

Policy Name:	<i>Complaints Policy</i>
Policy Ref:	POL/CO/CO/CC/0001A
Who it applies to:	Members, CILEX Employees, CILEX Board and Committee members, Volunteers, associated persons <u>including Trustees and those acting on behalf of the CILEX Foundation</u> , and other users of CILEX qualifications <sup>1</sup> .
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Contractual terms and conditions which will be changed following legal requirements	No

## Complaints Policy

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<sup>1</sup> Users of CILEX qualifications includes CILEX learners and apprentices, their representatives including their employers, CILEX approved training providers, other CILEX education provider partners contracting with CILEX for Awarding Body products and services, CILEX regulators and government departments

# Introduction

This policy forms part of the Chartered Institute of Legal Executives' (CILEX) internal control and corporate governance arrangements. CILEX means here, the Chartered Institute of Legal Executives and its subsidiaries.

The CILEX board is committed to ensuring that effective policies operate throughout CILEX.

This policy is not contractual but is intended as a statement of current CILEX strategy, and its commitment to operate a fair procedure, considering statutory and other guidelines. CILEX therefore reserves the right to amend this policy and procedure, as necessary, to meet any changing requirements.

This policy and associated procedure, set out good practice in the management of complaints. The documents provide all parties with a set of guidelines which are applied fairly and consistently.

At CILEX we endeavour to provide high quality services to our customers, however, we recognise that on occasion, despite our best efforts, mistakes can be made. By welcoming feedback through our Complaints Procedure, we can try to remedy situations that have gone wrong and continue to improve our service design and delivery, as well as learn from examples of positive feedback about things that have been done well, which helps us to develop our processes and practices.

CILEX strives to empower employees to act decisively to resolve complaints. Learning opportunities are available for all CILEX employees and representatives by way of additional training and workshops on our customer care processes where required.

Whilst we welcome feedback on all aspects of customer care, this policy and procedure is mainly focussed on complaint handling and shall apply to complaint handling for all services and products within CILEX, unless otherwise stated or overridden by legislative requirements.

## What is a complaint?

A complaint can sometimes be difficult to determine. As a guide, we define a complaint as being an expression of dissatisfaction with the quality of service, or a product purchased and/or provided, usually falling under one of the following categories:

- We have failed to do something we should have.
- We have done something badly or in the wrong way.
- You feel that you have been treated unfairly or discourteously.

# Policy Statement

CILEX is committed to responding to complaints about our services and products in a timely and open manner, ensuring that we look at the matters raised impartially, consistently, and thoroughly.

We view complaints as an important and useful source of feedback about how we have performed and how we can improve in future. When things go wrong, we will acknowledge our mistakes and try to put things right. We promise that we will treat you fairly, and that your matter will be dealt with sensitively, taking into account your individual circumstances and establishing the facts of your case. We promise to listen to you to understand the complaint and the outcome that you are seeking.

We have a three-stage approach to dealing with complaints. Each stage must be followed in numerical order before it can be progressed to the next stage, and this should be signposted in the correct manner and at the right time by the person receiving the complaint.

When responding and providing the outcome to any given stage, we will give reasons for our decisions based on our guidelines, policies, and statute (where applicable) and will always try to manage your expectations regarding timeframes and outcomes. CILEX will ensure that decisions are appropriate and fair, and that the remedies provided are proportionate.

CILEX will always act fairly regarding complaints made about staff members as well as towards complainants and will investigate objectively, impartially, and appropriately. When we receive a complaint about a member of staff, we will inform them and give them an opportunity to respond.

Most people who contact us are responsible and display acceptable behaviour, however on rare occasions this is not the case. We accept that when contacting us to raise an issue, individuals may be distressed, upset, frustrated or angry, however, we expect to be treated as we would treat others<sup>2</sup>.

CILEX will:

- treat you politely and considerately.
- respect your dignity and privacy.
- listen and respect your views.
- always try to provide information in a way that can be understood.
- take into account any disabilities that you have, that may have a bearing on the situation or the nature of your complaint; and
- where possible, make reasonable adjustments to our service, processes, or procedures in relation to your comments.

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<sup>2</sup> Refer to the Unreasonably Persistent and Unacceptable Behaviour Policy

# Purpose and scope of policy

This policy outlines how you can raise a complaint or provide feedback about our processes, employees or others carrying out work for us. This policy explains how we will handle your complaint and what to expect during the process.

## Issues not covered by this policy:

### **Complaints about a Training Provider -**

If a learner is not satisfied with the service which has been provided by a CILEX accredited training provider (which relates to the delivery of a CILEX related product / programme / service), the learner should initially seek to resolve any issues directly with the training provider<sup>3</sup>.

**\*Please note that CILEX is unable to seek refunds from CILEX training providers on behalf of learners.**

**Requests to re-mark, review or appeal examination and assessment results** which are covered by the Enquiries about Results Policy and Procedure for the relevant CILEX qualification or assessment.

**Complaints regarding bullying, harassment and discrimination** are covered by the CILEX Law School (CLS) <sup>4</sup>Anti-Bullying Policy if the allegation relates to CLS or the CILEX Anti-Bullying policy for internal matters if the allegation relates to a CILEX employee.

**Complaints regarding Non-Executive Directors** will be passed to the Head of Human Resources for investigation.

**Complaints relating to an individual or a firm regulated by CILEx Regulation (CRL) and concerns regarding the CILEX Code of Conduct** should be reported to **CILEx Regulation Limited**<sup>5</sup>. Please bear in mind they will not investigate issues regarding service provided by firms and/or individuals. If you are unhappy about how they have dealt with your report, you can complain under the CRL Service Complaints Policy<sup>6</sup> by emailing: [Contact Us - CILEx Regulation](#)

### Social Media comments:

We will not engage in complaint correspondence through social media channels; however, we may try to contact you directly to follow-up on any comments you have made and to advise on the appropriate channels in which to raise a complaint<sup>7</sup>.

