

Complaints Policy and Procedure

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12	02/12/2025	<ul style="list-style-type: none"> ➤ Bring together complaints arrangements for both AO and EPA activities ➤ Clarify the distinction between complaints, appeals and malpractice/maladministration ➤ Provide clear pathways for EPA, AO and centre-assessed complaints 	BOD	04/12/2025	04/12/2026

<i>Version</i>	<i>Date</i>	<i>Change History</i>	<i>Reviewed By</i>	<i>Implementation Date:</i>	<i>Next Review Date</i>
		<ul style="list-style-type: none"> ➤ Explicitly cover complaints about the handling of personal data in line with UK GDPR and IC expectations; 			

1. Overview

Professional Assessment Ltd (PAL) is committed to providing high-quality, fair and transparent services across its Awarding Organisation (AO) Apprenticeship Assessment and End-Point Assessment (EPA) activities. We recognise that, from time to time, learners, apprentices, centres, employers and other stakeholders may wish to raise concerns or express dissatisfaction. This combined complaints policy sets out how PAL will receive, investigate and respond to complaints relating to our regulated qualifications, EPA services and Apprenticeships Assessments under the reformed apprenticeship model.

Centres seeking recognition with PAL and approved centres must have a current complaints policy that meets PAL’s approval criteria and complies with relevant regulatory conditions and guidelines and where applicable meets any performance management requirements as set by various government agencies for funded programmes and qualifications.

2. Policy Scope

It covers complaints about:

- The quality and standard of PAL’s regulated qualifications and apprenticeship assessment products, and support materials
- PAL’s personnel behaviour, conduct or customer service
- PAL’s administrative processes, to include communications and decision-making, including scheduling and operational arrangements for assessment, quality assurance account management activities
- Systems and services provided by, or on behalf of, PAL (for example, online assessment platforms)
- PAL’s handling of personal data

It does **not** cover:

- Appeals or enquiries into assessment decisions, marks, grades or outcomes – see PAL Appeals and Enquiries Policy
- Allegations or suspicions of malpractice or maladministration – see PAL Malpractice and Maladministration Policy
- Whistleblowing concerns in the public interest – see PAL Whistleblowing Policy
- Safeguarding concerns – see PAL Safeguarding Policy

Where a concern is raised under this policy but is more properly handled under another PAL policy (for example as an appeal or malpractice concern), PAL will signpost the complainant to the correct policy and process.

Where complaints between Learners/Apprentices and Centres/ Third Party Providers are not satisfactorily resolved, learners/Apprentices can contact PAL, but it is important that the Centre’s/ Third Party procedures have been fully exhausted before referring to PAL.

3. Who is this policy for?

This policy is for anyone with a legitimate complaint about PAL’s services, personnel, or processes, including:

The policy applies to all PAL stakeholders, including but not limited to:

- Learners and apprentices
- Centres and college partners
- Training Providers and Employer Providers
- Employers
- Suppliers, contractors and third parties
- Government departments, regulators and funding agencies
- Members of the public

This policy should be read alongside related PAL policies and procedures, including (but not limited to):

- Appeals and Enquiries Policy
- Malpractice and Maladministration Policy
- Data Protection and Privacy Policy and Data Breach Procedure
- Safeguarding Policy
- Whistleblowing Policy

4. Purpose

The purpose of this policy is to:

- Provide a clear, accessible and consistent process for raising and resolving complaints about PAL's awarding, and apprenticeship assessment activities
- Ensure complaints are handled fairly, objectively, promptly and without discrimination
- Ensure the interests of learners and apprentices are protected, and that no complainant is disadvantaged for raising a legitimate concern
- Ensure PAL meets its regulatory obligations under the Ofqual General Conditions of Recognition, EPA technical conditions and any other relevant technical conditions and DfE/DWP funding rules
- Support effective risk management by identifying complaints that may indicate potential or actual adverse effects
- Use learning from complaints to inform continuous improvement in PAL's qualifications, apprenticeship assessment/EPA services and internal processes

5. Definitions

Complaint: An expression of dissatisfaction about the standard or quality of service, behaviour, action or inaction by or on behalf of PAL.

Enquiry: An informal request for an explanation or clarification regarding an assessment decision or outcome. Enquires are handled under the PAL Appeals and Enquiries Policy not this Complaints Policy.

Appeal: A formal request to review an assessment decision or outcome on the grounds that it may be inaccurate, unfair or inconsistent, or that the correct procedures were not followed. Appeals are handled under the PAL Appeals and Enquiries Policy, not this complaints policy.

Malpractice / Maladministration: Any act, default, wrongdoing or conduct that compromises, or could compromise, the integrity, validity, reliability or fairness of assessment, the certification process, or PAL's compliance with regulatory requirements. Allegations or suspicions of malpractice or maladministration are handled under the PAL Malpractice and Maladministration Policy.

