

Procedure for submitting a complaint

Elevate believes that participants should be entitled to have access to effective systems for handling any complaints that might arise during the course they follow, as one way of ensuring the highest possible academic and service standards. Participants should feel able to make a complaint, secure in the knowledge that it will be fairly investigated. If you feel you have not been treated properly by someone employed by Elevate, or if you disagree with a decision that affects you personally, you can submit a complaint.

The complaints procedure comprises a number of stages and can be used for complaints about the delivery and quality of courses or services, teaching, tutorial/supervisory provision or any other matters relating to a course and/or service.

What is a complaint?

A complaint is defined as an oral or written expression of dissatisfaction or concern you may have about facilities or services provided by Elevate, or about actions or lack of actions by Elevate or its staff.

This does NOT include:

- requests for new or different services
- harassment and bullying
- academic decisions
- disciplinary or misconduct procedures

These issues are covered by separate procedures, but if in doubt write directly to the Complaints Officer at the address at the top of this document, who will advise you on which procedure to follow and will pass on your concerns to the relevant person(s). If an appropriate procedure is not available or there is doubt about which one is most suitable, then the Complaints Procedure will be adopted.

Where an issue involves aspects that are covered by more than one procedure, it would not be prudent to have more than one investigation into a case running concurrently. In this situation, the Complaints Officer will write to the participant advising of the situation and clarifying the approach that will be adopted. This will vary depending on the facts of the case, but the decision will always be driven by the best interests of the complainant.

Why have a Complaints Procedure?

The purpose of the procedure is to provide a formal route through which you, as a participant, can bring a complaint to the attention of Elevate.

The procedure aims to:

- be accessible;
- encourage informal conciliation and resolution nearest to the source of the complaint;
- allow speedy handling, within established time-frames;
- ensure full and fair consideration of complaints;
- respect complainants' confidentiality;
- provide an effective and appropriate response;
- support the right of the complainant to be accompanied at any stage of the procedure;
- contribute to Elevate's performance measurement;
- identify areas of weakness in order to support Elevate's development and improvement.

Who is responsible?

The chief executive officer (CEO) has overall responsibility for Elevate's Complaints Procedure, including reviewing, monitoring and reporting on its implementation.

The Complaints Officer has day-to-day responsibility for the delivery and management of the Complaints Procedure.

What are some of the ground rules?

- ✓ Before making a formal complaint, the participant must seek to resolve the matter informally with the relevant person or through her/his line manager or the Complaints Officer. He/She must try to take appropriate action to prevent unnecessary escalation of the complaint.
- ✓ At all stages of both the informal and formal procedure, the participant should expect the complaint to be acknowledged, handled in a quick, polite and straightforward way and investigated thoroughly and impartially.
- ✓ The participant will not be disadvantaged in any way by raising a complaint.
- ✓ Elevate reserves the right not to investigate or take action on anonymous complaints or those raised on behalf of an anonymous third party or where you, as the complainant, do not give your consent in writing.
- ✓ If your complaint is found to be frivolous, vexatious, defamatory or motivated by malice, Elevate reserves the right not to proceed with the complaint and, to take action against you, where appropriate.
- ✓ Any person(s) you raise a complaint about will be informed of your complaint.
- ✓ To enter the formal stages of the procedure, you must put your complaint in writing and state your desired outcomes.
- ✓ At all stages of the informal and formal procedures you have the right to present your case in Dutch or English; if you intend to be present at a hearing, then you must give prior notice of your preferred language.

- ✓ The timescales laid down in the procedure may need to be extended by one of the parties in certain circumstances. Where this need arises, the party affected by the delay must inform the other party in writing. Elevate reserves the right, however, not to consider any complaint that is submitted more than three months after the event, unless there are exceptional circumstances, and to set a final deadline at any stage, after which the complainant will forfeit the right to pursue the complaint further.
- ✓ Privacy and confidentiality will be maintained, involving only yourself, other person(s) involved and relevant staff at Elevate including the CEO and the Complaints Officer.
- ✓ All persons involved will have access to any written materials at least 5 working days before any interview or hearing.
- ✓ When making a formal complaint you and the person(s) being complained about may be accompanied at any time by a friend, representative or colleague, but not by a solicitor or barrister acting in a professional capacity, unless this is agreed by both parties. If you are considering legal action, Elevate will take suitable steps to ensure that its legal position is fully protected.
- ✓ If you are complaining as a member of a group, one person must be prepared to act as your spokesperson and correspondent for the purpose of the formal procedure, and you all must be able to demonstrate that the matter has personally affected you. You must all agree in writing to the spokesperson acting on your behalf.
- ✓ Decisions and outcomes will be communicated to the person(s) complained about at the same time as the complainant.
- ✓ All records of complaints will normally be destroyed after 5 years has elapsed from the complaint being resolved.

Informal complaints

Complaints may vary in severity, complexity and whether any allegations are admitted or denied. Most difficulties can be resolved at an early stage by talking informally with the individual(s) most concerned with the issue at a local level, at the earliest opportunity.

Formal complaints

You are likely to have attempted to resolve matters informally but are not satisfied with the outcome, in which case you could initiate a formal complaint. You should request and complete a Complaints Form and send it to the Complaints Officer. You need to provide the following information:

1. details of the complaint;

2. an explanation of the steps you have already taken to try to resolve the complaint informally and why the responses you have received are not considered satisfactory;
3. where applicable, the form of resolution or redress sought.

It is important to keep a copy of the form and any other documentation submitted, for your records.

You should expect an acknowledgement of your complaint within 5 working days and a full written response within 28 working days. If this is not possible, you will be informed in writing of the progress being made towards the consideration of your complaint.

Your complaint will be investigated by the CEO. If your complaint is considered justified (upheld), you will be informed of the means to resolve or redress the complaint. If the complaint is not upheld, then you can expect to be given an explanation.

If the problem still has not been resolved to your satisfaction, or if your complaint relates to the CEO personally, then you should complete a Complaints Form and send it to the address shown on the form. If the complaint concerns an academic matter, it will be referred to the appropriate Faculty member. If it is not possible to react within the given days, you will be informed in writing of the progress being made towards the consideration of your complaint. If your complaint is considered justified (upheld), you will be informed of the means to resolve or redress the complaint. If the complaint is not upheld, then you can expect to be given an explanation. Where a department or service has provided written comments in response to your complaint, a copy of those comments will normally be sent to you with the full written response.

External Review

If recourse to Elevate's internal procedures has not resulted in the resolution of a complaint or appeal to your satisfaction, you may wish to consider applying for a review of your complaint by the Disputes Arbitrator, Mrs. J.W.F. de Beaufort-Kronenberg LL.M (Arbitrator). If it is considered eligible under their rules, the Arbitrator will review your complaint, provided Elevate's internal procedures have been exhausted. She can be reached at 0031 6 2420 0743. The Disputes Arbitrator will have a binding conclusion for Elevate Health.

Monitoring and Review

The Complaints Procedure will be reviewed annually, usually before the beginning of the next academic year. This is the responsibility of the Complaints Officer.

Monitoring of the process is undertaken by:

- ✓ maintaining a complete tracking system and record of each complaint;
- ✓ providing an annual report, review and analysis of complaints for Elevate's Board;
- ✓ feeding back details of actions and outcomes to relevant staff;
- ✓ following up complaints that have been resolved with a questionnaire to complainants about the effectiveness of the system and, where relevant, report on action taken.