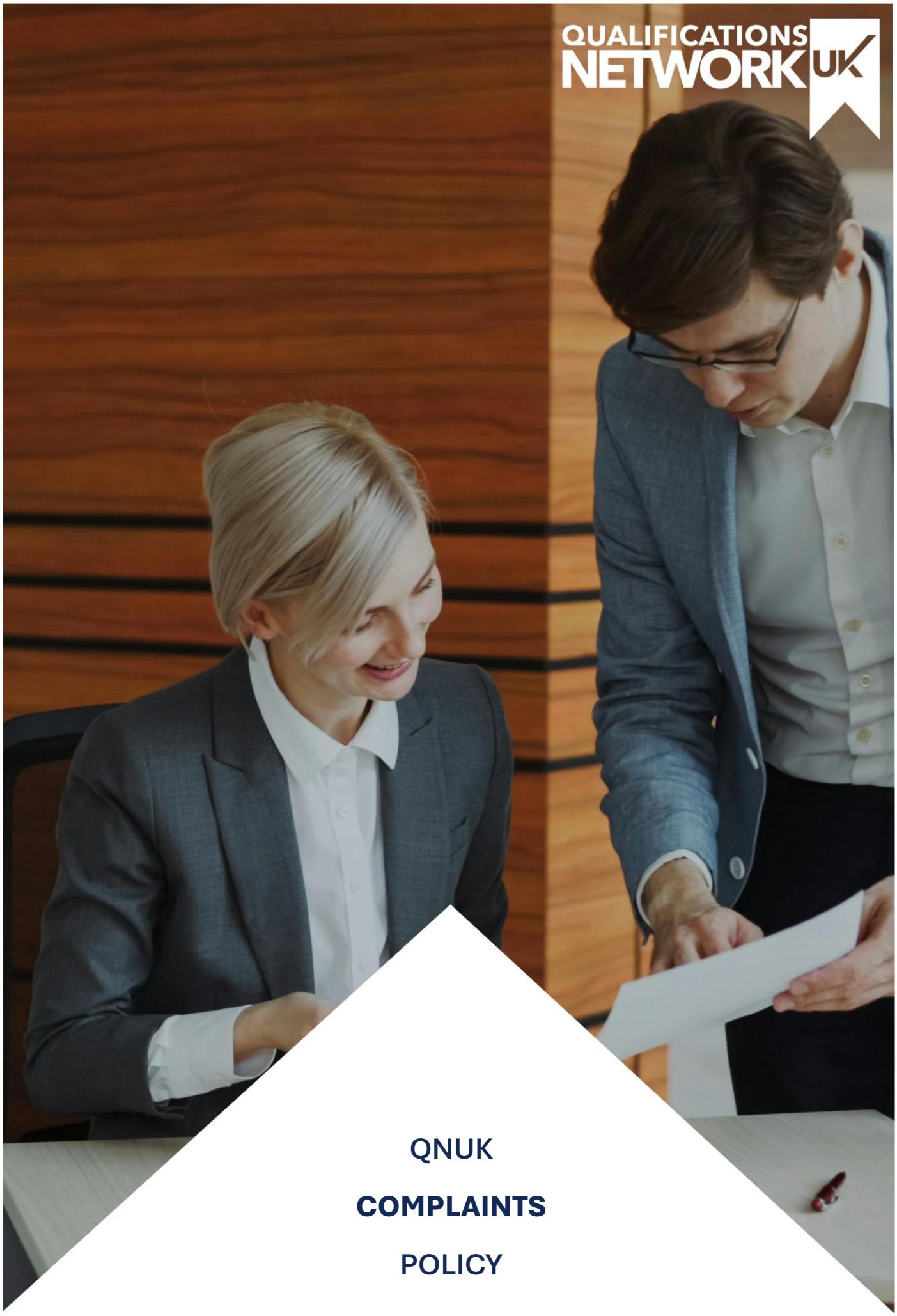


# QNUK

# COMPLAINTS

# POLICY

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## Introduction

Qualifications Network Limited (QNUK) is an Awarding Organisation recognised and regulated by the Office of Qualifications and Examinations (Ofqual) in England, the Council for Curriculum, Examinations and Assessment (CCEA) in Northern Ireland and Qualifications Wales.

## Contact Us

| | |
|---|---|
| **Telephone** | 0203 3795 0559 |
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## Document Control

| | |
|---|---|
| **Document Owner** | Compliance Manager |
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## Document review

| Version | Date Reviewed | Details |
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| V1 | N/A | Original |
| V2 | Sept 2022 | Redesign layout |
| V3 | 25/11/2022 | Addition of formal and informal complaints |
| V4 | 25/01/2023 | Spelling, punctuation, and grammar |
| V5 | 25/01/2024 | Redesign |
| V6 | 11/10/2024 | Punctuation and grammar |
| V7 | 21/05/2025 | Full review and update |

| | | |
|---|---|---|
| V8.1 | 07/05/2026 | Rebrand update. Full review and redevelopment of complaints framework against Ofqual requirements and relevant quality-management standards. Included use of AI. |

All QNUK policies are reviewed on a regular basis, usually at least biennially. This policy will also be reviewed as required due to feedback from stakeholders or in line with changes in legislation, regulation, or industry best practice.

A full review will also be undertaken should any issue arise, whether internal or external, that QNUK considers could impact on the way in which we support our staff.

## Document audience & availability

### Audience

This policy is intended for use by:

- QNUK governing body
- QNUK employees and contractors
- QNUK approved centre staff
- Learners
- Former approved centres
- Individuals receiving products or services from QNUK
- Qualification regulators

This policy may also be used by relevant regulatory authorities or other government agencies with authority to do so under statutory legislation.

### Availability

- For QNUK staff, management and governing body members, this document is available on our SharePoint site: QAC
- A copy is also available to centre staff on QNUK.org
- Other stakeholders can request a copy of this policy by contacting centres@QNUK.org
- A controlled copy is retained by our compliance team.

## Scope

This policy sets out QNUK's arrangements for receiving, considering and responding to complaints about QNUK, its services, qualifications and relevant processes, including matters relating to approved centres where QNUK has a role in considering the complaint.

It explains how learners, approved centres, former approved centres and other relevant stakeholders can raise concerns with QNUK and what they can expect from the complaints process.

The policy covers both informal and formal complaints and includes arrangements for investigation, findings, outcomes, corrective action, Governance Committee review and escalation to the relevant regulator.

Certain matters are dealt with under separate QNUK policies or processes, including appeals, malpractice, whistleblowing, safeguarding, data protection and employee grievances. Where a complaint identifies a matter

requiring consideration under another process, QNUK may manage or refer that matter through the appropriate process.

## Responsibilities

QNUK is responsible for ensuring that complaints are handled fairly, consistently and in accordance with this policy.

### QNUK Staff

- Recognise and appropriately handle complaints received through their normal contact with stakeholders.
- Resolve straightforward concerns where this is appropriate.
- Record informal complaints and identify any relevant learning.
- Escalate formal complaints and matters requiring Compliance involvement.
- Provide accurate information about how a complaint can be raised.

### Compliance Manager

- Oversee the complaints process and ensure complaints are appropriately recorded and investigated.
- Ensure complaints are allocated to an appropriate person and that conflicts of interest are considered.
- Ensure relevant evidence and records are retained.
- Monitor complaint timescales, outcomes, risks and lessons learned.
- Ensure significant issues are escalated to management and, where appropriate, Governance or the relevant regulator.
- Report on complaints and emerging themes through the appropriate management and governance arrangements.
- Ensure that complaints which identify potential assessment process failures are appropriately escalated and that any required learner impact, corrective or preventative action is considered.

### Management

- Provide appropriate oversight of complaints, significant risks and corrective actions.
- Consider trends, recurring issues and lessons learned.
- Ensure appropriate action is taken where complaints identify risks or deficiencies.

### Governance Committee

- Provide independent oversight of the complaints process.
- Provide oversight of complaints, trends, significant issues and lessons learned as part of its governance responsibilities.
- Consider requests for Governance Committee review in accordance with this policy.
- Monitor whether identified lessons and corrective actions are being appropriately addressed.

### Approved Centres

- Maintain an appropriate complaints process for complaints relating to their own activities.
- Provide complainants with an appropriate route to escalate a complaint to QNUK where applicable.
- Cooperate with QNUK when QNUK is considering a complaint concerning the centre.

