LIBF

Part of Walbrook Institute London

Updated July 2023

Complaints Policy and Procedure for Financial Education Qualifications

The purpose of the Complaints Policy and Procedure for Financial Education Qualifications is to advise LIBF-approved centres of the service level they can expect to receive and how LIBF will deal with their complaint. It also explains how LIBF monitors complaints periodically and reviews this policy.

Through the Complaints Policy and Procedure, we ensure that we[1]

- treat complaints fairly, consistently, transparently, and in a timely manner
- take appropriate actions with regard to the complainant and other learners where complaints reveal any failure on the part of LIBF
- review aspects of our service in the light of any complaints
- maintain duties of confidentiality to third parties, or other legal duties, in responding to complaints.[2]

Summary of policy

A complaint is defined as an expression of dissatisfaction with a product or service delivered by us. Centres[3] that are dissatisfied with procedures that may have an impact on a grade or performance (such as issues of malpractice, results enquiries, access arrangements, and special consideration), should first be referred to our Appeals Policy.

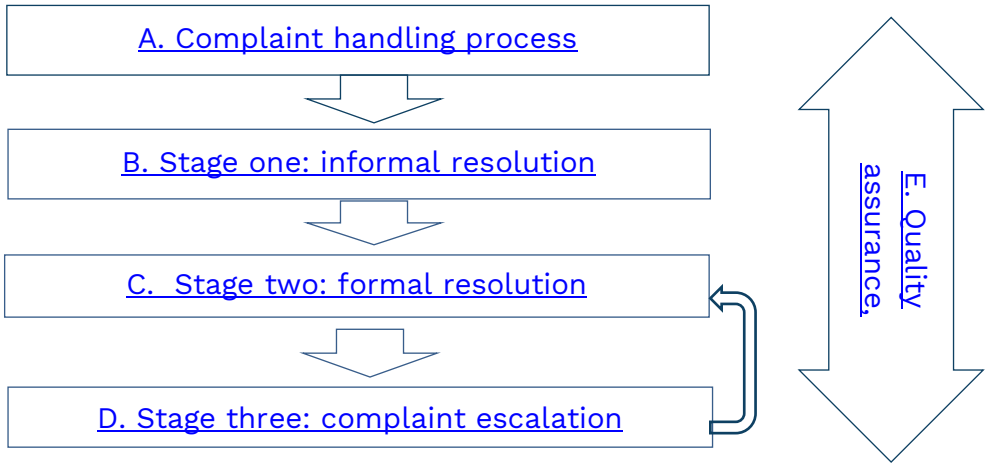
The key stages in the Complaints Policy are set out in the diagram below.

[1] In compliance with the regulator's *General Conditions of Recognition*, conditions D3.2, D4 and I2.
[2] *General Conditions of Recognition,* condition D4.2.
[3] Centres are organisations that are involved with any part of the delivery of qualifications on behalf of LIBF. Centres may be schools, colleges or any other approved venue where the delivery of qualifications, including teaching and / or assessments, leading to an LIBF qualification is conducted.

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Section A - the complaint handling process