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<sup>3</sup> Refer to Appendix B for further guidance.

<sup>4</sup> CLS policies found here: [Policies | CILEX Law School](#)

<sup>5</sup> CILEx Regulation Ltd is a subsidiary company of CILEX.

<sup>6</sup> CILEX Regulation Ltd has its own separate complaints policy and procedure - [Problems and Complaints - CILEx Regulation](#)

<sup>7</sup> As detailed in the Complaints Procedure

## Performance monitoring and reporting

Key complaint data relating to volumes and circumstances is collated and analysed on an on-going basis. The data is regularly reported to the Audit and Risk Committee.

Learning from complaints is a powerful way of improving service, enhancing the reputation of CILEX, and increasing trust among the people using our services and products. Where complaints have led to a change in services, policies, or procedures, they may be discussed in more detail with the Senior Leadership Group and/or Operational Delivery Group and Audit and Risk Committee and reported internally to staff. The purpose of this is to:

- drive improvement in service delivery
- boost confidence in the complaints process.
- help to identify patterns in complaints.
- help to effect changes to prevent the problem from recurring.

## Responsibilities

It is the responsibility of all employees to be familiar with the Complaints Policy, and in the event that they receive a complaint, they should follow the correct procedure.

The relevant team, and Line Managers are responsible for Stage 1 and Stage 2 complaints. Mindful of any potential conflict of interest, the Corporate Compliance Manager, CEO and/or Operations Director and/or any relevant Head(s) of Department are responsible for investigating Stage 3 complaints.

There may be exceptional circumstances where a complaint<sup>8</sup> warrants immediate escalation in order to expedite investigation and CILEX reserves the right to proceed as it deems appropriate.

It is the responsibility of the Corporate Compliance Manager to ensure that this policy and procedure is reviewed at 18-month intervals and updated, when necessary, in response to feedback or regulatory requirements.

## Legal Obligations

CILEX will treat everyone the same, both during and after a complaint has been raised ([Equality Act 2010](#)).

## UK Data Protection legislation

The statutory and/or regulatory directives and legislation on which this Policy is based upon is the current UK Data Protection legislation.

This is all applicable UK Data Protection and Privacy legislation in force from time-to-time, including the General Data Protection Regulation (EU) 2016/679, the UK Data Protection Act 2018 and the Privacy and Electronic Communications (EU Directive) Regulations 2003 (as

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<sup>8</sup> Or a group of complaints regarding a specific issue

amended)(PECR) and any superseding legislation and all other applicable laws, regulations, statutory instruments and/or any codes, practice or guidelines issued by the relevant data protection or supervisory authority in force from time to time and applicable to a Party, relating to the processing of personal data and/or governing individual's rights to privacy.

## References

The following policies and standards fall within the reach of this policy:

- Appeals Policy for relevant CILEX qualification
- [Archive, Retention and Destruction](#) Policy
- CILEX Charter and Byelaws
- CILEX Code of Conduct
- CILEX General Terms and Conditions
- Cookies Policy
- Customer Service Standards
- [Data Protection Policy](#)
- [Disciplinary & Grievance Policy](#)
- [DPIA Policy](#)
- [DSAR Policy](#)
- Enquiries about Results Policies for relevant CILEX qualification
- [Equality, Diversity & Inclusion Policy](#)
- [Information Security Policy](#)
- [Media Handling Policy](#)
- [Membership Requirement Regulations](#)
- [Other Rights Policy](#)
- [PDSI Policy](#)
- Personal Interest Policy
- Privacy Policy
- Reasonable Adjustments Policies
- Redaction Policy
- Safeguarding Policy
- Social Media Account Management Policy
- CILEX Standing Orders<sup>9</sup>
- Training Provider risk management Procedures
- [Unreasonably Persistent Contact and Unacceptable Behaviour Policy](#)
- [Whistleblowing Policy](#)

## Competences

It is important that all employees understand their role and responsibilities and where they are able, to resolve any issues. Where they are unable to do so, they should notify their manager as soon as possible.

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<sup>9</sup> S40 Covers complaints about CILEX Board Members.

# Appendix A

## Contacting Us

<b>CILEX</b> Customer Service For stage 1 and 2 complaints  Corporate Compliance Manager Stage 3 complaints	Select 'Contact Us' via the myCILEX portal
<b>CILEx Regulation Ltd</b> Director of Policy, Governance & Enforcement	Email: <a href="#">Contact Us - CILEx Regulation</a>

# Appendix B – Guidance on Complaints about Training Providers

The first stage of raising a complaint about a Training Provider would typically be an informal process where the learner would discuss their issues with their tutor or other individuals at the centre. If a learner is unable to discuss any issues with their tutor or other individual, or remains dissatisfied after doing so, they should then follow the training provider's formal complaints procedure (this would typically involve two formal stages and an appeals process).

After a learner has completed the training provider's full complaints procedures (and if they still remain dissatisfied with the training provider's response), the learner is entitled to contact CILEX.

Any complaints about a CILEX training provider can then be sent to the Customer Service Team by using the Contact Us Form in your myCILEX account, detailing the complaint and including any other relevant information. Complaints from learners concerning CILEX training providers are recorded and managed through CILEX's training provider risk management procedures. CILEX will carry out an investigation into the complaint which will involve contact with the training provider concerned.