taken seriously
- ❖ it maintains overall responsibility and accountability for the management and governance of complaints handling within CATS Ltd
- ❖ it has an active role in, and understanding of, the CHP (although not necessarily involved in the decision making process of complaints handling)
- ❖ mechanisms are in place to ensure a consistent approach to the way complaints handling information is managed, monitored, reviewed and reported at all levels in CATS Ltd, and
- ❖ complaints information is used to improve services, and this is evident from regular publications.

The Board: The Board provides leadership and direction to CATS Ltd. This includes ensuring that there is an effective CHP with a robust investigation process which demonstrates that organisational learning is in place. The Board delegates responsibility for the procedure to **CATS Ltd Board**, and receives assurance of complaints performance by way of regular reporting. The CATS Ltd Board should ensure that complaints are used to identify service improvements, that these improvements are implemented, and that learning is fed back to the wider organisation as appropriate.

Investigations Manager: reports to CATS Ltd Board and is responsible for receiving and acknowledging complaints at the Complaint Investigation stage. The Investigations Manager checks complaints initially to ensure that they are within time and within jurisdiction, refers them for frontline resolution if this has not been attempted and seems appropriate, and is responsible for the allocation of complaint investigations to appropriate trained investigators, bearing in mind the need to avoid any possible conflict of interest. The Investigations Manager is also responsible for signing off the Investigation Report (in consultation with senior colleagues as necessary) and for ensuring that a) individuals affected by the report are notified of the outcome as appropriate and b) case-specific remedial action and/or process improvement for the future are drawn to the attention of the relevant area(s). The Investigations Manager is also CATS Ltd's LGO Liaison Officer.

As LGO Liaison Officer, the Investigations Manager is responsible for providing complaints information in an orderly, structured way within requested timescales, providing comments on factual accuracy on behalf of CATS Ltd in response to LGO reports, confirming recommendations have been implemented, and providing evidence to verify this.

Complaint Investigator: Complaint Investigators are suitably trained staff members responsible for the conduct of the complaint investigation and are involved in the investigation and the co-ordination of all aspects of the response to the complainant. This may include preparing a comprehensive written report, including details of any recommended procedural changes to service delivery. Working with the Investigations Manager, Complaint Investigators have a clear remit to investigate effectively and reach robust decisions on more complex complaints. This also requires clear direction and support from senior management on the extent and limits of discretion and responsibilities in investigating and resolving complaints, including the ability to identify failings, take effective remedial action and issue an apology, where it is appropriate to do so.

All staff: A complaint may be made to any member of staff. All staff must, therefore, be aware of the CHP and how to handle and record complaints at the frontline resolution stage. They should also be aware of whom to refer a complaint to, if they are not able to handle the matter personally. We encourage all staff to try to resolve complaints early, as close to the point of service delivery as possible.

6 Recording, reporting, publicising and learning

Valuable feedback is obtained through complaints. One of the objectives of the CHP is to identify opportunities to improve provision of services across CATS Ltd. Staff must record all complaints so that complaints data can be used for analysis and management reporting. By recording and using complaints information in this way, the causes of complaints can be identified and addressed and, where appropriate, training opportunities can be identified and improvements introduced.

6.1 Recording complaints

To collect suitable data, it is essential that all complaints are recorded in sufficient detail. The minimum requirements are as follows:

- ❖ name and contact details of the complainant and Learner matriculation number (if applicable)
- ❖ date of receipt of the complaint
- ❖ how the complaint was received
- ❖ category of complaint
- ❖ staff member responsible for handling the complaint
- ❖ department to which the complaint relates
- ❖ action taken and outcome at frontline resolution stage
- ❖ date the complaint was closed at the frontline resolution stage
- ❖ date the investigation stage was initiated (if applicable)
- ❖ action taken and outcome at investigation stage (if applicable)
- ❖ date the complaint was closed at the investigation stage (if applicable)
- ❖ underlying cause and remedial action taken (if applicable)
- ❖ response times at each stage

CATS Ltd has structured systems for recording complaints, their outcomes and any resulting action so that the complaint data can be used for internal reporting as indicated below.

6.2 Reporting of complaints

CATS Ltd has a system for the internal reporting of complaints information. Regularly reporting the analysis of complaints information helps to inform management of where improvements are required. Information reported internally will include:

- ❖ performance statistics, detailing complaints volumes, types and key performance information, for example on time taken and stage at which complaints were resolved
- ❖ the trends and outcomes of complaints and the actions taken in response including examples to demonstrate how complaints have helped improve services.