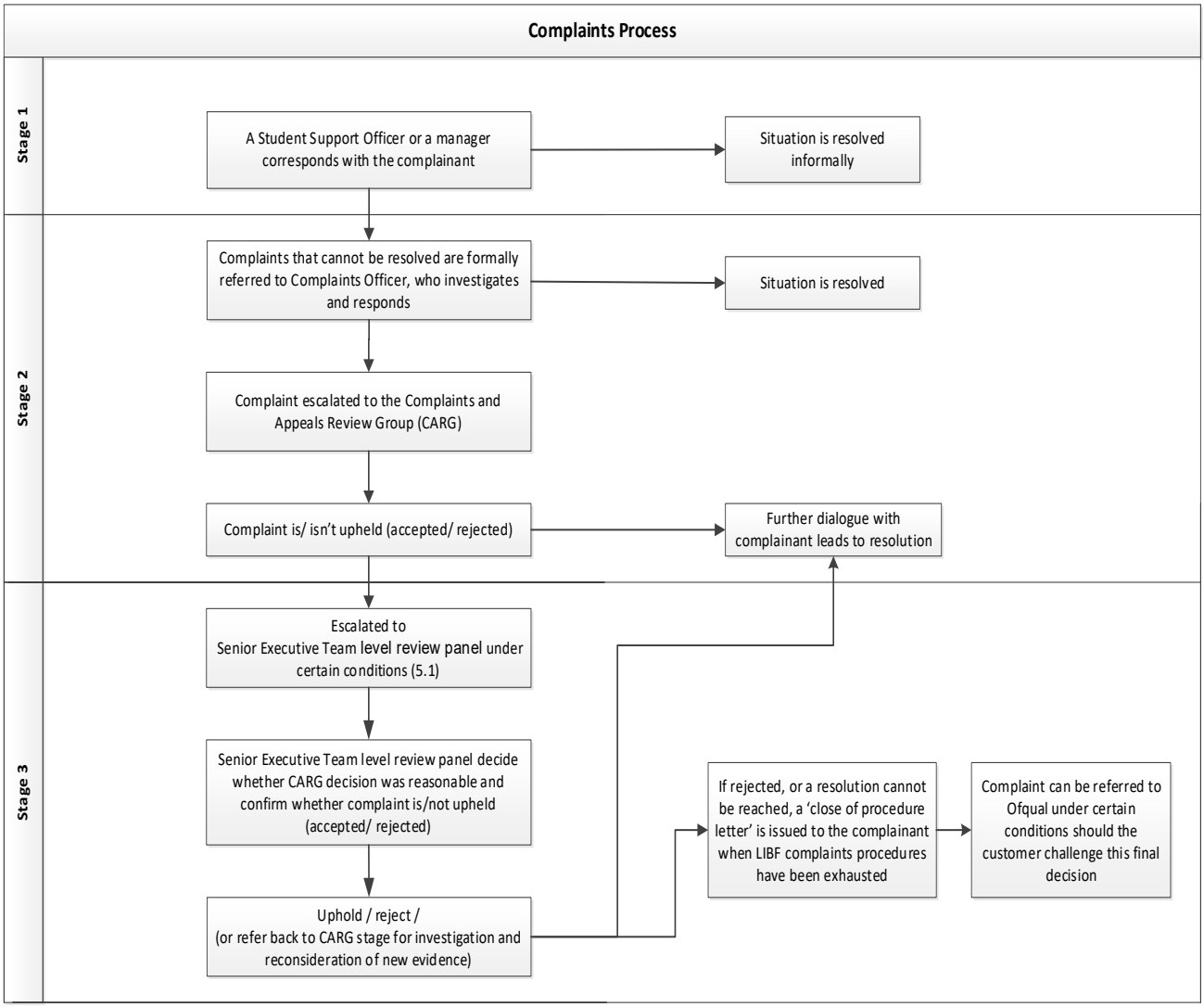
1.1 A complaint made by a centre should be made as soon as possible but ideally no later than ten working days from the date of the incident occurring. We reserve the right to dismiss a complaint brought more than three months after the incident occurred or that should, within reason, have been highlighted at an earlier point. We'll deal with all complaints as promptly as possible and within clearly defined timescales. Where it isn't possible to meet these service standards, centres will be informed of the progress of their complaint.

1.2 The stages for handling a complaint are as set out in **Figure 1** below.

Figure 1: The complaints handling process

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1.3 Our employees who are involved in resolving complaints are trained to provide a good standard of service.

1.4 All complaints will be treated appropriately, through dialogue and mutual understanding, with regard to applicable law, and in line with our Equality and Diversity Policy. We'll provide sufficient opportunity for any complaint to be fully discussed and resolved and such issues will be treated in confidence and with impartiality.

1.5 We expect centres making complaints or enquiries via any medium to act with respect, courtesy, and in a professional manner towards our staff

managing their complaint. If a complainant is abusive towards or vexatious to our staff, we'll warn the complainant of their behaviour and reserve the right to discontinue their current form of communication.

1.6 We reserve the right to exclude or remove a centre from a programme of learning if they make repeated, unfounded or vexatious appeals and / or complaints regarding the programme and / or its delivery.

1.7 Complaints won't be upheld where the centre complains about something that has been made clear in the terms and conditions or policies that the centre has accepted. Therefore, the complainant is advised to familiarise themselves with all the course and / or assessment terms and conditions, policies, deadlines or other requirements before making a complaint.

