

NSAR

Complaints Procedure

Contents

Document Status.....	3
Approvals.....	3
Version Control	3
Related Documents	3
1. Purpose	4
2. Scope.....	4
3. Related Documents	4
4. Procedure.....	5
4.1. Raising a Complaint	5
4.2. Service Standard	5
4.2.1. Acknowledgement.....	5
4.2.2. Progress	6
4.2.3. Investigation.....	6
4.2.4. Response.....	6
4.3. Review	6
4.4. Appeal.....	7
5. Conflict of Interest.....	7
6. Confidentiality.....	7

Document Status

Approvals

Approvals	Name	Title	Date
Responsible Person	Kim Millen	Chief Operating Officer	12/12/2019
Chief Executive	Neil Robertson	Chief Executive	12/12/2019
Responsible Person	Kim Millen	Chief Operating Officer	18/02/2022
Responsible Person	Kim Millen	Chief Operating Officer	19/06/2023

Version Control

Issue Status	Issue	Change Detail	Date
Version 1.0	1.0	New	12/12/2019
Version 2.0	2.0	NSAR Company address updated	18/02/2022
Document Reviewed	3.0	Rebrand and update company address	19/06/2023

Related Documents

Related Documents	Document Titles	Document Reference
Policy	Equality & Diversity	POL-003
Policy	GDPR Policy and Privacy Standard	POL-013
Procedure	Grievance Procedure	HR-002
Procedure	Bullying & Harassment Procedure	HR-012
Procedure	NSAR Code of Conduct	HR-017
Procedure	Training Assurance Quality Assurance Manager Impartiality	TA-018
Procedure	NSAR Formal Review Management (Investigations)	TA-019

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NSAR LIMITED, 26th Floor, Millbank Tower, 21-24 Millbank, London, SW1P 4QP

1. Purpose

The aim of the NSAR complaints procedure is to provide third parties with a process that is fair, effective, and efficient through which they can have valid grievances on matters relating to NSAR conduct.

It is the responsibility of all those involved in the process to ensure that complaints are handled fairly, promptly, and correctly. The intent is that complaints are dealt with quickly and at the most appropriate level within NSAR. Every effort should be made, where appropriate, to resolve a complaint informally.

On receipt of a statement of complaint, it will first be assessed to decide whether it is admissible. Some matters are excluded from the system, and time limits apply. In most admissible cases there will then be an investigation stage, a decision, and an appeal stage available. At the decision and appeal stages, a person or panel of people will be appointed to decide on the complaint. They will also have the necessary authority to decide the complaint fully and to grant any appropriate redress. In some cases, independent persons may be appointed to complete any or all the stages.

Our complaint handling procedure is owned by NSAR Chief Operating Officer. Controls are in place to ensure that our procedures and people meet the commitments in this document to respond to your concerns fully, fairly, and transparently.

This Complaints Policy is applicable to third parties and should not be used by employees. If any NSAR employees wish to raise a concern in relation to any aspect of their employment, they are referred to NSAR's Grievance Procedure or they can contact NSAR's HR department.

2. Scope

The scope of this Procedure is limited to third parties making a complaint about NSAR adherence to policy and procedure and should not be used by employees. If any NSAR employees wish to raise a concern in relation to any aspect of their employment, they are referred to NSAR's Grievance Procedure or they can contact NSAR's HR department.

This document is specific to the conduct of NSAR employees and activities. If your complaint is a request to appeal the Outcome of any Formal Review, this will be treated separately by Network Rail and should be directed to RTASInvestigations@networkrail.co.uk

3. Related Documents

This document can be found on the NSAR SharePoint site under Management Systems – Policies & Procedures.

The documents related to this procedure are provided at the head of the document.

NSAR has a separate Bullying and Harassment Procedure that may be useful if a third party has been the victim of bullying or harassment or wishes to report an incident of bullying or harassment involving other people.

The NSAR Privacy Notice explains how we process personal data, and how to contact our Data Protection Officer (DPO) about data concerns or incidents.

4. Procedure

4.1. Raising a Complaint

If you need to complain to NSAR we want to provide a response and, if possible, a resolution as soon as possible.

You should complain within 3 months of the event or outcome that you are complaining about.

You need to tell us:

- What? A summary of your issue, what you think went wrong.
- Where? Where the issue occurred.
- Who? Your name and contact details so we can keep in touch about your complaint.
- When? As much information as you can provide for times and dates of incidents and where appropriate what you think we should do to put it right.

Our contact details are:

- **Post** - NSAR LIMITED, 26th Floor, Millbank Tower, 21-24 Millbank, London, SW1P 4QP
- **Freshdesk Helpdesk** - <https://nsar.freshdesk.com/a/dashboard/default>
- **Online** - <https://www.nsar.co.uk/contactus/>

When someone else complains on your behalf, we need written confirmation from you saying that you agree for them act for you.

4.2. Service Standard

This section tells you what you can expect from us if you ever need to make a complaint.

4.2.1. Acknowledgement

However, you choose to contact us to make a complaint, we will send you an acknowledgment within five working days. This lets you know that we have received your complaint and provides three important pieces of information about how we will handle it:

1. **Your unique complaint reference number.** When you first contact us about a query or complaint, we log this on our system and give you a unique reference number. This number will be included in all communications you receive from us, and quoting it is the easiest way to get an update on the progress of your complaint.
2. **Response time.** We aim to respond to uncomplex complaints within 30 working days, complex complaints will take much longer. We will explain this in the acknowledgement. If there are any issues affecting our overall response time, we will provide you with adjusted timescales.

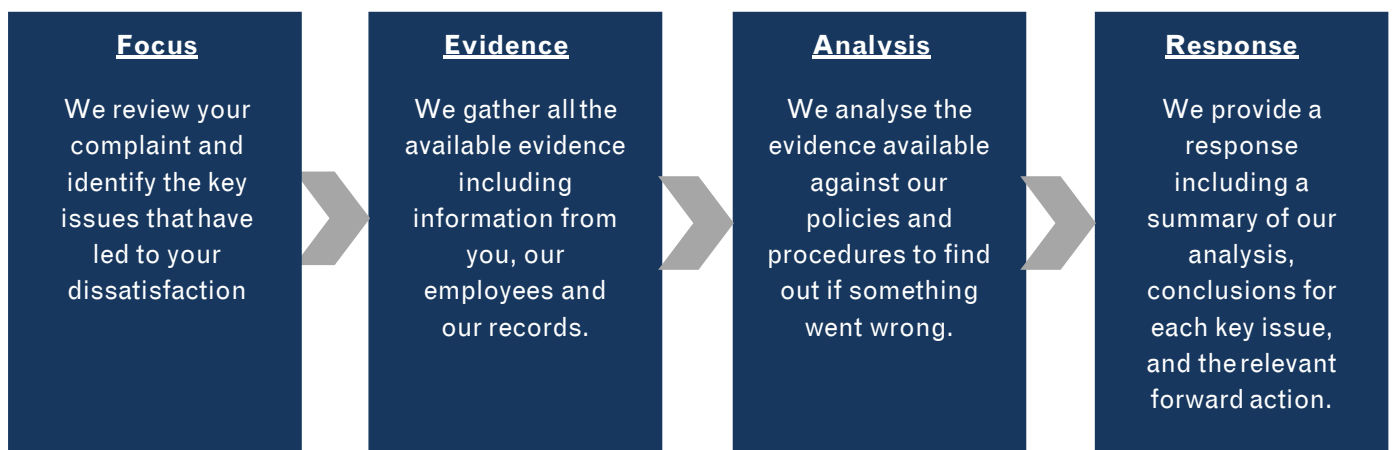
3. **The complaints process.** This service standards gives you all the information you are likely to need about the complaints process. We will also prove you with a brief summary of the process in the acknowledgement.

4.2.2. Progress

As well as the initial acknowledgement we send to you, you can also expect further communication from us about the progress of your complaint. Each complaint we receive is closely managed by a designated lead who will do everything possible to respond to your complaint within our committed timescale. However, if we are unable to respond to your query within our target timescale of 30 working days or if your complaint is designated as a complex one, your designated lead will notify you as soon as they are aware of the delay. We will let you know what we have done to address your complaint so far, the cause of the delay and when you should next expect to hear from us.

4.2.3. Investigation

Every complaint that cannot be resolved at the first point of contact will be fully and fairly investigated by our designated representative. We are committed to reaching fair conclusions. In order to deliver this, our process follows these four principles:



4.3. Response

We will always attempt to resolve your issue at the point of contact. If this isn't possible, we will respond fully, in writing. In the response, we will let you know the results of our investigation and, if appropriate, advise you on the action we have taken. Our response will be in plain English and jargon free.

If it is determined that there has been a fault in one of our processes, we are committing to learning from complaints we receive. We will adapt and improve our processes. If a complaint is made about a specific employee, a responsible manager will take appropriate action but the details of the action that has been taken will not be provided to the complainant.

4.4. Review

If you are not happy with our initial response, please let us know as soon as possible. You can

do this by responding directly to the designated lead that provided the response and providing new evidence or mitigating circumstances that were not presented during the initial complaint. If you ask us to review your complaint, or we believe it should be investigated at a senior level, we follow a formal process.

If a complaint is escalated, it will be reviewed by someone who has not previously been involved in the investigation. Each review will consider all the information from the original complaint, evidence gathered and analysis to determine if the correct process has been followed to reach a fair conclusion. Escalation does not affect your right to appeal.

If we escalate your complaint for senior review, it will usually take a further 30 working days to generate a response. This is because each review of a complaint will be thorough and consider all the relevant details.

4.5. Appeal

Should you be unsatisfied with the outcome of the review, you can request an independent review of the decisions made by NSAR with Network Rail who can be contacted by email to TQAS@networkrail.co.uk.

Should this independent review still not meet your satisfaction you can request that an alternative dispute resolution [ADR] body appeals on your behalf.

If you nominate any of these organisations to appeal on your behalf, they will request a copy of your case file including all your personal information from us. We may divulge some of your details where it is necessary.

The decision of the alternative dispute resolution [ADR] body is final.

5. Conflict of Interest

Complaints are managed by a QA Internal Compliance Manager and reviewed by the Chief Operating Officer and Chief Executive, providing that there is not a conflict of interest established during the time between the complainant and a QA Internal Compliance Manager, Chief Operating Officer and/or Chief Executive.

Where there is a conflict of interest established between a QA Internal Compliance Manager and either the party that made the complaint or the subject of the complaint, it shall be handled by another QA Internal Compliance Manager. Where there is a conflict of interest established between all QA Internal Compliance Managers, the Complaint summary report and recommended outcomes shall be peer reviewed by the QA Operations Manager, Head of Assessment & Skills or NSAR HR Manager to prevent bias and safeguard consistency and impartiality.

6. Confidentiality

All proceedings, documents, witness statement and records are treated with the highest confidentiality and in line with GDPR Regulations and Guidelines.