## What is a Complaint?

### What We Mean by a Complaint

A complaint is an expression of dissatisfaction about QNUK, an approved centre, a qualification, service, or the way in which a relevant process has been carried out, where a response or resolution is expected.

A complaint may concern something that has gone wrong, something that a person believes should have been done differently, or a failure to meet an applicable requirement, policy, procedure or expected standard.

A complaint does not necessarily mean that QNUK, an employee or an approved centre has acted incorrectly. We will consider the circumstances and evidence before reaching a conclusion.

Complaints may be raised about QNUK or, where applicable, about an approved centre after the centre has had an opportunity to consider the matter through its own complaints process.

### What is an Appeal?

An appeal is a formal request to have a decision reconsidered where QNUK's published appeals process provides a right of appeal.

Appeals may include challenges to an assessment decision or other decisions for which an appeal route is specifically provided.

An appeal is different from a complaint. A complaint asks whether something was handled or carried out appropriately; an appeal asks whether a decision that is subject to appeal should be reconsidered.

Where you disagree with an assessment decision or another decision for which QNUK provides an appeal route, you should use the applicable Appeals Policy rather than the Complaints Policy.

You may still complain about the way an appeal or other process was handled. For example, a complaint may concern whether QNUK followed its published procedure, communicated appropriately or dealt with the matter within the applicable requirements.

### What is Malpractice or Maladministration?

Malpractice or maladministration concerns information suggesting that rules, requirements, procedures or assessment arrangements may not have been followed appropriately.

Examples may include concerns about:

- the authenticity or integrity of assessment evidence;
- deliberate or inappropriate assistance given to learners;
- falsification of records or documents;
- deliberate failure to follow assessment requirements; or

- other conduct that may affect the integrity or validity of an assessment or qualification.

Such matters are considered under QNUK's Malpractice Policy and are not normally investigated solely through the complaints process.

A complaint may identify or contain an allegation of malpractice or maladministration. Where this happens, QNUK may refer or manage that aspect of the matter under the appropriate process while continuing to consider any separate complaint about QNUK's service or process.

## What is Feedback?

Feedback is information, comments, suggestions or observations provided to help QNUK understand people's experiences or identify opportunities for improvement. Feedback may be positive or negative and does not necessarily require a formal investigation or complaint outcome.

For example, someone may tell us:

"The information on your website was difficult to understand."

This may simply be feedback if the person is suggesting an improvement rather than asking QNUK to investigate a specific failure. Where feedback indicates dissatisfaction that requires a response or resolution, QNUK may treat it as a complaint.

## What is Whistleblowing?

Whistleblowing is the disclosure of information about suspected wrongdoing or serious concerns where the matter falls within QNUK's Whistleblowing Policy.

This may include concerns about serious wrongdoing, regulatory obligations, qualification integrity or deliberate concealment of wrongdoing.

Whistleblowing is different from a complaint because the purpose is to raise a serious concern about wrongdoing rather than simply seek resolution of dissatisfaction.

Where information received as a complaint raises a potential whistleblowing concern, QNUK may refer the matter to the appropriate process.

## What is a Safeguarding Concern?

A safeguarding concern is information indicating that a person may be at risk of abuse, neglect, exploitation or other harm. Safeguarding concerns should be raised and managed through QNUK's Safeguarding Policy and procedures.

A safeguarding concern should not be delayed while someone attempts to determine whether it also meets the definition of a complaint. Where a complaint includes a safeguarding concern, QNUK may take immediate action through the appropriate safeguarding process while considering any separate complaint issues.

## What is a Data Protection Request?

A data protection request is a request relating to an individual's personal data or the way in which QNUK processes personal information.

For example, a **Subject Access Request (SAR)** is a request by an individual for access to personal data that QNUK holds about them.

Data protection requests are managed under QNUK's **Data Protection Policy and procedures** rather than through the complaints process.

A person may, however, make a complaint about the way QNUK has handled a data protection matter. In that situation, QNUK will determine which process or combination of processes is appropriate.

### What is an Employee Grievance?

An employee grievance is a concern raised by a QNUK employee about their employment or treatment at work.

Employee grievances are managed under QNUK's **Grievance Policy** and are not normally dealt with under this Complaints Policy.

Concerns raised by external stakeholders about the conduct of a QNUK employee may, however, be considered as a complaint where they relate to the service provided or the way in which QNUK has carried out a relevant process.

### When a Matter May Involve More Than One Process

A concern does not always fit within a single process.

For example, a person may complain that an assessment process was not followed correctly while also providing information suggesting possible malpractice. A learner may also challenge an assessment decision while complaining about the way their appeal was handled.

Where this occurs, QNUK will identify the appropriate process or processes and will avoid requiring the same issue to be investigated unnecessarily more than once.

Where appropriate:

- the complaint may continue in relation to the matters that fall within this policy;
- another matter may be referred to the appropriate QNUK policy or procedure;
- related cases may be cross-referenced; and
- information may be shared between the relevant QNUK teams where necessary and lawful.

Using one process does not automatically prevent another process from being used where the circumstances require it.

## Making a Complaint

### Who Can Make a Complaint

A complaint may be made by a learner, current or former approved centre, individual, organisation or other stakeholder who has a relevant interest in the matter being complained about.

A complaint may also be made by someone acting on behalf of another person or organisation, where they are authorised to do so or where QNUK considers it appropriate to accept the complaint.

Former approved centres may make a complaint concerning a matter arising during the period in which they were an approved centre, provided the complaint is made within the applicable time limit.

QNUK may accept anonymous complaints where sufficient information is provided to enable the matter to be considered. The fact that a complaint is anonymous will not, by itself, determine whether it is accepted or investigated.

## Time Limits for Making a Complaint

Complaints should normally be made within 12 months of the event or issue giving rise to the complaint, or within 12 months of the date on which the complainant became aware, or reasonably should have become aware, of the matter.

QNUK may consider a complaint made outside this period where there is a reasonable explanation for the delay or where there are other circumstances that make it appropriate to do so.

In deciding whether to consider a complaint outside the time limit, QNUK may consider whether it remains possible to obtain reliable evidence, whether relevant records remain available and whether it is fair and reasonable to consider the matter at that time.

The 12-month time limit does not prevent QNUK from taking action where information received through a late complaint identifies a current or significant risk, regulatory concern, safeguarding matter, malpractice concern or other issue requiring action.

## How to Make a Complaint

Complaints should normally be made in writing using the QNUK complaints form or by email to **QAC@QNUK.org**.

A complaint may also be made by telephone or another accessible method where this is appropriate. Where a complaint is made verbally and needs to be recorded in writing, QNUK may summarise the complaint and ask the complainant to confirm or amend the summary.

Complainants do not need to use formal or legal language when making a complaint.

QNUK will consider the substance of a complaint rather than the format or style in which it is presented.

## Information to Include in a Complaint

To help QNUK understand and investigate a complaint effectively, complainants should provide, where applicable:

**What are you dissatisfied with?**

Please summarise what happened and identify the issue or issues you would like QNUK to consider.

**What do you think QNUK should have done?**

Please explain what you believe should have happened instead. If you believe a QNUK document, policy, procedure, agreement or regulatory requirement was not followed, please identify it where you can.

**How has the matter affected you?**

Please explain any relevant impact the matter has had on you, a learner, centre or organisation.

**What would you like to see change, if anything?**

Please tell us what outcome, action or change you would like QNUK to consider. You do not have to identify a particular remedy.

**Is there anything else we need to know?**

Please provide any other information that you believe is relevant to understanding your complaint.

Where known, complainants should also provide relevant dates, qualification or centre details, reference numbers and details of any previous correspondence about the matter.

Providing all of this information is not a condition of making a complaint. QNUK may request further information where it is reasonably required to understand or investigate the complaint.

This approach is consistent with ISO 10002, which identifies the complaint description, relevant supporting information and requested remedy as information that should be captured when a complaint is received.

**Supporting Evidence**

Complainants should provide copies of any information or evidence they believe will help QNUK consider their complaint.

This may include, for example:

- correspondence;
- emails or messages;
- relevant documents;
- photographs or other records;
- relevant reference numbers; or
- information about people who may have relevant information.

Complainants should provide relevant information where it is reasonably available to them. They are not expected to obtain information that they cannot reasonably access.

QNUK may request additional information where it is necessary to investigate the complaint.

The provision of supporting evidence does not mean that QNUK will accept the complainant's interpretation of that evidence. QNUK will consider the available evidence and the requirements applicable to the matter when reaching its findings.

