

Complaints and Appeals

Policy Number	4.8
Title	Complaints & Appeals Policy
Date implemented	27 th July 2011

1 Introduction

Complete Lean Solutions is committed to providing a business environment in which complaints or appeals are responded to promptly, with minimum distress and maximum protection to all parties.

Complete Lean Solutions views client and learner complaints and appeals as providing an opportunity to review and improve its policies and practices, and to gain insight into levels of client and learner satisfaction.

Complete Lean Solutions is committed to ethical and responsible management, and a visible, accessible and fair complaints or appeals handling process.

2 Intended Outcomes

Complaints and appeals will be professionally managed.

Complete Lean Solutions will adopt an ethical approach to handling complaints and appeals.

3 Beneficiaries

Complainants will feel that their concerns have been treated professionally and seriously.

Complete Lean Solutions will gain benefit and insight for the further improvement of the business from the information gathered during the Complaints Handling Process.

4 Relevant Processes – Implementation Guidelines

Complete Lean Solutions representatives will participate in the complaint or appeal resolution process in good faith and cooperate fully in any investigation process with a view to achieving mutually acceptable and fair outcomes.

Clients may lodge a complaint or appeal directly with the Complete Lean Solutions representative concerned or any other person in authority at Complete Lean Solutions at their discretion without jeopardising their rights to the complaints procedure being processed in a consistent and complete manner.

4.1 Responsible parties

The Centre Manager is responsible for responding appropriately to complaints and appeals and managing the resolution process in keeping with the company's complaints and appeals handling principles, relevant policies and procedures.

4.2 The process

The following process in relation to complaints or appeals will be followed:

- A complaint, or appeal to Complete Lean Solutions will be required to be presented in writing to the company.
- Complaints must be registered with Complete Lean Solutions within one month of portfolio completion.
 - All complaints relating to course content or any issue relating to a training course will be forwarded to the relevant Trainer and the Centre Manager for review.
 - Each complaint or appeal and its outcome will be recorded in writing, and a record maintained in a complaints log.
 - An independent person or panel will hear each appeal.

- Each appellant will have an opportunity to formally present his or her case and will be provided with a written statement of the appeal outcome including reasons for the decision reached.
- Where a complainant feels that a Complete Lean Solutions representative has not satisfactorily dealt with the matter, they may request, that the matter be escalated to the Centre Manager or Director (where relevant) for further consideration.
- Complete Lean Solutions recognises that some complaints or appeals are most appropriately dealt with at a more senior level, e.g. complaints of victimisation or unlawful discrimination or harassment, complaints that could lead to a finding of misconduct or disciplinary action being taken against a company representative.
- Procedural fairness will be observed in all aspects of handling a complaint or appeal. All parties to a complaint or appeal will be informed of the complaint or appeal, the specific allegations being made, with all parties being given the opportunity to respond to any allegations made.
- No complaint or appeal will be pre-judged.
- Complete Lean Solutions will respond to complaints and appeals within a reasonable timeframe. Complainants will be kept informed of the progress of the matter.
- Complete Lean Solutions recognises that situations where bias and conflict of interest may exist or appear to exist in certain complaint or appeal issues. Every effort will be made to seek to act with impartiality and strive for fairness in all matters relating to each complaint or appeal
- Confidentiality will be respected wherever possible within the constraints of the need to fully investigate the complaint or appeal. In some cases, resolution of the complaint or appeal may also involve appropriate bodies external to Complete Lean Solutions, e.g. trade unions or statutory bodies.
- There may be instances where a complaint or appeal is of such a serious nature that formal action is required that is beyond the wishes of the complainant, e.g. when a complaint raises or relates to allegations of unlawful behaviour or corruption or when Complete Lean Solutions duty of care to staff, clients and learners may be compromised if no action is taken.