Adverse Effect: As defined by Ofqual, an act, omission, event, incident or circumstance that gives rise to prejudice to learners or adversely affects:

- The ability of the awarding organisation to develop, deliver or award qualifications in accordance with its Conditions of Recognition
- The standards of those qualifications; or
- Public confidence in qualifications

Awarding Organisation (AO): PAL in its role as an Ofqual-recognised awarding organisation making regulated qualifications available through approved centres.

End-Point Assessment Organisation (EPAO): PAL in its role as an organisation recognised to deliver end-point assessment for apprenticeship standards.

Centre-Assessed Provision: Assessment activity delivered and marked by approved centres under PAL's recognition and quality assurance arrangements, including centre-assessed apprenticeships where applicable.

Working Day: A day other than a Saturday, Sunday, bank holiday or other public holiday in England.

5.1 Maintaining Confidentiality

Confidentiality is an important factor in conducting complaint investigations. PAL will always have regard to any legislative requirements (for example GDPR) and also internal policies on confidentiality and the use of complainant information.

Complaints will be handled with an appropriate level of discretion and PAL will only release information to those who need it for investigating or responding to the complaint. No third party will be told any more about the investigation than is strictly necessary to obtain the information required from them, where their input is required to clarify a situation or to support a resolution.

Complaints will be logged on PAL's governance reporting system, (access to the reports is restricted to named individuals).

In some cases, dependent on the nature of the complaint, PAL may need to notify the relevant regulatory bodies or agencies before they have concluded their own internal investigations.

5.2 Anonymous Complaints

Complaints submitted anonymously will be considered if there is enough information within the complaint, to enable PAL to make further enquiries or act reasonably on the information provided. If however an anonymous complaint lacks sufficient detail, PAL may decide to close the complaint without taking any further action.

6. Regulatory Framework

Condition D4 Responding to enquiries and complaints procedures

As a regulated organisation PAL must have a complaints policy and procedure that clearly details how we will respond to enquiries and address service concerns and maintain appropriate levels of confidentiality regarding personal data and information, pertaining to a complaint.

- D4.1 An awarding organisation must answer accurately, fully and within a reasonable time any reasonable enquiries received by it from Users of qualifications
- D4.2 Nothing in this condition obliges an awarding organisation to disclose information if to do so would breach a duty of confidentiality or any other legal duty
- D4.3 An awarding organisation must establish, maintain, publish and at all times comply with a written complaints' procedure
- D4.4 The complaints procedure must in particular include procedures and timescales for –
 - (a) responding to complaints, and
 - (b) dealing with the subject matter of complaints

In addition to the stated regulatory requirements here, PAL will also abide by regulatory guidance and information and where applicable comply with any additional regulatory frameworks that are relevant to the circumstances of the complaint.

7. Roles and Responsibilities

7.1 Learners and Apprentices/Apprentices

- Familiarise themselves with their centre's / provider's complaints policy as part of induction
- Raise any concerns about on-programme training or centre-based delivery with their centre, employer or provider in the first instance
- Provide clear and accurate information when raising a complaint with PAL

7.2 Centres, Training Providers and Employer-Providers

- Maintain a local complaints policy that meets regulatory and PAL approval criteria
- Ensure learners/apprentices, staff and employers know how to access the centre's complaints policy and PAL's complaints arrangements
- Investigate local complaints promptly and fairly
- Escalate complaints to PAL only after local procedures have been fully exhausted, unless the complaint relates solely to PAL's activities

7.3 Employers

- Raise concerns about on-programme training, employment arrangements or local delivery with the relevant provider and/or centre first, funding enquiries should be directed to the Provider or Centre. Queries regarding EPA, assessment or awarding fees can be directed to PAL
- Raise complaints with PAL where concerns relate to PAL's EPA, AO services or PAL personnel conduct

7.4 PAL Support Services

- Act as the first point of contact for complaints received by PAL
- Support recording of complaints in PAL's governance
- Acknowledge complaints within published timescales and direct them to the appropriate PAL lead

7.5 Business Operations Director (BOD)

- Owns day-to-day oversight of the complaints process for EPA, Apprenticeship Assessment and AO activities
- Liaise with the RO as necessary
- Appoint a lead to investigate complaints that are determined **as not likely** to cause an adverse effect or have had an adverse effect and oversee complaint recovery actions and share any learning and feedback for service improvement with PAL colleagues
- Involve the Qualification Director, Assessment Account Managers Quality team and Responsible Officer as necessary

7.6 Responsible Officer (RO)

- Decide whether an event or complaint is reportable to Ofqual and/or other regulators and funding agencies and report accordingly (for funding the Director of Audit and Compliance will lead and report)
- Lead or commission complaint investigations that involve the qualifications regulator and ensure appropriate remedial and preventive action is taken, keeping PAL colleagues informed
- Share any learning and feedback for improvements regarding design, development, delivery and awarding activities with PAL colleagues

7.7 Data Protection Officer (DPO)

- Lead on complaints about the handling of personal data.
- Ensure UK GDPR principles and data subject rights are upheld in complaint handling.
- Determine whether a personal data breach has occurred and whether it must be reported to the Information Commission and advise PAL's Board accordingly

7.8 PAL Board of Directors and Quality and Standards Committee

- Ensure that complaints are handled in line with this policy and relevant regulatory conditions
- Use complaint trends to inform risk management, continuous improvement and governance reporting

- Approve any significant changes to this policy

8. How to make a Complaint

8.1 Information Required

To help us resolve a complaint or address specific concerns, it helps to have as much information as possible, in respect of what has happened, when the event happened and who was involved and contact details.

To help PAL consider and resolve a complaint, complainants should provide:

- Full name and preferred contact details
- Organisation/employer/provider, where applicable, and role (e.g. learner, apprentice, assessor, employer)
- Details of the qualification, apprenticeship standard or activity the complaint relates to
- A clear description of the complaint, including relevant dates, times, locations and the people involved
- Copies of any relevant correspondence or supporting evidence.

In the absence of any pertinent information, PAL will continue to investigate and resolve the complaint, as best it can. The complainer will be informed that the absence of such information could obstruct a fair and robust investigation and as such there may be good cause to overturn the complaint. PAL will treat all complaints with respect and seek to handle all matters in a sensitive and constructive manner. We respect people's confidentiality and the information we ask for to resolve a complaint in only that which is necessary to carry out a reasonable and fair investigation.

Where PAL's RO determines the nature of the complaint requires PAL to notify external agencies to include Ofqual, complainants will be advised of this fact.

8.2 Submission Routes

- In writing-email: info@professionalassessment.co.uk noting the subject as complaint
- In writing- letter: Connect House, Kingston Road, Leatherhead, Surrey KT22 7LT
- By telephone- 0800 160 1899
- In person (where appropriate)
- via any dedicated online form or contact mechanism specified by PAL from time to time

Access and reasonable adjustments will be provided for complainants who require support to submit a complaint, for example due to disability or communication needs.

In making a formal complaint, any complainant can be supported in preparing a written claim, and they should be encouraged to provide detailed information to enable a fair and robust investigation. Support can come from the complainant's choosing. Note PAL will not pay for any fees incurred by the complainant for enlisting third-party support.

Complaints emanating from a supplier, DfE/DWP or any designated government agency or department, or any other relevant regulatory body or other public or professional bodies, or Skills England should use the PAL info@ email address and PAL will ensure the appropriate team and or individual accesses the email and responds in accordance with PAL's policies and procedures and within the parameters of the relevant regulatory conditions.

8.3 Timescales for Raising a Complaint

Complaints should normally be raised within **15 working days** of the event or issue giving rise to the complaint.

PAL may, at its discretion, consider complaints raised after this period where there are valid and evidenced reasons why the complainant could not meet the timescale (for example, illness or safeguarding concerns).

8.4 Acknowledgement and Resolution Timescales

- PAL will normally acknowledge receipt of a complaint within **10 working days** of receipt
- PAL aims to investigate and respond to complaints as quickly as possible. In many cases this will be within **28 working days** of the complaint being logged
- Where a complaint is particularly complex or involves third parties, the investigation may take longer. In such cases PAL will keep the complainant informed of progress and revised timescales

If a stakeholder wishes to take a complaint about PAL to an external agency such as the funding agency, or the qualifications regulator it is essential that their company procedure and PAL's are thoroughly exhausted before the external body can get involved.

9. Types of Concerns and Related Policies

9.1 Complaint Types and Policy Routes

To support complainants in choosing the correct route, the following summaries apply:

- **Complaint** – an expression of dissatisfaction about PAL service, conduct, communication or administrative process or concerns regarding personal data handling
 - Examples: delay in response; perceived rudeness by PAL personnel; unclear information; assessment scheduling issues
 - **Route: this Complaints Policy.**
- **Enquiry**- an enquiry requesting further explanation or clarification regarding an assessment outcome or result
 - Example: clarifying a test result, where a test is formed of two parts, requiring passes in both elements and appellant is confused by the marking criteria or test weighting
 - **Route: PAL Appeals and Enquiries Policy**
- **Appeal** – a formal challenge where an enquiry has not provided the appellant with a satisfactory response and the appellant believes there is sufficient and valid evidence to challenge to an assessment decision, grade or outcome, or concern that correct assessment procedures were not followed
 - Examples: disagreement with the grading of an assessment component in EPA; challenge to a EQA decision
 - **Route: PAL Appeals and Enquiries Policy**
- **Malpractice / Maladministration** – improper practice or wrongdoing that compromises the integrity or fairness of assessment or certification
 - Examples: cheating; assessor falsifying results; incorrect application of reasonable adjustments; misuse of assessment materials; perceived or actual conflict of interest not appropriately disclosed
 - **Route: PAL Maladministration and Malpractice Policy**
- **Whistleblowing** – a disclosure in the public interest about wrongdoing, risk or malpractice within PAL or a centre/provider
 - Examples: systemic malpractice; fraud; serious regulatory breaches.
 - **Route: PAL Whistleblowing Policy**

9.2 Who will review my complaint?

- All Complaints are logged by PAL's Support Services, and directed accordingly:
- With the exception of safeguarding and data protection all complaints will go to the BOD and the RO and as per section 7 of this policy PAL will decide on whether the complaint needs to be notified to other agencies
- Safeguarding complaints go to the Managing Director.
- Data protection complaints go to the Data Protection Officer

PAL reserves the right not to uphold a complaint, where the findings of the investigation find PAL personnel are compliant with company policies and procedures and there is no infringement with external regulations or rules.

In these circumstances, the company will advise the complainant of their decision and the reasons for this. In the case of malicious or unfounded complaints, the company will seek advice and take any action necessary to protect the company's reputation and assets.

10.Complaints About the Handling of Personal Data

10.1 What constitutes a complaint about data processing

A complaint about the handling of personal data covers, for example:

- Alleged unlawful, unfair or non-transparent processing of personal data
- Inaccurate, incomplete or out-of-date personal data held by PAL
- Delays or failures in responding to data subject rights requests (e.g. subject access requests)
- Inappropriate or unauthorised disclosure of personal data
- Insufficient security measures or suspected data breaches

A complaint about the handling of personal data refers to concerns regarding PAL's compliance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. This includes concerns about unlawful, unfair or non-transparent processing; inaccurate or outdated data; delays in fulfilling information requests; inappropriate disclosure; insufficient safeguarding measures; or any suspected personal data breach.

10.2 Process for Handling Personal Data Complaints

All data protection complaints will be acknowledged by PAL's Data Protection Officer (DPO), who can lead on the investigation or in some circumstances may nominate another, who is experienced in handling such investigative reviews.

- Data protection complaints will be logged by PAL Support Services and triaged to the DPO
- The DPO (or nominee) will acknowledge the complaint within 5 working days.
- The DPO (or nominee) will investigate the complaint, which may involve reviewing systems and records, seeking further information from the complainant, and liaising with relevant PAL teams or third parties
- The DPO will normally provide a written response within 30 working days. If more time is needed due to complexity, the DPO will inform the complainant and provide an updated timescale

10.3 Rights and Escalation for Data Related Complaints

In handling data-related complaints, PAL will remind complainants of their rights under UK GDPR, which may include:

- Access, rectification, erasure (where applicable), restriction, objection, portability and the right to lodge a complaint with the ICO
- Where the DPO identifies that a personal data breach has occurred, PAL will follow its Data Breach Procedure, including notification to the ICO within statutory timescales where required and communication with affected individuals, where appropriate
- If the complainant remains dissatisfied after PAL's response, they may escalate their concerns to the Information Commissioner's Office

10.4 How to Contact PAL for Data Processing Complaints

Complaints and enquiries about data processing will be dealt with in accordance with this Complaints Policy, PAL can be contacted by the following methods:

- Email: info@professionalassessment.co.uk and request the email address of the Director of Audit and Compliance (DAC), noting you have a complaint or enquiry in respect of data processing.
- Alternatively, you can write to PAL's DPO (PAL's Director of Audit and Compliance) at Professional Assessment Ltd, Connect House, Kingston Road, Leatherhead, Surrey. KT22 7LT

The DAC enacting their role as the DPO will review your complaint and concerns and follow PAL's Data Protection and Privacy Policy, in accordance with the DPA Act 2018 and the UK GDPR. Please refer to the SAR section of this policy for further information.

10.5 Contacting The Regulator- The Information Commission¹

If you feel that your data has not been handled correctly, or you are unhappy with our response to any requests you have made to us regarding the use of your personal data, you have the right to complain to the Information Commission. You can contact them by:

- Calling 0303 123 1113
- Or go online to www.ico.org.uk/concerns (opens in a new window; please note we can't be responsible for the content of external websites)

11.Complaint Pathways by Context

Different pathways apply depending on whether the complaint relates to EPA, AO qualifications, centre-assessed provision or another type of PAL service. The complaints policy and procedure will be applied equally and consistently across all complainants and complaints.

11.1EPA, PAL led Assessments Complaints

Covers complaints about (the list is not exhaustive and is for illustration purposes):

- EPA/Assessment scheduling, access arrangements, remote or on-site delivery
- EPA/PAL assessor or PAL IQA conduct and professionalism
- EPA/Apprenticeship Assessment materials, instructions or communications from PAL
- EPA /Apprenticeship Assessment administration (for example, confirmation of results, lack of or inaccurate assessment progress updates, unexplained cancellations by PAL or certification requests handled by PAL)

Pathway:

- Where the complaint relates to EPA activity delivered by PAL, the complainant (apprentice, employer or third provider) may submit a complaint directly to PAL as set out in this policy
- Where the complaint is primarily about on-programme training, the complainant should exhaust the provider's or employer's complaints procedure first and it should be noted if the complaint is escalated to PAL
- If, after exhausting PAL's complaints procedure, the complainant remains dissatisfied and the issue relates to EPA, they may raise their concerns with the appropriate regulator or funding body (for example Ofqual or DfE/DWP, where these bodies have jurisdiction)

11.2 AO Qualification Complaints

Covers complaints about (the list is not exhaustive and is for illustration purposes):

- The quality and clarity of qualification specifications and assessment materials
- The conduct and decisions of PAL External Quality Assurers (EQAs) or any other PAL personnel the Centre has had contact with
- Delays or errors in the award, certification or recognition of regulated qualifications by PAL

Pathway:

- Learners and employers should first raise concerns with their centre
- Where the centre's procedure has been exhausted and the complaint relates to PAL's AO activities, the centre (typically the Head of Centre or person with suitable authority within the Centre) , learner² or employer may submit a complaint to PAL
- PAL will investigate and respond in line with this policy.
- Where appropriate, and particularly where a complaint indicates or results in an adverse effect, PAL's RO will notify Ofqual

11.3 Centre-Assessed Complaints

Covers complaints about (the list is not exhaustive and is for illustration purposes):

¹ Formerly the ICO

² Learners can complain directly or request their Centre to complain on their behalf.

- Teaching, support and on-programme delivery at a centre
- Internal assessment decisions and feedback where PAL is not directly making the assessment decision
- Countersigning assessment or Centre internal quality assurance decisions
- centre administration (for example local timetabling or facilities)

Pathway:

- The complainant must first exhaust the centre’s own complaints procedure
- If the complaint remains unresolved and relates to PAL-recognised qualifications or programmes, the complainant may raise the matter with PAL. PAL will check that the centre’s procedures have been followed and will consider whether any further action is appropriate

EPA Complaints vs Qualification Complaints vs Centre-Assessed Complaints

Area	What It Covers	Examples	Escalation Route
EPA Complaints	Complaints relating to PAL-delivered EPA activities.	EPA assessor conduct, EPA scheduling.	PAL Support Services → BOD → RO → Ofqual (where event notification identified)
Qualification Complaints	Issues related to Ofqual-regulated qualifications.	EQA activity, qualification materials concerns.	Centre → PAL Support Services → BOD (QD involvement if involves design and development) → RO → Ofqual (where event notification identified)
Centre-Assessed Complaints	Issues relating to assessments conducted by centres.	Internal marking/assessment issues, teaching quality.	Centre policy first → PAL Support Services if unresolved → BOD (QD involvement if involves design and development) → RO → Ofqual (where event notification identified)

11.4 Other Third-Party and Supplier Complaints

Suppliers, contractors and third parties may raise complaints about PAL’s commissioning, contract management or conduct as described in this policy.

These complaints will normally be reviewed by the relevant commissioning Director (for example BOD, Managing Director or Qualifications Director). Complaints regarding our audit and compliance services should be directed to the Director of Audit and Compliance at the contact details provided in this policy.

12 Complaints Procedure – AO Apprenticeship Assessment and EPA

PAL’s procedure for handling complaints typically involves the following stages:

12.1. Complaint Received

- The complaint is received via one of the routes described in this policy
- PAL Support Services log the complaint in the governance reporting system and issue an acknowledgement within published timescales

PAL requires as much information as possible regarding the complaint, which may include copies of emails sent/received, records of telephone calls, letters etc. It should be made clear in any communication relating to the matter that it is a complaint by putting the word “complaint” in the letter or email header/title. If a complaint is received in person or by phone, the complainant will be asked to put it in writing. Complaint should be made within 15 working days of the event.

12.2 Triage and Allocation

- PAL Support Services receive the complaint and reviews to identify main issues and forwards to relevant PAL personnel
- Complaint allocated according to type of complaint as detailed in this policy
- A suitable PAL lead is allocated to review and, where necessary, investigate the complaint
- PAL will check if a PAL review lead or anyone involved in a review from PAL's end has a personal interest in the complaint and a specific outcome (favorable or unfavourable), if this is the case PAL will find an alternative reviewer.
- Where the complaint suggests a potential or actual adverse effect, the RO is notified and, in these cases, normally will assume direct oversight

PAL will contact the complainant within 10 working days of receiving the complaint by email or letter to acknowledge the complaint. The preference is we respond by email, but we will respond in the format we have received the complaint.

12.3. Review and Investigation

The PAL lead will review the information provided, and they may request further information from the complainant, and may contact centres, providers, employers, PAL personnel or other relevant parties to substantiate or clarify any information or evidence received.

PAL will consider whether, and at what point, it is appropriate or necessary to notify any regulator or funding agency, under the guidance of PAL's RO or DAC in respect of the funding agency.

PAL will review the information presented to determine, for example:

- Whether the Centre/Training Provider's procedures have been followed
- Ascertain if a complaint has come directly via a learner or centre Trainer or Assessor who have not used the centre or Provider's complaints procedure, why that is
- Confirm that any Provider or Centre review has been undertaken impartially and fairly
- Confirm PAL has all the necessary and valid evidence and seek additional evidence where appropriate and required to make the review fair
- Where the Centre has undertaken a complaints investigation, ask to see such records of the investigation and follow-up
- Whether the Centre/Provider investigative review is sufficiently comprehensive, and that a further investigation by PAL would be considered administratively burdensome
- Decide whether PAL does need to undertake an investigation of the Centre/Third Party as per PAL's investigative procedure
- Is the complaint an isolated complaint or is a part of a series of complaints of similar incidents with a common thread suggesting systemic or procedural issues

PAL will endeavour to complete the review within a 28 working days period, if additional time is needed, we will advise relevant parties.

12.4. Response

Once the review or investigation is complete, PAL will provide a written response to the complainant explaining:

- The steps taken to investigate
- PAL's decision and the reasons for it
- Any actions already taken or planned to address the complaint, this may include the imposition of sanctions or disciplinary action for PAL personnel depending on the nature and severity of the complaint
- Any actions as required by a regulator or other external body
- Any further escalation options open to the complainant
- Whether PAL will need to notify other AOs who the Third party or Centre may work with³

³ Note where the complaint is about PAL, and PAL upholds the complaint, based on any regulatory guidance we may also have to notify other AOs of associate conduct where we know they are engaged by other AOs in a similar role

Once we are satisfied that all information and documentation is available to us, it will be considered, and a conclusion will be reached. Any response will have been signed off as a minimum by a PAL Director and where a complaint has involved other agencies, responses will be subject to confirmation by PAL's RO and PAL Board

PAL will respond to the complainant following the review by email **within 28 working days**, however if the complaint is of a complex nature this time scale may be extended. Complainants will be informed as appropriate of any actions taken/to be taken.

Please note that where a 'third party' has made the complaint about another third party, e.g. an employer has complained about the service provided by a PAL Centre or PAL Training Provider PAL works with Learners/Apprentices who are also employees of that employer, it may not be possible for PAL to share some or all of the details or outcomes of any investigations with all parties for reasons of confidentiality or protecting personal details.

Complainants have **20 working days** to respond to PAL's response. Should no further comment be received from the complainant, the conclusion will be confirmed as final. If the complainant notifies PAL that they need more time to respond, PAL will consider such a request.

12.5. Corrective and Preventive Action

- Where a complaint is upheld in whole or in part, PAL will take reasonable steps to correct or mitigate any adverse impact on affected learners/apprentices and to prevent recurrence
- Actions may include, for example, reviewing assessment decisions, amending guidance, updating procedures, additional training, or changes to systems

12.6. Recording and Governance

- All complaints and outcomes are recorded in PAL's governance reporting system
- Complaints data is reviewed by Directors and the Quality and Standards Committee Quality and the Compliance group to identify themes, risks and improvement opportunities

12.7. Mediation (Where Appropriate)

- For complex or entrenched disputes, PAL may propose mediation between the parties where this is likely to support a fair and timely resolution
- Mediation will only proceed with the agreement of all parties and revised timescales will be agreed and recorded

Some complex complaints (where for example, the complainant and/or other involved parties have become entrenched in their position) may benefit from a different approach to resolving the complaint. Using mediation can help both parties understand what is driving the complaint and may be more likely to result in a mutually satisfactory conclusion being reached. Where PAL and the complainant agree to mediation, revised timescales will be agreed upon.

12.8 Alerting other Awarding Organisations

Regulations require that PAL notifies other Awarding Organisations of cases of complaint where these cases are likely to impact on the other Awarding organisations. In dealing with the complaint, PAL must pay due regard to this requirement and notify other Awarding Organisations, as appropriate.

This will usually be appropriate where:

- The PAL Centre where the complaint has occurred (or is suspected) is also approved with another Awarding organisation (for the same or different qualifications) and the (suspected) complaint could potentially impact on the activities undertaken on behalf of that other Awarding Organisation
- The PAL Approved Centre where the complaint has occurred (or is suspected) is also approved with another Awarding Organisation for the same qualifications and there is the potential for the PAL Approved Centre to move their operations to the other Awarding Organisation in an attempt to avoid sanctions

- The PAL Approved Centre where the complaint has occurred (or is suspected) has indicated that they are seeking approval with another Awarding Organisation (for the same or different qualifications)

12.8. Final Review and External Escalation

If a complainant remains dissatisfied after PAL has completed its internal procedures, they may be able to escalate the matter to an external body, where appropriate and within that body's remit. This may include, for example.