## Complaints Made on Behalf of Someone Else

A person may make a complaint on behalf of another individual or organisation where they are authorised to do so or where QNUK considers that it is appropriate to accept the complaint.

QNUK may need to confirm that the complainant is authorised to act on another person's behalf, particularly where the complaint involves personal or confidential information.

Where a representative is acting for a learner or another individual, QNUK will normally communicate with the representative once appropriate authority has been established.

## Anonymous Complaints

QNUK will consider anonymous complaints based on the information available.

An anonymous complaint may be investigated where the information provided is sufficiently detailed, credible or independently verifiable to identify reasonable lines of enquiry.

Where the information provided is insufficient to establish reasonable lines of enquiry, QNUK may be unable to investigate the matter further. This does not mean that the information will necessarily be disregarded. QNUK may consider whether it identifies a wider risk or requires action under another QNUK process.

Where repeated anonymous communications are received, QNUK may consider whether they contain new and credible information or repeat matters that have already been considered.

Where there is evidence that communications are being deliberately misused, the matter may also be considered under QNUK's Vexatious Correspondence or Behaviour Policy.

### Accessibility and Assistance

QNUK aims to ensure that its complaints process is accessible and can be used by people with different communication needs.

Complainants may contact QNUK if they require reasonable assistance to make or communicate a complaint.

QNUK will consider appropriate adjustments to the way information is provided or received where reasonably required. A complainant will not be disadvantaged simply because they require assistance, use an alternative format or have someone assist them in preparing their complaint.

## Using AI to Prepare a Complaint

QNUK recognises that artificial intelligence (AI) tools can help people prepare and communicate complaints. AI may be useful for organising information, identifying the main points of a complaint, removing repetition and making information easier to understand.

**You do not need to use AI to make a complaint.** You should use whatever method allows you to explain your concerns clearly and accurately. If you choose to use AI, you should be aware of the potential risks and check the information carefully before submitting your complaint to QNUK.

**Using AI to Help Structure a Complaint**

AI can be useful when you have a lot of information to organise or are unsure how to structure your concerns.

It may help you to:

- organise events into a clear chronology;
- identify the main issues you want to raise;
- remove unnecessary repetition;
- make your writing easier to understand; and
- identify what outcome or change you would like to see.

Using AI in this way may help QNUK understand your complaint and respond more efficiently.

AI should be used to help communicate your own experience and concerns. You should not rely on AI to create facts, allegations or arguments that you cannot personally support.

### Checking AI-Generated Information – the risks

AI tools can produce information that is inaccurate, incomplete or misleading. They may also create information that was not included in your original account.

For example, AI may:

- introduce facts that did not happen;
- incorrectly describe what happened;
- invent or misquote documents, policies or regulations;
- incorrectly interpret a regulatory requirement;
- present an opinion as though it were a fact; or
- introduce allegations or conclusions that you did not make.

If you use AI to help prepare your complaint, you should check the final version carefully and make sure that it accurately reflects your experience and concerns.

You should check any references to QNUK policies, procedures, agreements, qualification requirements or regulatory requirements against the original source.

QNUK will consider the evidence and requirements applicable to the complaint. An AI-generated statement, interpretation or legal argument will not be treated as evidence simply because it appears in a complaint.

## Protecting Personal and Confidential Information

Complaints may contain personal, confidential or commercially sensitive information. You should take particular care when entering information into an AI tool.

You should avoid entering information about another person or organisation into an AI tool where you do not have the right or permission to disclose that information.

This may include:

- names and contact details;
- learner numbers or other identifying information;
- assessment or certification information;
- medical or safeguarding information;
- confidential correspondence;
- information about complaints, investigations or other cases;
- information relating to another individual;
- commercially sensitive information; or
- information provided to you on a confidential basis.

Where possible, personal or confidential information should be removed or anonymised before using an AI tool. For example, a person's name could be replaced with "[learner]", "[assessor]" or "[centre manager]".

You should also consider the terms, privacy arrangements and security of the AI service you are using.

Do not copy confidential QNUK correspondence, learner information, assessment records or another person's personal information into an AI tool simply to help prepare your complaint.

If you are unsure whether information is appropriate to enter into an AI tool, do not enter it. You can make your complaint without using AI or contact QNUK for assistance.

## Keeping Complaints Clear and Relevant

The most effective complaints normally explain:

- what you are dissatisfied with;
- what you believe should have happened;
- how the matter affected you; and
- what you would like to see change, if anything.

AI can sometimes make a complaint longer rather than clearer. It may repeat the same point in different ways, add unnecessary background information or introduce lengthy legal or regulatory explanations that do not identify the actual complaint.

Providing more information does not necessarily make a complaint stronger. Relevant facts and evidence are more useful than volume.

## Lengthy, Repetitive or Unclear Complaints

QNUK will not reject a complaint simply because it is lengthy, detailed, strongly expressed or has been prepared using AI or other assistance.

However, QNUK needs to be able to identify the matters that the complainant wants us to consider.

Where a complaint:

- contains substantial repetition;
- raises numerous issues without clearly distinguishing them;
- contains extensive information that is not relevant to the complaint;
- contains conflicting or unclear accounts;
- contains extensive legal or regulatory material without clearly identifying the underlying concern; or
- is otherwise difficult to understand,

QNUK may ask the complainant to clarify or summarise the matters they wish to be investigated.

**This may delay the consideration of the complaint.**

The purpose of clarification is to ensure that QNUK investigates the correct issues. It is not intended to prevent a legitimate complaint from being considered.

## Clarifying the Scope of a Complaint

Where QNUK cannot reasonably identify the matters requiring investigation, we may ask the complainant to clarify or summarise their complaint.

QNUK may provide the complainant with a summary of the issues we understand them to be raising and ask them to confirm whether this accurately reflects their complaint.

The complainant will normally be given 10 working days to provide the requested clarification, or such shorter period as may be appropriate in the circumstances.

Where clarification is not provided within the stated period, QNUK may proceed using the information available and the complaint points that can reasonably be identified.

QNUK will not require the complainant to repeat information that has already been provided where that information can reasonably be used to understand the complaint.

## Timescales Where Clarification Is Required

QNUK aims to deal with complaints as quickly as reasonably possible.

Where clarification is required before QNUK can reasonably establish the scope of a complaint, the time required to obtain and consider that clarification may affect the normal timescale for responding to the complaint.

QNUK will explain:

- why clarification is required;
- what information or clarification is needed;
- the date by which it should be provided; and
- how the clarification process affects the expected timescale for responding.

Where the complainant does not provide the requested clarification, QNUK may proceed on the basis of the information available.

Where further investigation is required after the complaint has been clarified, QNUK will manage any further extension in accordance with the timescales set out in this policy.

**If you use AI to prepare your complaint:**
AI can help you make a complaint clearer, but it can also make it longer, less accurate or more difficult to understand.

Before submitting an AI-assisted complaint:

- **Check the facts.** Make sure it accurately describes what happened.
- **Check the references.** Make sure policies, regulations and quotations are accurate.
- **Protect confidential information.** Do not disclose information about other people or organisations unless you are entitled to do so.
- **Keep it focused.** Remove repetition and information that is not relevant to your complaint.

If your complaint is unclear or excessively repetitive, QNUK may need to ask you to clarify the issues before it can be investigated. This may delay our response.

# How QNUK Handles Complaints

## Receiving and Acknowledging a Complaint

When QNUK receives a complaint, we will record the information provided and consider the appropriate way to deal with it.

Where appropriate, we will acknowledge receipt and provide information about the next steps.

Where a complaint is received by telephone or another verbal route, QNUK may record the relevant information and, where necessary, provide a written summary for the complainant to confirm or amend.

If we need further information to understand or progress the complaint, we will explain what information is required.

## Initial Assessment

QNUK will carry out an initial assessment to determine:

- whether the matter is a complaint or should be dealt with under another QNUK process;
- whether the complaint is informal or formal;
- whether further information or clarification is required;
- whether there are any immediate risks or issues requiring action; and
- the appropriate person or team to consider the complaint.

We will consider the substance of the complaint rather than its length, writing style, use of AI or other assistance.

Where a complaint raises matters that may require consideration under another QNUK process, we will determine the appropriate route in accordance with the relevant policies and procedures.

## Informal Complaints

Some concerns can be resolved quickly and proportionately without the need for a formal investigation.

An informal complaint will normally be appropriate where:

- the matter is straightforward;
- the issue can reasonably be addressed promptly;
- the matter does not indicate a significant or systemic concern; and
- a formal investigation is not necessary to establish what has happened.

Examples may include a misunderstanding, communication issue, straightforward administrative matter or a concern where the complainant primarily wishes to have their concerns heard and addressed.

An informal complaint may be resolved through clarification, an explanation, correction, apology or another appropriate response.

A matter may be treated as a formal complaint where its nature, complexity, impact or risk requires further investigation, or where the complainant asks for the matter to be considered formally.

**The distinction between informal and formal complaints is not determined solely by how quickly a matter can be resolved.**

## Formal Complaints

A formal complaint will normally be subject to a more detailed consideration and investigation.

Once a complaint is accepted as formal, QNUK will:

- confirm the matters being considered;
- identify any information or evidence that may be required;
- appoint an appropriate person to consider the complaint;
- consider the relevant evidence and requirements;
- determine the findings for the material complaint points; and
- provide a considered response.

A formal complaint will normally receive a considered response within 15 business days.

Where QNUK requires information or clarification from the complainant, the complainant will normally be given up to 10 business days to provide the requested information, or a shorter period where appropriate. The response period may therefore be affected by the time required to obtain and consider that information.

Where further investigation means that QNUK cannot reasonably provide the considered response within 15 business days, we will inform the complainant before the deadline and provide an updated timescale.

## Complaints About Approved Centres

Where a complaint concerns an approved centre, the complainant should normally raise the matter with the centre first and allow the centre an opportunity to consider and resolve the complaint through its own complaints process.

Where the centre's complaints process has been exhausted, the matter may be escalated to QNUK where it falls within the scope of this policy.

QNUK may accept a complaint directly without requiring the complainant to approach the centre first where there is a reasonable basis for considering that this would be inappropriate or unreasonable.

This may include circumstances where:

- approaching the centre may create a safeguarding or other significant risk;
- there is a concern about the independence or appropriateness of the centre's complaints process;
- the complaint raises a significant concern about qualification integrity or regulatory compliance; or
- there are other circumstances that make direct referral to the centre inappropriate.

Where QNUK considers a complaint about an approved centre, we may need to share relevant information with the centre to allow the matter to be fairly considered. We will consider confidentiality, data protection and the interests of those involved when determining what information can appropriately be shared.

QNUK may also take action under its regulatory or quality assurance arrangements where information received through a complaint identifies a concern requiring QNUK's consideration.

## Investigation

Where a formal investigation is required, QNUK will identify the matters requiring consideration and gather information relevant to those matters.

The extent of an investigation will be proportionate to the nature and complexity of the complaint and its potential impact.

An investigation may include consideration of:

- information provided by the complainant;
- QNUK records;
- relevant centre records;
- correspondence;
- policies and procedures;
- agreements or other applicable requirements; and
- information from other relevant people or organisations.

The investigator will seek to establish what happened and consider the complaint against the requirements that applied at the relevant time.

Where appropriate, QNUK may seek further information from the complainant, an approved centre or other relevant parties.

## Evidence and Applicable Requirements

QNUK will base complaint findings on the information and evidence available and the requirements that applied to the circumstances being considered.

The complainant's understanding of a policy, regulation, agreement or other requirement will be considered as part of the complaint, but QNUK will determine which requirements apply and how they should be interpreted and applied.

Where a complaint identifies a specific document, policy, procedure, agreement or regulatory requirement, QNUK will consider it where it is relevant to the matters being investigated.

QNUK will not assume that an allegation is established simply because it is stated in a complaint or supported by an interpretation generated by an AI tool or other third party.

Where evidence is unavailable or cannot reasonably be verified, this may affect what QNUK is able to establish.

## Keeping You Informed

QNUK will communicate with complainants as appropriate during the complaints process.

We will provide information about:

- receipt of the complaint;
- any information or clarification we require;
- significant changes to the expected timescale;
- the outcome of the complaint; and
- any applicable further review or escalation route.

We will aim to avoid unnecessary requests for information and will not normally ask a complainant to provide information that has already been supplied and can reasonably be used.

## Timescales and Extensions

QNUK aims to deal with complaints promptly while allowing sufficient time for a fair and proportionate consideration of the issues raised.

The normal timescales are:

| Stage | Normal time |
|---|---|
| Acknowledgement of a formal complaint | 2 working days |
| Provision of requested information or clarification | Up to 10 working days |
| Considered response to a formal complaint | 15 working days |
| Governance Committee review | 30 working days |

QNUK will normally acknowledge a formal complaint within 2 working days of receipt. The acknowledgement will confirm that the complaint has been received and, where appropriate, provide information about the next steps. It is not the considered response to the complaint.

The 10-working-day period is not an additional investigation period imposed on the complainant. It is the period normally provided where QNUK has asked the complainant for information or clarification needed to understand or progress the complaint.

Where the complainant does not provide the requested information within the stated period, QNUK may proceed using the information available and the complaint points that can reasonably be identified.

If additional investigation is required and the 15-business-day response timescale cannot reasonably be met, QNUK will inform the complainant **at least 2 working days before the response deadline** and provide an updated timescale.

We will seek to keep any extension proportionate to the work required and will continue to progress the complaint where possible.

A Governance Committee review will normally be completed within 30 working days of the review being accepted. Where exceptional circumstances mean that the review cannot be completed within this timescale, QNUK will inform the complainant of the reason for the delay and provide an updated timescale.

# Complaint Findings and Outcomes

## How QNUK Reaches a Decision

QNUK will consider the complaint based on the information and evidence available and the requirements that applied to the circumstances being considered.

We will seek to establish:

- what happened;
- what the complainant believes should have happened;
- what requirements, policies, procedures, agreements or standards applied;
- whether those requirements were followed; and
- what the available evidence establishes.

The investigation and decision will be proportionate to the nature, complexity and potential impact of the complaint.

Where a complaint contains several distinct issues, QNUK will consider each material complaint point separately where this is necessary to reach a fair and clear outcome.

The fact that a complainant believes that a particular requirement has been breached does not, by itself, establish that a breach has occurred. QNUK will determine the requirements applicable to the matter and assess the available evidence against them.

QNUK will seek to ensure that decisions are objective, evidence-based and free from actual, potential or perceived conflicts of interest.

## Complaint Outcomes

At the conclusion of a formal complaint, QNUK will normally record one of the following outcomes:

**Upheld**
The evidence establishes that the complaint, or the material complaint point, is justified.

**Partially upheld**
The evidence establishes that some material aspects of the complaint are justified, but not all of the matters raised are supported.

**Not upheld**
The available evidence does not establish that the complaint is justified.

**Resolved informally**
The matter has been resolved without the need for a formal investigation or formal finding.

**Withdrawn**
The complainant has withdrawn the complaint. QNUK may nevertheless consider whether any risk, compliance concern or other matter identified requires further action.

**Other**
Used where the circumstances do not appropriately fit one of the above outcomes. QNUK will explain the outcome and, where appropriate, identify any other process that applies.

A complaint being **not upheld does not mean that QNUK considers the complaint to have been malicious, vexatious or unreasonable**.

Similarly, a complaint does not need to be upheld for QNUK to identify a lesson, risk or separate compliance concern requiring action.

## How We Address Each Complaint Point

Where a complaint contains multiple material issues, QNUK will seek to address each complaint point in the outcome.

The response will normally explain:

- the complaint point being considered;
- the relevant evidence considered;
- the applicable requirements, where relevant;
- the finding reached;
- whether the complaint point is upheld, partially upheld or not upheld; and
- the reasons for the decision.

QNUK will aim to provide sufficient information to allow the complainant to understand how the outcome was reached.

The outcome of a complaint about the handling of a process will consider **how that process was carried out**. It will not simply repeat the underlying decision where the complaint concerns the way that decision or process was handled.

For example, where a person complains that an appeal was not handled in accordance with QNUK's published procedure, QNUK will consider the handling of the appeal rather than simply restating the original assessment decision.

**There may be circumstances where QNUK cannot provide all of the information considered during an investigation or cannot provide the level of detail requested by the complainant.** This may be necessary where disclosure would:

- disclose another person's personal or confidential information;
- breach a contractual, legal or other duty of confidentiality;
- disclose legally privileged information;
- reveal confidential commercial information or a legally protected trade secret;
- prejudice an ongoing complaint, appeal, malpractice, safeguarding, regulatory or other investigation;
- undermine the security or integrity of an assessment, examination or other controlled process;
- reveal sensitive information about QNUK's risk assessment, risk controls or decision-making processes where disclosure could reasonably increase the risk that those controls are circumvented;
- disclose information relating to another organisation or individual that QNUK is not authorised to disclose; or
- otherwise result in a disclosure that QNUK considers would be unlawful, inappropriate or disproportionate.

Where QNUK is unable to provide particular information, we will provide as much information as we reasonably and lawfully can and, where appropriate, explain the reason for limiting the information.

**The fact that QNUK cannot disclose particular evidence or information does not prevent QNUK from considering that information when reaching its decision, where it is lawful and appropriate for QNUK to do so.**

QNUK will also consider whether information can be provided in a different form, for example by providing a summary of relevant findings rather than disclosing the underlying confidential material.

## Remedies and Corrective Action

Where a complaint is upheld or partially upheld, QNUK will consider whether a remedy or corrective action is appropriate.

The action taken will depend on the circumstances of the complaint, the evidence available, the impact identified and the requirements that apply.

Depending on the circumstances, this may include:

- providing an explanation or clarification;
- correcting an error;
- providing an apology;
- reconsidering or correcting an aspect of a process;
- making changes to a policy, procedure or process;
- providing additional guidance or training;
- introducing additional monitoring or quality assurance; or
- taking other proportionate action.

Where a complaint identifies a wider risk, quality issue or potential failure in a QNUK process, QNUK may take action beyond resolving the individual complaint.

Where appropriate, corrective actions will be recorded and monitored to ensure that they have been implemented.

**A complaint does not need to be upheld for QNUK to identify a lesson, risk or separate compliance concern requiring action.**

## Where the Requested Outcome Cannot Be Provided

A complainant may tell QNUK what outcome or remedy they would like to see. QNUK will consider the requested outcome but is not required to provide it.

QNUK will determine the appropriate outcome or remedy based on the circumstances of the complaint, the evidence available, the requirements that apply, the impact identified and QNUK's authority to act.

The requested outcome may not be provided where, for example:

- the evidence does not support it;
- it would not be a proportionate response to the circumstances;
- QNUK does not have the authority to provide it;
- another QNUK process provides the appropriate mechanism for considering the matter; or
- another action or remedy is considered more appropriate.

Where QNUK does not provide the outcome requested, we will explain the reasons for our decision and, where appropriate, identify any alternative action or remedy.

**A complaint outcome does not automatically change an assessment decision, centre decision or other formal decision where that decision is subject to a separate appeals or review process.**

## Governance Committee Review

A complainant who remains dissatisfied following the outcome of a formal complaint may request a review by the Governance Committee in accordance with this policy.

The Governance Committee review provides an additional level of independent oversight of the complaints process. It is intended to consider whether the complaint was handled appropriately, whether the findings were reasonable based on the evidence available, and whether the outcome was reasonable and properly explained.

A Governance Committee review is **not an automatic re-investigation of the original complaint or a further appeal against an assessment or other decision**.

### When a Governance Committee Review Can Be Requested

A Governance Committee review may be requested where the complainant remains dissatisfied following the formal complaint outcome.

The request should explain why the complainant considers that a Governance Committee review is necessary and identify any specific concerns about:

- how the complaint was handled;
- the evidence or information considered;
- the findings reached;
- the reasonableness of the outcome; or
- relevant information that the complainant believes was not properly considered.

A request should normally be made within **10 working days** of the date of the formal complaint outcome.

QNUK may consider a request made outside this period where there is a reasonable explanation for the delay or where it is otherwise appropriate to do so.

### What the Review Will Consider

The Governance Committee review will consider whether:

- the complaint was handled in accordance with the Complaints Policy and relevant procedures;
- the investigation was appropriate and proportionate to the issues raised;
- relevant evidence and information were properly considered;
- the findings reached were reasonable based on the evidence available;
- each material complaint point was appropriately addressed;
- the outcome was reasonable and properly explained; and
- any appropriate corrective action, remedy or learning was identified.

The review may consider new and relevant information where it was not reasonably available during the original complaint investigation.

Where the review identifies a significant deficiency in the original investigation or decision, the Governance Committee may require or recommend that the relevant matter is reconsidered or re-investigated.

### What the Review Will Not Consider

A Governance Committee review will not normally:

- reconsider an assessment decision that is subject to the Appeals Policy;
- replace or duplicate another QNUK process;
- investigate matters that were not part of the original complaint, unless they identify a significant new concern requiring action;
- reconsider a matter solely because the complainant disagrees with the outcome;
- require QNUK to provide information that it is not permitted to disclose; or
- require QNUK to provide a particular remedy simply because it has been requested by the complainant.

Where a request raises a new complaint or identifies a matter that should be considered under another QNUK process, QNUK may refer or manage that matter through the appropriate process.

**A Governance Committee review of the handling of an appeal does not itself become a further appeal against the underlying assessment decision**

## Independence of the Review

The Governance Committee review will be conducted by members of the Governance Committee or an appropriate review panel who have not been involved in the original complaint investigation or decision.

Any actual, potential or perceived conflict of interest will be identified and managed before the review takes place.

The review will be conducted objectively and based on the information and evidence available.

Where appropriate, the Governance Committee may seek independent advice or appoint an appropriately independent person to assist with the review.

## Possible Outcomes

Following its review, the Governance Committee may:

- confirm that the complaint was handled appropriately and the original outcome was reasonable;
- identify that aspects of the complaint were not adequately considered and require or recommend further consideration;
- require or recommend that all or part of the complaint is re-investigated;
- uphold, partially uphold or not uphold a complaint point where the Governance Committee is able to reach a different conclusion based on the evidence available;
- identify corrective action, a remedy or further learning; or
- identify a separate risk, compliance concern or other matter requiring consideration under another QNUK process.

The Governance Committee will provide the complainant with the outcome of its review and the reasons for its decision, subject to any restrictions on information that QNUK is permitted to disclose.

## Review Timescales

A Governance Committee review will normally be completed within **30 working days** of the review being accepted.

Where exceptional circumstances mean that the review cannot be completed within this timescale, QNUK will inform the complainant of the reason for the delay and provide an updated timescale.

The Governance Committee review represents the final stage of QNUK's internal complaints process, subject to any right to escalate the matter to the relevant regulator.

# Vexatious, Persistent or Malicious Communications

## Our Approach

QNUK recognises that complainants may be upset, frustrated or strongly disagree with a decision or the way a matter has been handled. People are entitled to raise legitimate concerns, challenge decisions through the appropriate process and provide information in support of their complaint.

QNUK will consider complaints based on their substance and will not treat a complaint as vexatious, unreasonable or malicious simply because it is strongly expressed, detailed, critical of QNUK, or because the complainant has used artificial intelligence or another person to assist in preparing it.

However, QNUK must also be able to operate its complaints and other processes effectively and proportionately.

**A complainant does not have the right to determine how QNUK investigates or responds to a complaint, to require QNUK to undertake actions outside its published processes, or to require unlimited correspondence or reconsideration of matters that have already been properly considered.**

QNUK may therefore take proportionate steps where the manner, volume, frequency or content of communications prevents or unreasonably interferes with the effective operation of the complaints process or places a disproportionate burden on QNUK's resources.

This may include circumstances where a person:

- repeatedly raises matters that have already been considered and responded to;
- provides substantial amounts of information without identifying the matters requiring consideration;
- repeatedly submits substantially the same information without new relevant evidence;
- makes unreasonable requests or attempts to prescribe how QNUK must investigate or respond;
- refuses to follow the applicable complaints, appeals or other QNUK process;
- makes excessive, unreasonable or disproportionate demands on QNUK's staff or resources; or
- communicates in a manner that is abusive, threatening, harassing, malicious or otherwise inappropriate.

QNUK will distinguish between a legitimate complaint that requires clarification and behaviour that unreasonably interferes with the complaints process. Where a complaint is unclear or overly complex but contains a potentially legitimate concern, QNUK will normally seek to clarify and define the matters requiring investigation before considering whether further communication controls are necessary.

Where communications or behaviour are considered to be vexatious, persistent, malicious or otherwise unreasonable, QNUK may apply appropriate controls in accordance with this policy and the Vexatious Correspondence or Behaviour Policy.