1.8 At any stage, the centre and us are each entitled to seek independent advice, as appropriate, in respect of a complaint.

1.9 At each stage of the complaints process, one of the following outcomes will apply

- a complaint is upheld (in part or in full). Where appropriate, some form of action is taken
- A complaint isn't upheld. Reasons for this decision will be given clearly to the complainant.

At the end of each stage in the process, the complainant may accept the outcome or they may choose to progress their complaint to the next relevant stage, if they have the grounds to do so.

1.10 Where, through a complaint, we learn of a failure in our processes, the actions taken to resolve this may also include those that apply to other learners and / or to improvements to our processes.

1.11 A centre can't make an appeal as well as a complaint against the same incident. Centres wishing to appeal against decisions relating to their assessment results or arrangements should refer to the appeals policy or,

in the case of an enquiry about the marking of their assessment, make an assessment result enquiry.

1.12 Where a student has a complaint about an approved centre, they should make full use of the centre's complaints process, if appropriate. However, where the complaint is about alleged centre malpractice or maladministration, this can also be dealt with using our Centre Malpractice and Maladministration Policy, which makes provision for handling such allegations, including whistleblowing.

1.13 In the event of a complaint being received in relation to a strategic organisational decision that is beyond the authority of our Complaints and Appeals Review Group (stage 2) to resolve, we may recommend that it's escalated immediately to the senior executive team level (stage 3) to respond in order to avoid any unnecessary delays.

Section B - stage one (informal resolution)

2.1 We'll always attempt to resolve a complaint at this stage in the first instance. In doing so, the complaint will be investigated and there'll be an attempt to reach a solution that satisfies both parties.

2.2 All correspondence will be responded to clearly, concisely, and in a timely manner. Centres should supply us with their centre number and any other applicable information and evidence.

2.3 There may be occasions where it isn't appropriate to resolve a complaint informally. Depending on the nature of the complaint, a centre may be advised to proceed to stage two from the outset. In such a situation, the centre will be advised of how their complaint will need to be progressed.

Section C - stage two (formal resolution)

3.1 If we're unable to satisfactorily resolve the complaint informally, in the first instance, the centre should address their complaint in writing to

The Complaints Officer
Administrative Centre:

4–9 Burgate Lane
Canterbury
Kent
CT1 2XJ
England

E : complaints@libf.ac.uk

3.2 When formally writing to the Complaints Officer, the individual must ensure they clearly state the reason(s) for the complaint as well as identify what resolution they're seeking.

3.3 Throughout the formal process, the Complaints Officer will act as the main point of contact for the complainant and will keep them informed of the timescales, progress, and outcome(s) of their complaint.

3.4 The Complaints Officer will confirm receipt of a formal complaint within five working days, notifying the complainant of the complaint process and by when they expect the outcome of the complaint investigation to be communicated. The Complaints Officer may be able to resolve the complaint at this stage.

3.5 If the Complaints Officer is unable to resolve the complaint at this time, they'll inform the centre that it'll be reviewed by the Complaints and Appeals Review Group.

Complaints and Appeals Review Group

4.1 If a complainant isn't satisfied with the decision that's been made with respect to their complaint, they're entitled to escalate their complaint to the Complaints and Appeals Review Group.

4.2 The complainant will be advised of the proposed date for their complaint to be heard by the Complaints and Appeals Review Group, and of their right to request to attend.

4.3 The standard of proof required at any consideration by the Complaints and Appeals Review Group shall be the balance of probabilities.

4.4 The Complaints and Appeals Review Group is held on a regular basis and will normally consider a complaint within 20 working days of the case being referred by the Complaints Officer.

4.5 Depending on the nature of the complaint, the Complaints and Appeals Group may not be able to propose a solution to a complaint it has upheld. In this situation, it'll inform the department best placed to address the issue of the complaint and request that a resolution is provided. The Complaints Officer will provide written confirmation of the Complaints and Appeals Review Group decision and any action(s) to be taken, including timescales, within ten working days of the case being heard.