- Ofqual, DfE/DWP or an Ombudsman
- PAL will signpost complainants to the relevant external organisation where appropriate but cannot determine whether an external body will consider the complaint

If you wish to take your complaint to the Qualifications regulatory body, it should be noted that the regulators are not appeal bodies and will only arbitrate if evidence is provided. Anyone approaching the regulators for this purpose should provide written copies of all relevant communications. Ofqual will consider complaints about PAL activities or functions but will not get involved in individual appeals.

If Ofqual decides that your request does not meet their criteria for a review and you are affected by the decision, or you are affected by the outcome of the review, you can contact your local MP who may refer the matter to the Independent Parliamentary Commissioner for Administration (the Ombudsman). The Ombudsman will normally only consider complaints which are brought within six months after the completion of an Ofqual investigation.

The contact details are as follows:

Ofqual, Spring Place
Coventry Business Park Herald Avenue Coventry CV54 6UB

13. Mitigation and Corrective Action

Following the investigation and resolution of any complaint (or potential failure identified by a PAL stakeholder, the Qualifications Regulators or any another Awarding Organisation/Stakeholder), PAL will take all practicable steps to mitigate the effect of the complaint and prevent any recurrence of the failure.

Where a complaint leads to the discovery of a failure in the assessment process, PAL will take all reasonable steps to:

- Identify any other learner(s)/apprentices who has been affected by the failure
- Correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure
- Ensure that the failure does not recur

Where the outcome of a complaint questions the validity of results at a centre, or issued by PAL, PAL will take action to protect the interests of other Learners/Apprentices and the integrity of the award of units/qualifications/assessment decisions. This may involve a further/independent review of individual or cohorts of Learners/Apprentices work and within the scope of our Centre Assessment Standards Scrutiny an expansion of assessment sampling. Where an independent review is necessary, this may be at the centre's expense, if the nature of the complaint relates to Centre activities.

The review may include, as appropriate (the list is not exhaustive and is intended for guidance only):

- A further review of learners' work by an External Quality Assurer not previously involved with the Centre and Learners in question (up to a 100% sample may be requested for verification purposes)
- A review of the unit(s) of assessment through its review process
- A review of assessment outcomes to specific apprenticeship standards
- A review of the rules of combination for the qualification(s)- where applicable

The Qualifications Director will take responsibility for initiating the most appropriate course of action for this type of review and will communicate with the relevant regulator and bodies as dictated by PAL's policies and the conditions of our recognition with the regulatory authorities.

See earlier sections of this policy regarding when PAL will advise the Regulator in the case of complaints

14. Continuous Improvement

Information gathered during the complaints process may also be used by PAL as evidence to inform and review our approach to the development, delivery and claiming of assessment outcomes and apprenticeship certificates.

Where a complaint has identified an adverse effect, PAL will notify the relevant regulator and undertake appropriate investigations and actions as required by the regulatory conditions.

If the outcome of a complaint could impact on others, PAL will review relevant procedures, to mitigate the impact or re-occurrence of the event and communicate with all concerned parties. The assigned responsible Director, based on the nature of the complaint, will oversee such communications, using contact details provided to PAL.

15. Complaints Analysis and Evaluation

Investigated complaints will be monitored by PAL to detect trends or further occurrences of similar situations that may lead to further complaints, service dissatisfaction and the potential for adverse effects.

Complaints will be reviewed at PAL's Quality and Compliance group, in terms of identifying trends, establish risk and making improvements.

16. Monitoring and Review

This policy and procedure will be reviewed annually.

17. Regulatory references

PAL is required to establish and maintain compliance with regulatory conditions and criteria. This policy relates to Ofqual General Conditions of Recognition: Reviewing Approach D3; Responding to enquiries from Users of qualifications D4; Complaints appeals and complaints process I2.

Date Created: 6th June 2017

Last Review: 4th December 2025

Next Review: 4th December 2026

Person Responsible for review: Business Operations Director

This Policy has been agreed by the PAL Board

Appendix One- Complaints Privacy Notice

Why we need your information and how we use it

It is necessary for us to collect and hold personal information about you to investigate and administer your complaint. If you make a complaint to PAL, we will hold the information you provide to us securely and use it to help us to handle and process your complaint.

PAL will process your personal data to meet our legitimate purposes and provide a service to our stakeholders. In relation to complaints, this is specifically to enable PAL to:

- Investigate complaints regarding the development, delivery, or award of regulated qualifications and standards
- Carry out investigations of PAL personnel or other individuals, or third parties, for the purposes of considering their compliance with PAL's policies and procedures and any regulatory conditions in respect to offering regulated qualification and assessment services
- Take action to address the complaint and avoid further incidents of the same nature

For more information about how PAL processes personal data, please refer to our Personal Data Protection and Privacy Policy

The lawful basis we rely on to process your personal data is⁴

6 (1)(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes

6 (1)(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract

6 (1) (f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, where the data subject is a child.