Any restrictions will be applied proportionately and will not prevent a person from raising a genuine new complaint or providing significant new information that requires consideration.

## Difficult Complaints and Unreasonable Behaviour

QNUK recognises that some complaints will be complex, detailed or difficult to resolve. A complaint may involve several issues, contain a large amount of information or express strong dissatisfaction. These characteristics do not, by themselves, mean that the complaint is vexatious or unreasonable.

QNUK will distinguish between **the substance of a complaint** and **the way in which the complaints process is being used**.

A complaint may become difficult to manage where the complainant's behaviour or communications make it unnecessarily difficult to identify, investigate or resolve the matters raised. This may include where a person:

- repeatedly changes or expands the issues they are asking QNUK to consider;
- repeatedly provides information without clearly identifying what they believe QNUK has done incorrectly;
- continues to raise matters after QNUK has provided a reasonable explanation and there is no new relevant information;
- repeatedly challenges the process being followed rather than engaging with the applicable QNUK process;
- seeks to direct or control the way QNUK investigates or responds to the complaint;
- makes excessive or disproportionate requests of QNUK staff;
- repeatedly contacts different members of staff about the same matter in an attempt to obtain a different response;
- makes demands for information, meetings, investigations or actions that are outside QNUK's published processes or that QNUK is not required or able to provide; or
- otherwise uses the complaints process in a way that creates a disproportionate or unreasonable burden on QNUK without contributing to the resolution of the complaint.

Where a complaint is difficult to understand or contains multiple issues, QNUK may first seek to clarify the matters requiring consideration. Where appropriate, QNUK may identify the complaint points it understands the complainant to be raising and ask the complainant to confirm or amend them.

**QNUK is responsible for determining the appropriate process, investigation, evidence and enquiries required to consider a complaint. A complainant may make requests or suggestions about how their complaint should be handled, but QNUK is not required to follow those requests where they are outside the applicable process, unnecessary, disproportionate or otherwise inappropriate.**

Where unreasonable behaviour continues after QNUK has explained the appropriate process or taken reasonable steps to address the concerns, QNUK may consider whether the matter should be managed under the provisions of this policy relating to restrictions on communications and the **Vexatious Correspondence or Behaviour Policy**.

## Repeated or Previously Determined Complaints

A complainant should provide all relevant information and evidence reasonably available to them when making their complaint or when QNUK requests information during the investigation.

QNUK will provide a reasonable opportunity for a complainant to provide further information that is relevant to the matters being considered. However, the complaints process is not intended to provide an unlimited opportunity to introduce additional information or evidence after QNUK has considered the complaint or reached its findings.

Where QNUK has provided a reasonable opportunity for information or evidence to be provided, QNUK may proceed to determine the complaint based on the information available at that point.

Where a complainant subsequently provides additional information, QNUK will consider whether it is:

- genuinely new and materially relevant to the complaint;
- information that could reasonably have been provided earlier;
- information that provides a reasonable explanation for why it was not provided earlier; and
- sufficiently significant that it could reasonably affect the findings or outcome already reached.

QNUK will not normally reopen or repeat an investigation simply because additional information is provided after a reasonable opportunity to provide evidence has passed, particularly where the information could reasonably have been provided earlier and does not materially affect the matters already considered.

Where appropriate, QNUK may record the additional information and consider whether it identifies a separate issue, risk or concern requiring action without reopening the completed complaint.

Where a complainant repeatedly provides additional information after QNUK has considered or responded to the complaint, particularly where the information could reasonably have been provided earlier, this may be considered when assessing whether the complaints process is being pursued in a persistent or unreasonable manner.

## Excessive, Irrelevant or Repetitive Communications

QNUK recognises that some complaints may require detailed information and that complainants may need to provide supporting evidence. The amount of information provided will therefore be considered in the context of the complaint.

However, QNUK is not required to repeatedly consider communications that do not materially assist in understanding, investigating or resolving a complaint.

Communications may be considered excessive, irrelevant or repetitive where they:

- repeat information, allegations or questions that QNUK has already considered or addressed;
- provide additional information without identifying how it relates to the complaint;
- contain substantial material that is unrelated to the matters being considered;
- repeatedly introduce minor or immaterial variations of matters already considered;
- repeatedly ask QNUK to reconsider the same evidence or conclusion without providing a material reason to do so;
- provide further information in stages when the information was reasonably available to the complainant earlier and QNUK has already provided an opportunity for it to be submitted;
- repeatedly contact QNUK before the applicable response timescale has expired without providing significant new information;
- send substantially the same communication or complaint to multiple members of QNUK staff; or
- otherwise create a disproportionate administrative burden without materially contributing to the consideration or resolution of the matter.

**QNUK is not required to respond separately to every communication, question, assertion or document submitted by a complainant.** QNUK will determine what information and issues are material to the complaint and will provide a response sufficient to explain its findings and decision.

Where communications are excessive, irrelevant or repetitive, QNUK may:

- identify the matters that remain under consideration;
- ask the complainant to consolidate further information into a single communication;
- direct the complainant to use the established complaints or review process;
- decline to respond to matters that have already been answered;
- proceed to determine the complaint using the information available; or
- apply proportionate restrictions on future communications.

Where QNUK has already provided a reasonable opportunity for relevant information or evidence to be submitted, further information will be considered in accordance with the provisions of this policy concerning **Repeated or Previously Determined Complaints**.

**The use of artificial intelligence to prepare a communication does not create an obligation for QNUK to consider or respond to every statement, question or request contained within it.**

A complaint will not be considered vexatious solely because it is detailed, lengthy or strongly expressed. However, the volume, frequency, repetition, relevance and persistence of communications may be considered when determining whether the complaints process is being pursued in an unreasonable or disproportionate manner.

## Multiple or Uncoordinated Routes

A matter may legitimately involve more than one QNUK process. For example, a complaint may identify a separate malpractice concern, or a person may have an appeal concerning an assessment decision while also making a complaint about the way the appeal was handled.

QNUK will identify the appropriate process for each matter and, where necessary, coordinate related processes.

However, **QNUK determines which process applies to a matter and how that process will be managed.** A complainant should not use multiple QNUK processes, communication channels or members of staff in an attempt to obtain a different response, bypass an established process or require the same matter to be considered repeatedly.

Examples of behaviour that may be considered unreasonable include:

- sending substantially the same complaint or request to several QNUK employees, departments or members of management;
- submitting the same matter through several QNUK processes without clearly distinguishing the different issues involved;
- combining a complaint, appeal, malpractice allegation, Subject Access Request or other matter without making clear which issues are being raised under each process;
- using one QNUK process to seek an outcome that is only available through another process;
- repeatedly moving between different QNUK processes after the appropriate route has been explained;
- submitting different versions of substantially the same complaint to different QNUK employees;
- contacting different QNUK employees in an attempt to obtain a different answer after a position has been established;
- copying large numbers of QNUK employees into correspondence without a reasonable purpose; or
- continuing to pursue a matter through alternative routes after QNUK has explained the appropriate process and provided a reasonable opportunity to use it.

QNUK may consolidate, separate, redirect or otherwise manage matters where this is necessary to ensure that they are dealt with through the appropriate process and without unnecessary duplication.

Where a communication contains matters that fall under different QNUK processes, QNUK may explain which process will deal with each matter. The complainant will not normally be required to resubmit information that QNUK already holds and can reasonably use.

Using more than one QNUK process will not, by itself, be considered unreasonable. Where there are genuinely separate matters requiring consideration, QNUK will ensure that each matter is considered through the appropriate process.

## Unreasonable Requests or Requirements

Complainants are entitled to explain the outcome or change they would like QNUK to consider. QNUK will take this into account when considering the complaint, but **the complainant does not determine how QNUK will investigate, assess or respond to the complaint**.

QNUK will determine the information, evidence, enquiries, meetings and other actions that are reasonably necessary to consider the matters raised and will manage the complaint in accordance with this policy and any other applicable QNUK process.

A complainant may make requests or suggestions about how their complaint should be handled. However, a request does not create an obligation for QNUK to undertake the requested action.

Examples of requests or requirements that QNUK may decline or limit include:

- requiring QNUK to answer a prescribed list of questions rather than addressing the material complaint points;
- requiring QNUK to conduct an investigation in a particular way;
- requiring QNUK to involve a particular member of staff, manager or member of the Governance Committee;
- requiring QNUK to arrange a meeting where QNUK considers written communication or another appropriate method is sufficient;
- requiring QNUK to provide documents or information that QNUK is not permitted or required to disclose;
- requiring QNUK to reconsider a decision that is subject to another QNUK process;
- requiring QNUK to undertake work or enquiries that are unnecessary or disproportionate to the complaint;
- requiring QNUK to respond within a timescale that does not reflect the published complaints process; or
- requiring QNUK to provide a particular remedy or outcome.

**QNUK is not required to respond separately to every question, instruction, assertion or request contained within a complaint.** Our response will address the material complaint points and provide sufficient information to explain our findings and decision, subject to any applicable confidentiality or other restrictions.

Where a complainant requests an action that QNUK considers unnecessary, disproportionate, outside the scope of the complaints process, inconsistent with another QNUK process, or otherwise inappropriate, QNUK may decline the request and continue to consider the substantive complaint.

Where a complainant repeatedly makes unreasonable requests or attempts to direct or interfere with the complaints process after QNUK has explained the position, this may be considered when assessing whether the communications or behaviour are persistent or unreasonable.

## Refusal to Follow the Complaints Process

QNUK has established procedures for making, investigating and reviewing complaints so that complaints can be handled consistently, fairly and efficiently. Complainants are expected to use the appropriate process and to provide reasonable information or clarification where requested.

A complainant is not required to agree with QNUK's process, findings or decisions. However, **QNUK is entitled to determine and apply the appropriate process for dealing with a matter.**

Where QNUK has determined that a particular process applies, a complainant's preference for an alternative process does not require QNUK to depart from the applicable process.

Where a complainant refuses to follow the applicable complaints process, QNUK may explain the process that applies and what the complainant needs to do for the matter to progress.

This may include circumstances where a complainant:

- refuses to provide reasonable clarification needed to identify the matters they want QNUK to investigate;
- refuses to confirm or correct a summary of a complaint where QNUK has prepared one to establish the scope of the complaint;
- insists that a matter is dealt with under a process that does not apply;
- attempts to use the complaints process instead of an applicable appeals or other review process;
- refuses to use an established review or escalation route while continuing to demand that QNUK reconsider the matter;
- repeatedly changes the process through which they seek consideration of the same matter;
- refuses to provide information reasonably required to progress the complaint while continuing to require QNUK to reach a particular outcome; or
- continues to pursue an alternative process after QNUK has clearly explained the appropriate route.

Where a complainant does not follow the applicable process, QNUK may:

- explain the appropriate process and invite the complainant to use it;
- redirect the matter to the appropriate QNUK process;
- proceed with the complaint using the information available where sufficient information exists;
- decline to undertake requests that fall outside the applicable process; or
- where the behaviour continues and becomes unreasonable or persistent, apply the communication controls set out in this policy and the **Vexatious Correspondence or Behaviour Policy**.

**QNUK will not require a complainant to follow a process that does not apply to their circumstances.** Where there is uncertainty about the appropriate route, QNUK will determine the appropriate process based on the nature of the matter raised.

A refusal to follow a process will not, by itself, make a complaint vexatious. QNUK will consider the circumstances, including whether the complainant has been given a reasonable explanation of the applicable process and whether their continued behaviour is preventing the matter from being dealt with appropriately.

## Malicious Communications

QNUK will not tolerate communications that are abusive, threatening, harassing or deliberately intended to cause harm, distress or disruption.

Where communications received in connection with a complaint raise concerns of this nature, QNUK may consider them under its **Vexatious Correspondence or Behaviour Policy** and may take proportionate action to protect staff, stakeholders and the effective operation of QNUK's processes.

Where appropriate, QNUK may also refer matters for consideration under other applicable policies, procedures or legal or regulatory requirements.

**A complaint will not be considered malicious simply because it is critical of QNUK, contains allegations that are not upheld, or is strongly expressed.** QNUK will consider the circumstances and available evidence before determining whether communications or behaviour require action under the Vexatious Correspondence or Behaviour Policy.

Nothing in this section prevents a person from raising a genuine complaint, providing relevant evidence or reporting a serious concern through an appropriate QNUK process.

## Restrictions on Communications

Where QNUK considers that a person is communicating in a vexatious, persistent, malicious, abusive or otherwise unreasonable manner, QNUK may apply proportionate restrictions to how further communications are managed.

The purpose of any restriction is to protect QNUK staff and resources and to enable legitimate complaints and other business to continue to be handled effectively.

Depending on the circumstances, restrictions may include:

- requiring communications to be made through a specified email address or other communication channel;
- identifying a single QNUK contact or team through which communications should be made;
- requiring multiple communications about the same matter to be consolidated into a single communication;
- limiting the frequency of communications;
- requiring communications to be made in writing rather than by telephone;
- limiting or withdrawing access to particular communication channels where these are being misused; or
- declining to respond to further communications that simply repeat matters that have already been considered and addressed.

Any restriction will be proportionate to the circumstances and will take account of the nature, frequency and impact of the communications and whether reasonable steps have already been taken to resolve or manage the matter.

Where appropriate, QNUK may provide a warning before applying a restriction and may specify the circumstances in which the restriction will be reviewed.

**A restriction on communications does not prevent a person from raising a genuine new complaint, providing significant new information or reporting a serious concern through an appropriate QNUK process.**

Where a restriction is applied under the **Vexatious Correspondence or Behaviour Policy**, the relevant provisions of that policy will also apply.

## Maintaining Access to the Complaints Process

QNUK will seek to ensure that reasonable controls applied to communications do not prevent a person from raising a genuine complaint or providing information that requires consideration.

Where communication restrictions are in place, a person will continue to have an appropriate means of:

- raising a genuinely new complaint;

- providing significant new information relevant to a matter that remains open;
- reporting suspected malpractice or maladministration;
- raising a safeguarding concern;
- making a whistleblowing disclosure; or
- providing information that may require QNUK to take regulatory or other action.

Where a person is subject to restrictions on how they communicate with QNUK, they may be directed to a specified communication channel or point of contact for these purposes.

QNUK will determine whether information represents a genuinely new matter, new relevant evidence or a repetition of an issue that has already been considered. Where information requires consideration under another QNUK process, it will be dealt with or referred in accordance with the appropriate policy or procedure.

**A restriction on communications does not remove a person's right to raise a legitimate concern. However, it does not require QNUK to repeatedly reconsider matters that have already been properly considered or to respond to communications that do not provide new relevant information.**

Where appropriate, communication restrictions will be reviewed to determine whether they remain necessary and proportionate.

# Learning and Improvement

## Learning from Complaints

QNUK considers complaints an important source of information about the quality and effectiveness of its services, qualifications and processes.

Where a complaint identifies an error, weakness, recurring issue, risk or opportunity for improvement, QNUK will consider what can be learned from the matter.

Learning may relate to:

- the way a service or process is delivered;
- information or guidance provided to learners, centres or other stakeholders;
- policies, procedures or documentation;
- communication;
- assessment or quality assurance processes;
- training or staff competence; or
- risks that may affect other learners, centres or stakeholders.

A complaint does not need to be upheld for QNUK to identify a lesson or improvement opportunity.

Where appropriate, lessons identified through complaints will be recorded and made available for management and governance oversight.

## Corrective and Preventive Action

Where a complaint identifies that QNUK has made an error, a process has not operated as intended, or a deficiency requires action, QNUK will consider whether corrective action is required.

Corrective action may include:

- correcting an error or its effects;

- reviewing or changing a process;
- providing additional guidance or training;
- introducing additional quality assurance or monitoring; or
- taking other appropriate action to address the issue.

Where appropriate, QNUK will also consider whether action is required to prevent the same or a similar issue from occurring again.

The nature and extent of any action will be proportionate to the significance, impact and risk associated with the issue identified.

Where an issue may have affected other learners, centres or stakeholders, QNUK will consider whether further review or action is required.

### Monitoring Complaints and Trends

QNUK will monitor complaints to identify patterns, recurring issues, emerging risks and opportunities for improvement.

Monitoring may include:

- the number and type of complaints received;
- the areas or processes to which complaints relate;
- complaint outcomes;
- compliance with published timescales;
- recurring or systemic issues;
- significant risks or potential impacts;
- corrective actions and lessons learned; and
- the effectiveness of actions taken in response to complaints.

Complaint information will be considered through QNUK's management and governance arrangements.

Where monitoring identifies a significant or recurring issue, QNUK may undertake further investigation or review and may take action beyond the individual complaint.