This information will be reported at least quarterly to the appropriate committees and at least annually to the Board.

6.3 Publicising complaints performance information

CATS Ltd will publish on a quarterly basis a summary of complaints outcomes, trends and actions taken to improve services, with a focus on case studies and examples of how complaints have helped improve services. This may also include positive feedback from Learners and members of the public.

This demonstrates CATS Ltd's approach to improving services on the basis of complaints and shows that complaints can influence our services. It also helps ensure transparency in our complaints handling and will help to demonstrate to our Learners and members of the public that we value their complaints.

CATS Ltd will report on complaint handling performance annually in line with SPSO requirements. This includes performance statistics showing the volume and type of complaints and key performance details, for example on the time taken and the stage at which complaints were resolved.

6.4 Learning from complaints

Complaint Investigators will always try to ensure that all parties involved understand the findings of the investigation and any decisions made. Senior management will ensure that CATS Ltd has procedures in place to act on issues that are identified. These procedures facilitate:

- ❖ using complaints data to identify the root cause of complaints
- ❖ taking action to reduce the chance of this happening again
- ❖ recording the details of corrective action in the complaints file
- ❖ systematically reviewing complaints performance reports to improve performance.

The analysis of management reports detailing complaints performance will help to ensure that any trends or wider issues which may not be obvious from individual complaints are quickly identified and addressed. Where CATS Ltd identifies the need for service improvement:

- ❖ an member of staff (or team) will be designated the 'owner' of the issue, with responsibility for ensuring that any identified action is taken
- ❖ a target date will be set for the action to be implemented, and followed up on to ensure delivery within this timescale
- ❖ where appropriate, performance in the service area will be monitored to ensure that the issue has been resolved.

7. Maintaining confidentiality

7.1 Confidentiality and data protection

Complaints will be handled with discretion and access to information about individual investigations will only be shared with those who have a legitimate access requirement. In determining access requirements CATS Ltd will have regard to legislative requirements; for example, data protection legislation and freedom of information legislation and also internal policies on confidentiality and the use of complainant information.

Information about individual complaints will only be shared with those who need access for a legitimate CATS Ltd purpose. This includes staff investigating and responding to the complaint.

Individuals have the right to access information concerning them, except in limited circumstances. For example, complainants and other parties to the complaint are entitled to access the information about them gathered by complaint investigators. Exceptions to the right to access information about oneself include occasions where disclosure would have an adverse impact on health and wellbeing, management planning, negotiations or the prevention or detection of crime.

Promises of confidentiality will only be given when absolutely necessary to obtain the co-operation of a witness. For example, a witness to an alleged sexual assault may be unwilling to provide a statement to complaint investigators without a promise of confidentiality. Promises of confidentiality will be specific and conform to CATS Ltd guidance.

7.2 Reporting outcomes

Where a complaint has been raised against a Learner or member of staff and has been upheld or partially upheld, the complainant will be advised of this. However, information about specific Learners or staff members will not normally be shared, particularly where disciplinary action is taken.

8 Managing unacceptable behaviour

8.1 Basic principles and expectations

It is recognised that people may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the complainant acting in an unacceptable way. Complainants who display unacceptable behaviour may still have a legitimate grievance, and CATS Ltd must therefore treat all complaints seriously and assess them properly.

Complainants are subject to the same expectations regarding their behaviour as all others who interact with CATS Ltd, its staff and Learners. Complainants should feel free to raise matters of concern without risk of disadvantage, but where a complainant's behaviour over the complaint is deemed to be unacceptable, the CATS Ltd reserves the right to invoke other procedures as necessary. In the case of applicants for admission to CATS Ltd, unacceptable behaviour may result in consideration of an application being terminated, or an offer of admission being withdrawn. In the case of Learners, unacceptable behaviour may result in referral under the Code of Discipline. If such action is deemed necessary, the complainant will be advised of this and attempts will nevertheless be made to complete the investigation of the complaint, though contact with the complainant may be restricted.

8.2 Protection of staff, time and resources

Where complainants are angry, unreasonably demanding or persistent, this can result in unacceptable behaviour towards CATS Ltd's staff and place unreasonable demands on time and resources. CATS Ltd therefore has a duty to protect staff from such behaviour, whilst allowing investigation of the complaint to proceed wherever possible. Should action to protect staff be necessary, there is a requirement to inform the complainant of any decision to restrict their access, their right of appeal, and any procedures for reviewing such a decision to restrict contact. Any decision to restrict access will be made by a senior member of staff, and the complainant will be advised in writing of the decision and the reasons for it. CATS Ltd's decision on this will normally be final, and the complainant will be advised of their right to ask the LGO to review CATS Ltd's handling of the complaint.