Article 9(2)(g) – processing is necessary for reasons of substantial public interest...which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interest of the data subject. In respect of this condition, PAL would process data for statutory and government purposes; to ensure equality of opportunity or treatment; regulatory requirements and support for individuals with a particular disability or medical condition and safeguarding of children and individuals at risk.

PAL is a regulated (qualifications and assessment organisation) providing qualifications and/or, delivering or facilitating Centre assessment for a range of apprenticeship standards, working with learners, apprentices, employers, and Centres. PAL also offers a commercial and independent audit and compliance function.

PAL is subject to regulation by the qualifications regulator Ofqual. Examples of complaint topics that would be subject to Ofqual conditions, include in the context of the complaints policy, a complaint pertaining to the application and approval of reasonable adjustments in assessments and in specific cases, depending on the circumstances this may extend to the processing of special considerations applications.

Additionally, complaints in how we have addressed any disclosures regarding an individual's well-being and safety, from either PAL personnel or others, PAL's Appropriate policy for processing Special Category Data would be applied in any processing of data and sharing of information with relevant authorities and bodies. Our processing of data in this context is for the purpose of substantial public interest and necessary for the carrying out of our role in addressing complaints of our handling of incidents that collect, process, or review special category data.

⁴ 4 DPA 2018 Schedule 1 Paragraph 2 (6)

What personal data we collect and who has access to it

We will ask for your name, (address)⁵, contact number and email address. We will also ask you what your complaint is about, including which individual or individuals or act it relates to, if the complaint is directed at PAL. If the complaint is directed to another party, not PAL, but an individual or organisation PAL is associated with, we will need basic information regarding the nature of the complaint, to establish if the complaint should be handled by PAL, or if the complaint should be directed elsewhere.

If your complaint is about how your data has been handled, please refer to our Data Protection and Privacy Policy and address your concerns in accordance with this policy. Information regarding how you can contact the DPO, is also at the end of this privacy notice.

To ensure PAL deals with your complaint equally and fairly, all complaints sent to other departments or individuals in PAL, including the Managing Director or board members, will be treated in accordance with our complaints policy. Your information may be shared internally with PAL staff in relevant departments in order that we can handle, investigate, and respond to your complaint.

We may also share details of your complaint with third parties such as an employer or provider to investigate your complaint, if you are an apprentice/learner complaining about any aspect of your assessment experience. Please note enquiries regarding assessment decisions or outcomes should make use of the relevant appeals and enquiry policy.

We may also share your information with other organisations, such as government departments, enforcement agencies and the police if we think it is necessary to do so.

There may also be certain circumstances where we are required, by law, to share your information.

Where your personal data is stored and how long we keep it

Your personal data will be stored securely in PAL's management information and governance reporting systems and email systems. Access to detailed information in relation to the complaint is strictly controlled and reviewed and only a PAL Board Director to approve and authorise any access to your information in these matters. Complaints are also logged, the log contains basic information regarding the timelines and the nature of the complaint, for audit and continuous improvement activities.

PAL will hold details of your complaint, including your personal details, if it is in connection with qualification or summative assessment outcomes for six years.

If your complaint is in relation to another matter, PAL will hold the data and information relating to the complaint for a period of three years.

Your rights

PAL is committed to being transparent about how it collects and uses your personal data and to meeting its data protection obligations. PAL is a Data Controller under data protection legislation, and we comply with the data protection principles when processing your personal information.

Under data protection legislation, you have a number of rights. You can:

- access and obtain a copy of your personal data
- require PAL to rectify / change incorrect or incomplete personal data
- require PAL to delete / erase your personal data (in certain circumstances)
- request PAL restrict the processing of your personal data (in certain circumstances)
- request your personal data in a portable format
- object to the processing of your personal data (in certain circumstances)

⁵ We will only request a physical, location address, if you wish us to correspond with you in writing, or if the appropriate regulatory bodies require us to correspond investigation details and outcomes, in writing with you.

In terms of restricting how PAL processes your personal data, please be aware that we cannot guarantee your confidentiality. We may need to disclose your identity where we are required to do so, for example, by law. We do, however, take the issue of maintaining the confidentiality of those making a complaint seriously and we will protect your identity as far as possible. You should also recognise that you might be identifiable by others due to the nature or circumstances of your complaint.

If you would like to exercise any of the data subject rights, please contact PAL's Data Protection Officer via email at: info@professionalassessment.co.uk.

You can also write to the Data Protection Officer at:

Professional Assessment Ltd Connect House, Kingston Road, Leatherhead, Surrey. KT22 7LT

To access privacy notices for Ofqual the qualifications regulator please visit their privacy notice charter

To make a complaint please refer to the complaints policy and how to contact PAL