

Vital Pathways Training Ltd Complaints and Grievances Policy

1. Preamble

1.1 Vital Pathways Training Ltd recognises that a situation could arise where a learner may have a difficulty in relation to a member of staff, faculty, or service of Vital Pathways Training, or another learner on a Vital Pathways Training course.

This Complaints Policy provides one possible course of action to resolve such difficulties. However, it is expected that every effort will be made by those involved to resolve all matters through conversations and dialogue.

Differences and conflicts are most effectively resolved through those involved having an opportunity to talk things through, and the tutorial team are available to assist with this process.

1.2 A complaint is defined as: An expression of substantial dissatisfaction by one or more learners about the standard of service, actions or lack of action by Vital Pathways Training Ltd, or about another learner at Vital Pathways Training Ltd.

1.3 This Complaints Procedure is not applicable to complaints about issues over which the training organisation has no control.

1.4 Please note that there are separate procedures for issues relating to academic results and/or progression to clinical work. For such matters, please refer to the policies available in the Vital Pathways Training Handbook or website.

1.5 Where the complaint is, or is likely to be, the subject of an investigation by another authority (including the PSNI, COSCA, BACP or a professional body), then Vital Pathways Training Ltd may suspend the procedure.

2. Purpose

2.1 The objective of this policy is to inform learners about the complaints procedure at Vital Pathways Training Ltd.

2.2 The complaints procedure aims to provide learners with an opportunity to resolve complaints that they may have in a timely and collegial manner.

3 Scope.

3.1 This policy applies to all registered learners at Vital Pathways Training Ltd.

3.2 This policy applies to complaints in relation to a member of staff, faculty, or service of Vital Pathways Training Ltd, or another learner at Vital Pathways Training Ltd.

4. Principles

4.1 The guiding principles of the procedure are as follows:

4.1.1 Complaints should be dealt with in a timely manner and through processes which are clear, straightforward and transparent.

4.1.2 Vital Pathways Training Ltd expects that learners with concerns should be responsible for making these known themselves.

4.1.3 Vital Pathways Training Ltd presumes that complaints are submitted in good faith.

4.1.4 Learners will not be disadvantaged for submitting a complaint regardless of whether the complaint is upheld or not unless the complaint is deemed to be unreasonable or malicious.

4.1.5 Complaints will be investigated by the Course Directors who have no material interest in the complaint.

4.1.6 Complaints are confidential to Vital Pathways Training Ltd and will only be disclosed outside to those who are immediately involved and/or those whose participation is necessary for a resolution. Permission is required to disclose to those within this remit

4.1.7 Vital Pathways Training can seek legal or other specialist advice to assist resolution.

4.1.8 Confidentiality will be respected by all involved in the process.

5. Complaints Procedures - Conditions

5.1 Complaints that do not follow the correct procedural steps will not be considered.

5.2 Learners at Vital Pathways Training Ltd are encouraged, where appropriate, to resolve differences and disputes through dialogue before proceeding to formal stages. Where reasonable attempts have not been made to resolve matters informally, then the learner will be advised to first follow the informal complaints procedures, or an alternative policy where applicable. Where the complaint is about another learner, the learner should, where appropriate, first follow Vital Pathways Training Ltd Policy or other relevant policy.

5.3 Group Complaints: In the event of a group complaint each member of the group must sign the complaint form. The group should nominate one member to communicate on their behalf with Vital Pathways Training Ltd and record the nomination on the complaints form.

5.4 Third Party Complaints: Vital Pathways Training Ltd cannot participate in third party complaints or complaints by representatives.

5.5 Unreasonable Complaints:

5.5.1 In some circumstances persisting with a complaint that has already been processed or initiating or persisting with a complaint in a manner that infringes the rights of others, may be considered to be unreasonable behaviour.