Clients and learners will receive written advice of the outcome of their complaint or appeal. Depending on the nature of the complaint, possible outcomes of a complaint may include:

- The complaint cannot be substantiated, and no further action will result.
- Through the resolution process the client or learner gains a better understanding of the situation so that his/her concerns are addressed.
- A mutually acceptable resolution is reached through negotiation, conciliation or mediation.
- The complainant receives an apology.
- The issue or behaviour that was the basis of their complaint is modified.
- Complete Lean Solutions may elect to refund part, or all the fees paid for the training, or offer additional or replacement training programs or material at their sole discretion. (Refer to Refunds and Returns Policy)
- In the case of a complaint of inappropriate behaviour on the part of a Complete Lean Solutions representative disciplinary processes may be invoked. Any disciplinary action will be undertaken in accordance with the processes prescribed in relevant industrial agreements for staff, having regard for their conditions of employment.

All documentation relating to complaint or appeals will be maintained in accordance with Complete Lean Solutions Records Management Policy.

Appeals policy for Apprenticeships

It is our responsibility as a centre that all candidates are aware of the appeals procedure, all learners

should have access to a responsive appeals procedure system; this is a key feature to this type of assessment.

- Assessment of the required evidence on an apprenticeship is a continuous process with assessors giving constructive feedback at the time of the assessments. At the time of the assessment feedback, records of the agreed outcome should be kept within the department and dated and signed by the assessor.
- It is important for the assessment team to consider appeals and to improve, where appropriate the assessment system.
- The consideration of appeals that are made will help the internal verifier to monitor the assessment process and improve it where appropriate. This process will contribute to the standardisation of assessment.
- Assessment of the learners' evidence on an apprenticeship is a continuous process with assessors giving constructive feedback at the time of the assessments. At the time of the assessment feedback, records of the agreed outcome should be kept within the department and dated and signed by the assessor.
- If the learner disagrees with an assessment, the learner will be expected to explain the basis of the disagreement to the assessor at the time of the feedback session; the assessor must be able to highlight clearly to the learner the criterion that has not been met. This type of 'negotiation' does not constitute a formal appeal
- If, after such a feedback session, the disagreement has not been resolved, both the assessor and learner should request advice promptly from the Internal Verifier (IV)
- The internal verifier samples decisions at regular intervals and advises on reliability. The IV may sample closely any disputed evidence as part of the process of testing the reliability, which is part of the continuous sampling process

Formal Appeals Procedure

If, after the informal discussion with the IV, the candidate wishes to make an appeal, the learner must ask the IV in writing for a re-assessment. This must be done within 5 working days of receiving the original assessment result and addressed to the Team Lead IV/Head of Training.

Learners can appeal against the following;

- The assessment plan – the learner can appeal if they do not agree with the suggested methods, location, time and criteria
- The assessment – the learner has the right to appeal if they feel that the assessment differed from what was agreed on the assessment plan or they feel that they did not receive a fair assessment.
- The assessment decision – the learner can appeal if they feel the assessor's judgment was unfair.

The IV on receipt of the formal appeal from the learner will

- Try to seek a solution negotiated between the relevant assessor and learner
- If it is not possible to reach an agreement, then a date will be set for an IV appeals panel to meet

The IV team will then normally meet within 10 working days of the receipt of the appeal by the lead IV/Head of training, with re-assessment, if deemed necessary taking place within 5 working days of the appeals meeting.

The IV team should ensure that full original details in writing are obtained from both the assessor

originally involved and the learner.

The outcome of the appeal may be as follows;

- Confirmation of the original decision
- A re-assessment by an independent assessor
- A judgment that adequate evidence of competence has been shown;
- An opportunity to re-submit for assessment within a revised agreed timescale.

If the candidate is still not satisfied with the decision at this stage and this procedure has been exhausted, then the candidate can contact the awarding body.

The awarding body should only be contacted when this procedure is FULLY exhausted.

Where appropriate the candidate can appeal to the Chief Executive of the governmental body providing funding (e.g. SFA) if they are dissatisfied with the outcome of their appeal and the procedure has been fully exhausted.

4.3 Related Resources

- Systems for Quality Training and Assessment Policy
- Complaints Log
- Records Management policy
- Refunds & Returns policy
- Access and Equal Opportunities policy

5 Review Guidelines

The Policy is to be reviewed annually.

6 Adoption

This Policy was adopted on:

By R Pounder July 2011... 