Section D - stage three (complaint escalation)

Referral to senior executive team-level review panel

5.1 If the complainant is dissatisfied with the outcome determined by the Complaints and Appeals Review Group, they can request a hearing by the senior executive team-level review panel, within ten working days of receipt of the written confirmation of the Complaints and Appeals Review Group decision. Such a review may only be requested on one or more of the following grounds

- that the procedure adopted by the Complaints and Appeals Review Group was defective or
- that the action taken or solution provided was unreasonable in light of the decision of the Complaints and Appeals Review Group or
- that new evidence that couldn't have been produced to the Complaints and Appeals Review Group has since come to light.

5.2 The reasons for requesting a review must relate to the way the complaint has been investigated or dealt with. A review won't be considered if the nature of the complaint is merely restated.

5.3 We reserve the right to reject any review against a Complaints and Appeals Review Group decision that doesn't fall within the timescale stated in 5.1 above or fails to provide appropriate grounds for escalation.

5.4 If a review proceeds, the Complaints Officer will advise the complainant of all timescales related to the review panel process and formal consideration will be undertaken by a review panel, which will include at least one member of the senior executive team. The panel will be chaired by an individual who has no direct involvement with the complaint. The complainant or any representative of the complainant isn't permitted to be present at this panel review.

5.5 The complainant must submit to the senior executive team-level review panel a case in writing outlining the grounds they believe they have for escalation of their complaint. The review panel may request any further information it deems necessary to progress the investigation of the complaint. If the review panel agrees that the individual has sufficient grounds for escalation, it'll review the complaint. In such a situation, the review panel has the power to overturn the outcome determined by the Complaints and Appeals Review Group.

5.6 If the review panel reviews a complaint on the grounds that new evidence has come to light since the original case was heard, the review panel shall have the power to direct the Complaints and Appeals Review Group to reconsider its original outcome, taking into consideration the new evidence. The rights of the complainant to escalate the complaint shall apply equally to the reconsideration by the Complaints Review Group.

5.7 At any stage, if a complaint is upheld we'll undertake to offer appropriate remedial action depending on the nature of the complaint. Regardless of the outcome of the complaint, the complainant may be asked to cover their own costs.

5.8 If a request for a review is rejected and all internal complaints and / or review procedures are exhausted, we'll issue the complainant with a close of procedure letter stating that the complaints / review process has been

exhausted. The case may then be eligible for consideration by the regulators (Ofqual, Qualifications Wales or CCEA).

External referral

6.1 In certain circumstances, and where our complaints processes have been exhausted, a complaint may be made to the regulators within the terms of their complaints policy. We'll comply with the complaints process established by the regulators, and will give due regard to the outcome of any complaints process in relation to a qualification we deliver.

6.2 As with all other stages, if, as a result of the regulator's complaints process, we learn of a failure in its assessment process, we'll take reasonable steps to

i. identify other centres or students who've been affected by this failure

ii. correct or, where it can't be corrected, mitigate as far as possible the effect of the failure, and

iii. make sure that the failure doesn't occur again.

Section E - quality assurance, monitoring, and review

7.1 Records of all complaints, and their outcomes, are maintained by us for at least five years. Complaints are monitored by the Regulatory Compliance Committee in line with its terms of reference.

7.2 Any failings discovered or lessons learned during the course of a complaint or the monitoring of complaints, will be acted upon as part of continuous review of our qualifications and processes.

7.3 The policy and the procedures are subject to regular monitoring and review by us. We continually review ourpractices to maintain the highest possible standards of consistency and quality.

7.4 The policy and procedures are formally approved by our Complaints and Appeals Review Group.

7.5 The policy and procedures have been developed to comply with all relevant legislation and externally benchmarked.

7.6 We are subject to regulation by the qualifications regulatory authorities, Ofqual, Qualifications Wales and CCEA, as a recognised awarding organisation, and by the FCA, as an accredited body.[4]

7.7 In the event that Ofqual, Qualifications Wales or CCEA advises us of failures that have been discovered in similar assessment processes being offered by other awarding organisations, we'll review our own assessment processes. If, as a result of this review, we find a potential failure, we'll take the same action as if a failure had been discovered by virtue of the application of the regulator's complaints process.

[4] LIBF Higher Education students should refer to the Higher Education regulations as Higher Education courses are regulated by the OfS and complaints are escalated externally to the OIA.