Unreasonable behaviour includes, but is not confined to:

- 5.5.1.1 Persistence in pursuing an argument that has already been addressed or re-framing a complaint that has already been processed to present it as a fresh complaint.
- 5.5.1.2 Making demands – examples include seeking an alternative decision on a complaint that has already been decided, demanding that a complaint be dealt with or not dealt with by a particular staff member.
- 5.5.1.3 Lack of co-operation – examples include not making oneself reasonably available to the complaints process, issuing multiple queries in relation to the same issue and/or demanding an immediate response to correspondence.
- 5.5.1.4 Presenting irrelevant arguments and/or insisting that the complainant's interpretation of legal or other issues should be accepted as fact.
- 5.5.1.5 Threatening behaviour including threats of violence, verbal abuse of learners or staff, and rude or aggressive conduct.

5.5.2 In the event of unreasonable behaviour by a complainant, Vital Pathways Training Ltd will not process the complaint any further and disciplinary action may be taken against the complainant acting unreasonably.

5.6 Formal investigation of a complaint will only be undertaken when a learner directly and in writing invokes the complaints procedure.

5.7 Anonymous complaints will not be considered.

5.8 Full Participation in the Process:

5.8.1 Learners should understand that when they initiate a complaint, there are specific procedures that will ensue.

5.8.2 Complainants are required to provide full, accurate and clear information on the grounds and nature of the complaint.

5.8.3 Complainants are required to cooperate with any investigation of the complaint, including provision of additional information and attendance at any necessary interviews. If complainants choose not to participate, the procedure cannot be progressed. If the complainant formally withdraws the complaint the Course Director will inform all relevant parties.

5.8.4 Complainants should note that a complaint that is unreasonable or malicious can result in the other party lodging a complaint against them.

5.8.5 If legal proceedings become involved Vital Pathways Training's investigation will pause until legal proceedings are complete.

5.8.6 The complaints process can be adjourned or put in recess and restarted at the point at which it was stopped, within a reasonable time.

5.9 Complaints against someone who has left the Organisation:

- 5.9.1 VPT will investigate the complaint informally.
- 5.9.2 If the complaint is found to be valid, identify and address any systemic failures in the organisation.
- 5.9.3 Contact the person complained against to represent their own interests if possible and if the complainant is not satisfied by the informal procedure, follow the formal complaints procedure.
- 5.9.4 Report to the relevant Professional counselling body the outcome of the complaint.

6. Time Limits for Raising a Complaint

6.1 There are time limits associated with making a complaint. It is the learner's responsibility to ensure that they adhere to these time limits.

6.1.1 Informal stage: Complaint should be lodged as soon as possible and preferably within 30 working days of the incident giving rise to the complaint. However, complaints will be accepted for investigation up to 3 years following the date of the incident and outside of this time period if they are deemed to be in the public interest.

6.1.2 Formal stage: Complaint should be lodged as soon as possible and preferably within 30 working days of the incident giving rise to the complaint or the conclusion of the informal stage, whichever is the later. However, complaints will be accepted for investigation up to 3 years following the date of the incident and outside of this time period if they are deemed to be in the public interest.

This stage should be completed within 3 months of the complaint being made formally, provided that the informal stage must conclude within three months of the complaint being lodged informally regardless of whether the complaint has been resolved.

6.1.3 Appeals stage: Complaint should be lodged within 1 week of the date of the outcome report issued on completion of the formal stage.

6.2 Complaints received after these times will not be considered.

6.2 Complaints will be acknowledged within 2 weeks. Investigation of the complaint will take place within a further 2 weeks and the complainant and person complained against will be kept informed as the process continues, via email.

7. Informal Complaints Procedure

7.1 Complaints and concerns should, where possible, be resolved at any early stage through dialogue and by those who are directly involved in the situation. Learners are encouraged to approach the person directly and respectfully with whom they are experiencing difficulty.

Resolution through dialogue and discussion is often possible. Guidance is provided in Vital Pathways Training Ltd policy on Dignity and Respect.

7.2 If the issue is not resolved after initial dialogue, learners are encouraged to consult informally with Programme Leaders or Assistant Programme Leaders at Student Care time, or by appointment.

7.3 Learners have up to 3 years from the date of the incident giving rise to the complaint, or from the conclusion of the informal stage, whichever is the later, within which to lodge a formal complaint provided that the informal stage must conclude within three months of the complaint being lodged informally regardless of whether the complaint has been resolved. It is expected that during this period learners will take all reasonable steps to resolve the dispute informally.

