

# Complaints Policy

| <b>Document Specification:</b> |  |                      |                     |
|--------------------------------|--|----------------------|---------------------|
| Purpose:                       | To set out the policy and procedure to be followed by NALP when dealing with complaints about its qualifications or services |                      |                     |
| Accountability:                | NALP Governing Board   | Responsibility:      | Responsible Officer |
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### 1. Purpose and Scope of Policy

The National Association of Licensed Paralegals (NALP) is an awarding organisation recognised and regulated by Ofqual. Under the Ofqual Conditions of Recognition, NALP is required to ensure that it establishes and maintains a written complaints policy covering the way it responds to complaints and deals with the subject matter of the complaint, including the timescales for doing so. The policy is designed to fulfil that Condition, plus provide all users with a guide to making, responding to and resolving complaints received by NALP.

Complaints can be received by a variety of different mediums – telephone, email, website contact form, letter, etc. – and can be received from learners, centres, regulators or other users of our qualifications.

Please note that this Policy only deals with complaints. This Policy does not cover Whistleblowers which is covered by a separate policy.

### 2. Definition of a Complaint

A complaint is defined as an expression of dissatisfaction about the provision of a qualification or any other service provided by the awarding body or its representatives.

### 3. The Complainant

Anyone who seeks or receives a service from NALP or its representatives may lodge a complaint under this Policy. Matters of concern may be raised individually or collectively and candidates and teachers should feel assured that they will not encounter any disadvantage having lodged a complaint in good faith.

Anonymous or third-party complaints will not be dealt with under the Procedure. It is at the discretion of NALP as to how these are handled. Where there is reason to believe that a complaint is vexatious or malicious, the matter will be referred to the Chief Executive who may decide to reject the complaint without full consideration of its merits. Reasons will be given as to why the complaint is considered to be an abuse of process. Such complaints received with sufficient evidence to support the claims being made will, of course, be dealt with rigorously.

In the event of uncertainty about the scope of the Procedure or if general advice is required on the most appropriate way to pursue a complaint, the candidate should contact NALP in the first instance for clarification. All stages of the Complaints Procedure are internal proceedings.

### 4. Confidentiality

Confidentiality will be preserved by NALP during the investigation of a complaint to safeguard the interests of everyone concerned unless disclosure is necessary to progress the complaint. For a complaint to be considered under this policy, all parties involved in the investigation must

observe confidentiality. Any individual about whom a complaint is made will be informed of the fact and nature of the complaint.

## 5. Making a Complaint

A complainant, as defined in section 3, wishing to make a complaint may do so in writing, via Email or via telephone, providing as much information as possible to support their claim. We do not accept complaints via text message, but all other reasonable mediums are acceptable. It should be noted, however, that complainants who telephone will be routinely be requested to follow up their call-in writing.

Once a written complaint has been received (whether by post or by email), an acknowledgement of receipt will be issued within 3 working days. If no acknowledgement has been received by the complainant within 7 working days, they should contact NALP to ensure that the original complaint was successfully delivered.

For telephone complaints, the acknowledgement will normally be provided during the telephone conversation and so a separate acknowledgement may not be issued, except on request or where the nature of the complaint is such that it is considered appropriate. All telephone complaints will be logged, however it may not be possible to progress a complaint fully without it being followed up in writing by the complainant in order to ensure all relevant details and evidence is being considered.

**Note:** If an individual is making a complaint regarding the actions of an Approved Centre of NALP, they must first have exhausted the complaints procedure of that Centre. NALP will not consider complaints against Centres unless the Centre has been given the opportunity to resolve the complaint themselves.

## 6. Complaints Handling Procedures

In the case of all complaints, NALP seeks to ensure that appropriate and reasonable action is taken. Where a complaint is justified, any appropriate remedial action will be notified as part of the decision. If a complaint is not justified at any stage, the reasons for the decision will be communicated to the candidate.

Complaints are recorded and a copy of the complaint is sent to the person about whom the complaint has been made for their response.

Complaints will be passed to the Chief Executive on receipt who will delegate the investigation to the most appropriate person – i.e. the Responsible Officer, Senior Examiner, the Chief Executive themselves, etc.

The nominated investigator will carry out the investigation, looking at all information provided by the complainant and any evidence held by NALP. Should it be required, additional information

and clarification may be requested from the Centre or individual about whom the complaint has been made.

Once all investigations have been completed, the investigator will inform the complainant of the outcome. This should be within 30 days of the original complaint being received by NALP. Should there be any delay to this deadline, for instance if the investigator is awaiting additional information or clarification, the complainant will be informed of the likely length of the delay and be kept up to date should of any further slippages.

The final decision will be issued to the Complainant in writing (post or email), although they may initially be informed verbally by telephone if requested.

If it is found that the nature of the complaint warrants further investigation, the Chief Executive will pass on the information to the Executive Board who will make a decision about whether the complaint should be upheld after reviewing all the evidence presented. The Board may decide to contact the candidate/teacher and the person about whom the complaint was made for further information.

## 7. Appeal to the Governing Board

Once a complaint has been answered, if the complainant is dissatisfied with the outcome, they have the right to appeal and request for the case to be reviewed by the Governing Board or, if convening a full Board meeting would delay the timescale for this to over 60 days from receipt of the appeal, a nominated member of the Board will look at the case. That member must not be a part of the day to day running of NALP and must not have had any previous involvement with the subject of the complaint or the complainant themselves.

All appeals must be made in writing citing the reasons for the appeal and providing any additional evidence not previously provided by the complainant.

## 8. Escalation to Ofqual

After the appeal to the Governing Board, should a complainant remain dissatisfied with the outcome, they have the right to escalate the complaint to Ofqual. NALP is committed to full cooperation with Ofqual in all matters and will provide Ofqual with all evidence it has in its possession. Complainants should note that, if they raise an issue with Ofqual that was not previously covered in the complaint dealt with by NALP, Ofqual are likely to simply pass that information to NALP to deal with prior to accepting the escalated case.

## 9. Monitoring the Process

In order that NALP can improve services to candidates and other clients, the receipt of complaints and responses to them will be monitored. A regular report on the outcome of the monitoring process will be made to the Governing Board via the Chief Executive. This will enable NALP to continuously improve its services and ensure an inclusive consistent and constructive

approach to complaints. The effectiveness of the Complaints Procedure will also be kept under review and, where appropriate, changes will be made.

## 10. Data Protection

All data gathered as part of the complaints handling process will be managed in line with NALP's Privacy Policy and Data Protection Policy. This will ensure that all such data is handled in line with all current Data Protection legislation including, but not limited to, The Data Protection Act 2018, the General Data Protection Regulations and the Privacy and Electronic Communication Regulations.