Where consideration of a complaint identifies a potential failure in an assessment process, QNUK will ensure that the matter is referred for appropriate assessment and quality assurance consideration, including consideration of whether other learners may have been affected and whether corrective, mitigating or preventative action is required.

## Escalation to the Relevant Regulator

### When QNUK's Complaints Process Has Been Exhausted

QNUK's complaints process should normally be completed before a complaint is escalated to the relevant qualification regulator.

Where a complainant remains dissatisfied following the outcome of a Governance Committee review, this represents the end of QNUK's internal complaints process.

QNUK will provide information about the appropriate regulator and how the complainant may contact them where an external regulatory route is available.

The completion of QNUK's complaints process does not prevent QNUK from taking further action where information arising from a complaint identifies a regulatory, qualification, assessment, safeguarding, malpractice or other concern requiring QNUK to act.

## Your Right to Contact the Relevant Regulator

If you remain dissatisfied after completing QNUK's complaints process, you may contact the relevant qualification regulator where the matter falls within its remit.

For qualifications regulated by Ofqual, information about how to raise a complaint with Ofqual is available through the GOV.UK website.

Where a qualification or matter falls within the remit of another qualification regulator, the relevant regulator's own complaints or regulatory arrangements will apply.

**The regulator's process is separate from QNUK's complaints process.** Contacting a regulator does not require QNUK to change its findings or outcome unless the regulator requires or directs QNUK to take action within its regulatory powers.

## What the Regulator May Consider

The relevant regulator determines the matters it is able to consider under its own regulatory arrangements.

For example, Ofqual may consider whether an awarding organisation has complied with the regulatory requirements that apply to it.

Where a regulator contacts QNUK about a complaint or identifies a potential regulatory concern, QNUK will cooperate with the regulator and give appropriate consideration to any findings, requirements or directions issued by the regulator.

QNUK may also review whether information provided through a regulatory complaint identifies a wider issue that could affect its own qualifications, assessment processes or quality arrangements.

## What the Regulator Cannot Determine

A regulator's role is different from QNUK's complaints and appeals processes.

A regulator will not normally act as a further stage of QNUK's internal complaints or appeals process or simply reconsider an assessment decision because a complainant disagrees with the outcome.

Where a matter concerns an assessment decision or another decision for which QNUK provides an appeal route, the applicable QNUK appeals process should normally be completed before a regulatory complaint is made.

**The regulator determines what it can and cannot consider under its own regulatory framework.** QNUK will not represent that a regulator will provide a particular remedy, overturn a QNUK decision or require QNUK to take a particular action.

# Records, Confidentiality and Data Protection

### Recording Complaints

QNUK will maintain appropriate records of complaints received and the actions taken in response to them.

Complaints will be recorded in accordance with QNUK's complaints procedures and will normally include information such as:

- the date and method of receipt;
- the complainant and relevant organisation or centre, where known;
- a summary of the complaint;
- the matters being considered;
- relevant evidence or information provided;
- the person responsible for considering the complaint;
- relevant timescales;
- the outcome and reasons for the decision;
- any action or remedy identified;
- relevant lessons learned; and
- any related complaints, appeals or other cases.

Records will be maintained throughout the life of the complaint to provide an appropriate audit trail of how the matter was received, considered, decided and closed.

## Confidentiality

QNUK will handle information relating to complaints appropriately and will seek to protect confidential information from unauthorised access or disclosure.

Information will only be shared where there is a legitimate reason to do so, including where it is necessary to:

- investigate or respond to the complaint;
- obtain relevant information or evidence;
- protect a learner or another person;
- manage a risk or compliance concern;
- operate another applicable QNUK process;
- meet a legal, contractual or regulatory obligation; or
- otherwise act lawfully and appropriately.

Where information relating to another person or organisation is relevant to a complaint, QNUK will consider what information can appropriately be disclosed while protecting confidentiality and other applicable rights.

Complainants should not assume that all information considered during an investigation can be disclosed to them.

## Personal Information

QNUK will collect and use personal information where necessary to receive, investigate, manage and respond to complaints.

Personal information will be handled in accordance with QNUK's **Data Protection Policy** and applicable data protection requirements.

Complainants should avoid providing personal information about other people unless it is relevant to their complaint and they are entitled to provide it.

Where personal information is provided as part of a complaint, QNUK may use and retain it where necessary for the purposes of handling the complaint and meeting its legal, regulatory or other legitimate obligations.

Further information about how QNUK processes personal information is available through the QNUK Data Protection Policy and relevant privacy information.

### Retention of Records

QNUK will retain complaint records for the period required by its applicable records-management arrangements, regulatory requirements and other legal or contractual obligations.

Records will be retained securely and disposed of appropriately when they are no longer required.

Where a complaint is linked to another QNUK process, such as an appeal, malpractice investigation, safeguarding matter or regulatory issue, relevant records may be retained in accordance with the requirements applicable to that process.

## Related Policies and Documents

The following QNUK policies and documents may be relevant when making or handling a complaint. Where a matter falls within another policy or process, QNUK will use the appropriate process and may cross-reference related records where necessary.

- **Appeals Policy** – for challenges to assessment decisions or other QNUK decisions where a right of appeal is provided.
- **Malpractice Policy** – for suspected malpractice or maladministration.
- **Whistleblowing Policy** – for disclosures of wrongdoing or serious concerns falling within the scope of the policy.
- **Safeguarding Policy** – for safeguarding concerns.
- **Data Protection Policy** – for requests or concerns relating to personal data and data protection.
- **Vexatious Correspondence or Behaviour Policy** – for vexatious, persistent, malicious or otherwise unreasonable correspondence or behaviour.
- **Grievance Policy** – for QNUK employee grievances.
- **Risk Management Policy** – where a complaint identifies a significant risk requiring consideration under QNUK's risk-management arrangements.

Where appropriate, QNUK may also refer to relevant qualification specifications, assessment requirements, centre agreements, procedures, regulatory requirements and other controlled documents when considering a complaint.

A complaint may involve more than one policy or process. Where this occurs, QNUK will determine the appropriate route for each matter and will seek to avoid unnecessary duplication of investigation or information requests.

# Appendix - Using AI Effectively When Making a Complaint

AI can be used to help organise and improve the clarity of information when preparing a complaint. The prompts below are intended to help you structure your own account and concerns rather than generate a complaint for you.

Before using any prompt:

- Use your own information and experience as the source. Do not ask AI to invent or strengthen facts, allegations or arguments.
- Check the output carefully. AI can produce inaccurate information or references to policies, regulations or other requirements that are incorrect.
- Protect personal and confidential information. Do not paste confidential QNUK correspondence, learner information, assessment records, personal information about other people or commercially sensitive information into an AI tool unless you are satisfied that you are permitted to do so and that the tool is appropriate for that information. Where possible, remove or anonymise such information first.
- Keep the final complaint focused. AI may make a complaint longer or more complicated than necessary. Remove repetition and information that does not help explain what you are complaining about.
- Do not rely on AI to determine whether QNUK has breached a requirement. You can ask AI to help identify references that you should check, but you should check the original QNUK policy, procedure, agreement or regulatory source yourself.
- Make sure the final complaint represents what you actually want QNUK to consider. You remain responsible for the information you submit.

## A useful starting instruction

If you are using AI to help prepare your complaint, you can begin by telling it:

"I am using you to help organise my own information. Do not invent facts, make assumptions, add allegations, create legal arguments or introduce information that I have not provided. If information is unclear or missing, identify this rather than filling in the gaps. Help me make my complaint shorter, clearer and more focused."

Then go into the specific prompts.

**Prompt: Structure my complaint**

*I need to make a complaint to QNUK. I will provide my own account of what happened. Please help me organise it into: what I am dissatisfied with, what I believe should have happened, how I was affected, and what I would like to see change. Do not add facts, allegations, legal arguments or information that I have not provided.*

**Prompt: Remove repetition**

*Please review my complaint and identify repetition, irrelevant information and unclear sections. Suggest how I could make it shorter and clearer without removing material facts or changing what I am complaining about. Do not add new facts or arguments.*

**Prompt: Identify my complaint points**

*Review the information below and identify the separate issues I am complaining about. List each issue clearly and separately. Do not decide whether my complaint is justified and do not add any new issues.*

**Prompt: Check accuracy**

*Review my complaint for statements of fact, references to policies or regulations and other claims. Identify anything I should check against the original source before submitting my complaint. Do not assume that any statement is correct.*