8. Formal Procedure

If an informal discussion has not brought a resolution or you feel the matter is too serious to be dealt with by way of informal discussion, the following procedure will apply: -

Step 1 – set out your complaint in writing

You should write to the Course Director, setting out the basis for your complaint in as much detail as possible. The Course Director may be contacted at info@vitalpathwaystraining.com and 5 Ravelrig Drive, Edinburgh, EH14 7NQ. If your complaint relates to the Course Director you may, if you prefer, set out your complaint in writing to the most appropriate Company Director. Any conflict of interest should be disclosed to the Course Director.

Step 2 – meeting and outcome

Upon receipt of your written grievance, you will be invited to a meeting to discuss your grievance. You have the right to be accompanied at the meeting by a work colleague or professional body where you make a reasonable request to be so accompanied. The complainant and the person complained against will not be asked to attend together. Following the meeting to discuss your grievance, further investigations will be carried out if necessary and you will be advised in writing of the outcome as soon as reasonably possible.

Step 3 – appeal

If you disagree with the outcome to your grievance, you have the right to appeal against it if new evidence is provided or the procedure was not followed correctly.

Your appeal should be submitted within one week of the date of receipt of the grievance outcome.

You should set out the basis for your appeal in writing in as much detail as possible. You will be invited to an appeal hearing, with the External Assessor present for impartiality, to discuss your appeal and again will have the right to be accompanied at the hearing by a work colleague or accredited professional representative where you make a reasonable request to be so accompanied. No person previously involved in investigating the complaint will be investigating the appeal.

Following the appeal hearing, you will receive written notification of the outcome of the appeal and the grievance procedure will be at an end. We aim for this to happen within 3 months.

We reserve the right to engage the services of a third party to provide assistance with or to chair any meeting convened in accordance with this policy.

Sanctions

If the complaint is upheld, appropriate sanctions will be applied which may include, but are not exclusive to an apology, retraining or ceasing to provide services for the training organisation. This will be monitored by the Course director who will notify the complainant and the complained against when these sanctions are fulfilled.

Staff/Third Party contracted team members

It is important that if you feel dissatisfied with any matter relating to your employment/role, you should have an effective means by which your grievance may be heard. It is hoped that most issues can be dealt with by way of an informal discussion and all team members are encouraged to attempt this method of resolution in the first instance where possible.

Overlapping grievance and disciplinary / capability / redundancy issues

If you raise a grievance after we have commenced an investigation into your conduct or capability or have commenced a redundancy consultation exercise with you, we may take any of the following steps as seem to us to be most appropriate in the circumstances:-

1. The investigation / disciplinary / capability / redundancy process may be temporarily suspended in order to deal with the grievance.
2. We may deal with both matters concurrently.
3. If it appears to us that the content of the purported grievance actually amounts to representations by you in relation to the investigation / disciplinary / capability / redundancy procedure, we may determine that no separate grievance procedure is required and the content of your purported grievance will be dealt with as representations in the other ongoing procedure.

Recording of meetings

Meetings conducted with you during your contractual obligations to the company (e.g. an informal discussion, disciplinary, grievance, appraisal meeting) must not be recorded without prior permission. Where there is a degree of formality regarding the meeting, a note will be taken, and you will be entitled to review and comment upon the notes. Alternatively, a meeting may be recorded with consent of all parties. If you make an audio or video recording of a conversation or meeting without prior permission this may result in disciplinary action being taken against you.

How can we help?

1. Alternative means are offered by VPT to complainants who are unable to submit complaints in writing.
2. VPT are able to take complainants through the process and answer any questions.

3. VPT are able to signpost complainants to external support from organisations such as local advocacy services.

Professional body involvement

At the conclusion of this complaints procedure the complainant has the option to submit a complaint to COSCA, BACP or ACC under their complaints procedures.

If a professional body is involved, the outcome report at the conclusion of the complaints proceedings will be submitted to COSCA, BACP or ACC.

COSCA <https://www.cosca.org.uk>

BACP <https://www.bacp.co.uk>

ACC <https://www.acc-uk.org>

The outcome report will be submitted immediately or within one month of the conclusion of the complaints process.

The professional bodies have the right to publish upheld complaints and their sanctions regarding individual members or organisational members.