

CIPD Complaints Policy (Qualifications)

1. Introduction

As a recognised awarding organisation, CIPD is subject to external regulation and must meet the regulatory requirements¹ set by Ofqual, Qualifications Wales and CCEA. There are specific requirements for recognised awarding organisations to have a complaints policy and process that provides for the timely, and accurate response to complaints received from users of CIPD qualifications.

The purpose of the policy is to:

- provide operational definition of the term complaint
- clarify who can make a complaint to CIPD
- clarify the eligible grounds for a complaint
- explain the general provisions pertaining to complaints
- clarify the complaints process and timelines with details of the roles and responsibilities of complainants, CIPD and external regulatory bodies if applicable
- provide guidance for centres when developing and reviewing their own complaints policy and process.

2. CIPD jurisdiction

CIPD centres are approved to offer either CIPD awarded qualifications² or CIPD approved qualifications³. All centres are required to meet CIPD Quality Standards and as part of the approval process CIPD check that centres have effective policies and processes relating to complaints and that these meet relevant regulatory criteria.

CIPD has jurisdiction to consider complaints against a centre from all CIPD qualification candidates but it is important to stress that candidates approaching CIPD to complain about a centre should only do so once all appropriate internal centre procedures have been exhausted.

3. Definition

Complaints are defined as formal requests from:

- Candidates expressing concern or dissatisfaction with a service provided, or lack of a service, relating to CIPD qualifications. It must relate to academic services that candidates were led to believe would be provided by a centre or the CIPD, or that they could reasonably expect to be provided.
- Centres expressing concern or dissatisfaction relating to CIPD service, systems and/or processes.

¹ Ofqual (Office of Qualifications and Examinations Regulations), Qualifications Wales and the CCEA (Council for the Curriculum, Examinations and Assessment) General Conditions of Recognition (The General Conditions of Recognition had their basis in the Apprenticeship, Skills, Children and Learning Act 2009 and are therefore legally enforceable)

² CIPD awarded qualifications are subject to regulation by Ofqual, Qualifications and the CCEA and are offered at centres with no qualification awarding powers

³ CIPD approved qualifications are defined as university awards or university validated awards.

The stages of the complaints process, CIPD action and timelines are summarised in Annex 1.

4. Who can complain?

Formal complaints can be submitted by:

- CIPD qualification candidates, or their nominated representatives, against a centre or the CIPD
- Centres against CIPD if they feel the services provided are unsatisfactory.

All complaints, expressions of dissatisfaction and other feedback received by the CIPD will be taken seriously and will be dealt with promptly and appropriately.

5. What is an eligible complaint?

Eligible complaints are considered as relating to:

- Centre complaints about CIPD:
 - systems and/or processes relating to approval, re-approval, registration, assessment, moderation, verification and certification
 - service level agreements.
- Candidates about centres/CIPD:
 - Learning and/or assessment process
 - misleading marketing information
 - assessment, access to assessment and examinations
 - equal opportunities
 - registration
 - certification
 - the application of an approved centre's appeals or complaints procedure.

The CIPD is not able to consider complaints relating to issues of funding.

6. Candidate complaints about a centre

Legitimate concerns may be raised by candidates, either individually or collectively, without fear of being disadvantaged. However, a complaint can **only** be made to CIPD by a candidate about a centre if all of the following are true:

- the complaint is about a service or lack of service that the candidate has been led to expect, or could reasonably expect to be provided and that has a direct and substantive impact on the learning experience, award or progression
- and*
- there are grounds to believe that the centre's internal procedures were not interpreted or applied correctly or fairly
- or*
- that the complaint has not been properly addressed by the centre's own internal procedures
- and*
- the complaint is made within three months of the final outcome of the centre's internal procedures.

7. General provisions

It is expected that CIPD Centres will have their own internal complaints policy and procedures. As part of our quality assurance processes CIPD always check at the point of approval and re-approval that centres have an effective complaints policy and procedure in place to meet CIPD and relevant regulatory body requirements.

It is important that a high level of trust and goodwill is maintained between the CIPD, its centres and the candidates registered on CIPD qualifications, and in the first instance, differences and difficulties should be approached with this in mind and dealt with at the appropriate level.

The CIPD will attempt to resolve complaints expediently without the centre or candidate having to resort to the formal complaints procedure as it is a generally accepted principle that recourse to a formal complaints procedure should be necessary only as a last resort.

It is important to bear in mind that it may not be possible to consider complaints appropriately without disclosure of the identity and other details of the complainant. If a complainant wishes any matter to remain private and confidential, this must be stated clearly in the letter, otherwise CIPD will assume that permission has been granted to disclose any information provided as deemed appropriate and necessary.

The entitlement of candidates to complain must always be balanced by the legitimate requirement that the centre's procedure should not be deliberately misused or abused.

CIPD will treat every complaint fairly but will not engage with frivolous or meritless complaints or persistent and repeated or abusive contacts from complainants. These reduce the amount of time that can be dedicated to carrying out investigations.

Complaint decisions should only be taken by individuals who have appropriate competence and who have no personal interest in the decision.

Where the outcome of a complaint (or enquiry) brings into question the impact on other candidates CIPD will ensure that the interests of candidates who may be affected are protected, and that the integrity of the qualification is maintained.

The CIPD logs, monitors and evaluates all complaints and feedback data to improve our service to qualification users and to identify trends and patterns to inform and support our quality assurance monitoring processes. This information will also be made available to the regulatory authorities where appropriate.

CIPD will not normally allow anyone else to see information relating to a complaint if they are not involved. CIPD may share information about complaints, reviews and investigations where we need to fulfil our duties under the law.

CIPD will keep information about individual cases confidential to the people involved unless there is a need to release information under the Data Protection Act 1998 or the Freedom of Information Act 2000 which CIPD is obliged to comply with.



8. How to make a formal complaint

Stage 1:

Complaints must be made in writing to:

Qualifications Manager, CIPD, 151 The Broadway, London SW19 1JQ

The letter must be signed and dated and include the following information:

- full name, membership number, contact address and daytime contact number of the complainant
- the centre name and the details of the programme
- detailed statement of the complaint and the reason for making it
- documentary evidence to support the complaint
- if the complaint is by a candidate against a centre, documentary evidence that the centre's internal procedures have been exhausted (copies of all relevant correspondence and the final outcome).

Failure to provide all of the above may result in a delayed response and possibly eventually dismissal of the complaint.

It is important to bear in mind that it may not be possible to consider complaints appropriately without disclosure of the identity and other details of the complainant. But if a complainant wishes any matter to remain private and confidential this must be stated clearly in the letter, otherwise CIPD will assume permission has been granted to disclose any information provided as deemed appropriate and necessary.

CIPD will acknowledge the complaint within 7 days of receipt.

Stage 2:

Within 7 days of acknowledging the complaint CIPD will check that all of the required documentary evidence has been supplied and that the complaint falls within the time limits, scope and definition specified above.

If additional information or evidence is required, CIPD will request this to be provided by a given date. If this additional information is not received by the set date, the complaint will not be progressed and CIPD will confirm this decision in writing.

Once sufficient information has been provided it will be progressed to the next stage.

Stage 3:

CIPD will give serious consideration to the grounds of the complaint and the evidence provided. If the grounds are found to be valid and appropriate CIPD will pursue the complaint with the parties concerned. In more complex cases it may be necessary for the CIPD to contact the complainant to request additional information.

CIPD will endeavour to resolve complaints promptly and will base decisions on matters of factual accuracy provided by all parties. The complainant will be kept informed of the progress of enquiries.

In all circumstances CIPD will endeavour to respond to complainants with a decision within 28 days of the start of our investigations.

There are two possible outcomes:

- the complaint is upheld - on the basis that the grounds and evidence justify the complaint.

CIPD follow up action will vary according to the nature of the complaint. In the case of student complaints, CIPD will in all instances refer the matter back to the centre indicating the actions to be taken and reported on.

- the complaint is not upheld - on the basis that the grounds and evidence do not justify the complaint.

In either case, the CIPD's decision will be final.

CIPD may notify the regulatory bodies if it is believed that the complaint could have an adverse effect on the student learning experience.

Complainants who have followed and exhausted the appropriate procedures and are still dissatisfied with the outcome may contact the relevant regulatory body⁴ or the Office of the Independent Adjudicator (OIA)⁵ (this applies to higher education candidates in England and Wales only).

Further information for candidates in Scotland

Complainants in Scotland may also have the right to contact Scottish Public Service Ombudsman (SPSO). The SPSO's rules apply only to public bodies (eg FE colleges and local authority centres). Complainants have to exhaust the public body's own complaints procedure before the SPSO will consider their complaint, and it must usually have been raised within the previous 12 months. The complaint cannot be under consideration in a court of law. It should be noted that student complainants at centres that are not public bodies will not be able to escalate their complaints to the SPSO⁶.

Public bodies should have a documented complaints process which makes it plain that students can complain, in turn, and once the previous stage has been exhausted to the centre, to the awarding body, to the SPSO.

Please note that the SPO will not consider complaints about academic decisions such as the outcome of an assessment. These types of complaints should be treated as an appeal.

The SPSO's Further Education Colleges Model Complaints Handling Procedure can be found at <http://www.valuingcomplaints.org.uk/wp-content/media/The-Further-Education-Model-Complaints-Handling-Procedure.pdf>

⁴ Ofqual in England; CCEA in Northern Ireland; Qualifications Wales in Wales

⁵ Office of the Independent Adjudicator www.oiahe.org.uk

⁶ For some complaints, there will be no requirement for the college to escalate the complaint to awarding bodies, eg if the complaint concerns the behaviour of a centre staff member (in this case, once the student has exhausted the college's complaints process, they would go direct to the SPSO if dissatisfied.)