8.3 Aggressive or abusive behaviour

Aggressive or abusive behaviour towards staff will not be tolerated. In addition to any physical threats, the definition of unacceptable behaviour includes threats, personal verbal abuse, derogatory remarks or rudeness and any written or verbal content which may cause staff to feel afraid, threatened or abused. Inflammatory remarks and unsubstantiated allegations are also considered unacceptable. If physical violence is threatened or used, CATS Ltd will always report this to the police. In cases where other behaviour is considered abusive to staff or contains unsubstantiated allegations, the complainant will be advised that their language is considered unacceptable, they will be asked to moderate their behaviour, and they will be warned that if the unacceptable action or behaviour continues, CATS Ltd will cease to respond to them.

8.4 Unreasonable demands

Whilst staff will make every attempt to resolve complaints fully and within the published timescales, and to respond to reasonable requests from complainants, staff should not be subjected to unreasonable demands. A demand becomes unreasonable when complying with it would have such an impact on the work of staff that it would disadvantage others with a legitimate call on that staff member's time. Examples of unacceptable behaviour under this heading include:

- ❖ repeatedly demanding responses within an unreasonable timescale
- ❖ insisting on speaking to a particular staff member when that is not possible
- ❖ repeatedly changing the substance of a complaint or raising unrelated concerns.

8.5 Unreasonable levels of contact

Sometimes the volume and/or duration of contact made to CATS Ltd staff by a complainant causes problems. This can occur over a short period – for example, a number of telephone calls in a day – or over the life-span of a complaint when a complainant repeatedly calls (in person or by telephone), emails, or submits unreasonable volumes of information which has already been sent or which is not relevant to the complaint. The level of contact will be regarded as unacceptable when the amount of time spent dealing with the complainant impacts on the ability of staff to investigate the complaint, impacts adversely on ability to attend to other business, or is considered disproportionate to the issue(s) being complained about.

8.6 Unreasonable use of the complaint procedure

Individuals have the right to complain to CATS Ltd more than once, if subsequent issues arise.

However, this becomes unreasonable when the effect of the repeated or additional complaint(s) is to harass staff or prevent CATS Ltd from pursuing its legitimate business or implementing a legitimate decision. Access to the Complaint Handling Procedure is important and CATS Ltd will only consider its repeated use unreasonable in exceptional circumstances, but reserves the right to refuse to consider repeated complaint(s) in those exceptional cases.

8.7 Unreasonable persistence and/or refusal to accept a decision

Persistent refusal to accept a decision made in relation to a complaint, persistent refusal to accept explanations relating to what can or cannot be done about the complaint, and/or continuing to pursue or attempting to re-open a complaint without presenting any new evidence will be considered unreasonable. CATS Ltd will advise the complainant when consideration of the complaint has been completed, and of the complainant's right of review by the SPSO, but further communication thereafter is likely to result in contact being restricted and/or further communications being ignored. Appellants will bear any costs incurred for an Appeal.

8.8 Progressing cases where behaviour is unreasonable

When unreasonable behaviour limits CATS Ltd's ability to communicate with the complainant, attempts will nevertheless be made to investigate and report on the complaint, on the basis of written evidence produced up to the point at which contact has been restricted.

9 Supporting the complainant

9.1 Reasonable adjustments and accessibility

Anyone who receives, requests or is directly affected by the services CATS Ltd provides has the right to access the complaint handling procedure. CATS Ltd will seek to make reasonable adjustments to enable complainants with specific needs to access the CHP easily.

9.2 Support from the Advice Place

Learners considering making a complaint are strongly encouraged to consult an independent service. An adviser can:

- Help Learners to decide whether making a complaint is the best course of action, or whether another procedure may be more appropriate;
- Explain how the complaints procedure works, and what the potential outcomes may be;
- Read drafts of any correspondence Learners write to CATS Ltd (including complaint forms), to help Learners make their case as clearly as possible;
- Support Learners at any meetings they attend with CATS Ltd staff in relation to their complaint if requested.

Learners can contact their local Citizens Advice Bureau:

Website details: <http://www.adviceguide.org.uk>

For England call **08444 111 444**

10 The Complaint Handling Procedure Diagram

See below.

The complaint handling procedure – a guide for staff receiving complaints

