

Complaints and Appeals Policy

Policy Number	4.8.4
Title	Complaints and Appeals Policy

1 Introduction

Complete Lean Solutions (CLS) 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.

CLS views employer and learner complaints and appeals as providing an opportunity to review and improve its policies and practices, and to gain insight into levels of employer and learner satisfaction.

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

This document sets out CLS Complaint and Appeal Policy and is aimed at all learners, apprentices and any other interested parties who encounter a direct or indirect service from CLS. This policy is based on the following principles:

- Active promotion of equality of opportunity throughout all Complete Lean Solutions activities and the learning experience.
- Provision of an open and transparent process.
- Resolution of complaints in a fair and equitable way within agreed timescales.
- Absence of victimisation once a complaint has been reported.
- Continuous service improvement.
- Highlighting through good practice identified through compliments.

2 Purpose

It is in the context of a concern or complaint that this policy applies. Complete Lean Solutions is committed to monitoring and evaluating standards of education and wider services. Complete Lean Solution uses feedback from learners and stakeholders to drive improvements and enhancements. An important part of the outcome of each complaint whether it is upheld or not, is the action taken and recommendations to prevent the recurrence of a complaint in the future.

What is a complaint?

CLS consider a complaint to be a formal expression of dissatisfaction about any aspect of our service. We take complaints seriously. We will respond to complaints effectively and deal with them sensitively, fairly, and thoroughly. We will not treat any complainant less favourably on the basis of their gender, sexual orientation, race or ethnicity, disability or religion or belief or as a consequence of having made a complaint. All complaints will be treated in the strictest confidence.

Any concerns should be raised with us immediately by following the steps below. This will enable us to address any issues and see this as an opportunity to improve our services.

Learner Complaints

The policy applies only to acts or omissions which take place at a time when the complainant is an enrolled learner of Complete Lean Solutions or one who is taking approved time out. It does not, therefore, apply to applicants prior to admission, or to former learners of Complete Lean Solutions whose complaint refers to an act or omission which took place after their enrolment has ended. The definition of learner extends one month beyond the day of sending of final transcript or withdrawal from the programme of study.

3 Intended Outcomes

Complaints and appeals will be professionally managed.

CLS will adopt an ethical approach to handling complaints and appeals.

CLS will always endeavour to resolve complaints promptly, constructively, fairly, and proportionately having due regard to the nature of the complaint and the guidelines set out in this policy.

4 Beneficiaries

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

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

5 Relevant Processes – Implementation Guidelines

CLS 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.

Learners may lodge a complaint or appeal directly with a CLS representative concerned or any other person in authority at CLS at their discretion without jeopardising their rights to the complaint's procedure being processed in a consistent and complete manner.

5.1 Responsible parties

The Senior Operations 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.

5.2 How to raise a complaint

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

You must ensure you have read and understood all details of CLS's Complaints Policy, how CLS will handle the complaint and expected timescales. A full description of the nature of the complaint (including dates and times if known), the names of the people you have dealt with so far, copies of all correspondence between you and the named party relating to the complaint must be submitted using CLS's complaint form.

Note: CLS will not investigate anonymous complaints – however we may consider doing so where there is evidence to support an investigation, and these will be taken forward in accordance with our Whistleblowing Policy.

A complaint, or appeal to CLS will be required to be presented in writing to the company.

- All complaints relating to course content or any issue relating to a training course will be forwarded to the relevant Coach and the Senior Operations 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 CLS representative has not satisfactorily dealt with the matter, they may request, that the matter be escalated to the Senior Operations Manager or Director (where relevant) for further consideration.
- CLS 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.
- CLS will respond to complaints and appeals within a reasonable timeframe. Complainants will be kept informed of the progress of the matter.
- CLS 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 CLS duty of care to staff, employers and learners may be compromised if no action is taken.

What Will Happen to the Complaint?

CLS will acknowledge receipt of the complaint within 2 working days and will let the complainant know who is dealing with it. At all times we will ensure that personnel assigned have the appropriate level of training and competence and they have had no previous involvement or personal interest in the matter.

An initial review will be undertaken to determine whether the complaint is within the scope of this policy, the complainant will be informed of this within 10 working days and advised on the outcome or the next steps in the process. Where this is not possible, we will contact you to update you on our progress and provide a deadline by which we should be able to provide a further response.

Employers 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 employer 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.
- CLS 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 CLS 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 CLS Records Management Policy.

Apprenticeships Results Outcome

It is our responsibility as a center that all learners 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 the coaches 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 coaches.
- 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 quality assurer 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 the coaches 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 coach.
- If the learner disagrees with an assessment, the learner will be expected to explain the basis of the disagreement to the coach at the time of the feedback session; the coaches 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 coaches and learner should request advice promptly from the Internal Quality Assurer.

Formal Appeals Procedure

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

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 coach’s judgment was unfair.

The Lead IQA on receipt of the formal appeal from the learner will:

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

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

The Management team should ensure that full original details in writing are obtained from both the coaches 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 coach.
- A judgment that adequate evidence of competence has been shown.
- An opportunity to re-submit for assessment within a revised agreed timescale.

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

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

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

If your complaint relates to a qualification or apprenticeship standard and, after you have exhausted our appeals arrangements, you are still not satisfied with the outcomes, you can complain/appeal directly to the relevant regulatory authority for that qualification (e.g. OAL, Ofqual) or apprenticeship standard (e.g. OAL, Ofqual, or an EQA body). Each of these organisations will have a formal procedure in place to handle complaints and appeals.

Complaints Form

CLS has put in place policies and procedures that underpins high quality service delivery to all customers.

However, should a situation arise whereby you wish to complain about any aspect of CLS and/or the services we provide please contact our Senior Operations Manager- at pbacon@completeleansolutions.com or telephone mobile: +44 (0)7921 841 375 office: +44 (0)1423 611 300.

Please complete the complaint form (Appendix H) and return, using the email address above, to the Senior Operations Manager who will acknowledge receipt and explain what action will be taken.

APPENDIX H – Complaint Form



Complaint Investigation Form	
Complainant Name:	
Telephone Number:	
Email address:	
Complainant Job Role:	
Employer name:	

Summary of Complaint: Please provide details of your complaint.

What action, if any, have you already taken to try and resolve your complaint?

Whom did you speak initially to try and resolve your complaint? When did this take place? and what response did you receive?

What actions do you feel might resolve the issue at this stage?

Are you attaching any paperwork? If so, please give details.

Decision of Investigating Officer: Complaint was (upheld/not upheld/partially upheld) for the following reasons:

Recommendations of Investigating Officer:

Signed (Investigating Officer):

Date: