

## Learner/Stakeholder Complaints and Compliments Policy and Procedures

### Change Control

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### Revision History

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v1.0	Fresh	20 / 02 / 2020	New
V1.1	Review	22 / 02 / 2021	No changes

# Complaints and Compliments Policy and Procedures

## Aim

The policy and procedures aim to ensure that:

1. A formal process exists whereby customers and stakeholders can provide feedback and compliments, which are used to shape and inform good practice and to inform continuous improvement.
2. Customers and stakeholders are aware of how to raise concerns and issues directly with the relevant department, and how to make a formal complaint if they are not satisfied with the response.
3. The organisation is accountable for responding to concerns and complaints in a consistently appropriate and timely manner, through an open and transparent process.
4. All staff take responsibility for resolving issues within their relevant area of delivery or management at Stage 1, with Heads of Department / Directors taking full responsibility for investigating and resolving formal complaints at Stage 2.
5. A formal process exists in order for staff to respond to complaints appropriately in a safe and supportive environment.
6. The organisation meets any external requirements as an education provider in terms of legislation and good practice guidance.

## Scope

Challenge-trg Group welcomes all comments and suggestions about the services it provides and aims to resolve any expression of dissatisfaction sensitively and confidentially; informally in the first instance, at a local level, and with a focus on early resolution. Any issues or causes for concern should therefore be reported directly in the first instance to the relevant person in that area, i.e. Class Tutor, Instructor or HR. The organisation recognises an informal complaint to be; ***'Any dissatisfaction expressed by a learner or other stakeholder which results in their needs being neglected, particularly in relation to progression in learning, that needs to be revisited due to a lack of response following initial discussion'***.

Challenge-trg is confident that most issues and expressions of dissatisfaction will be resolved professionally by the department responsible at an informal level. However, if it is not possible to satisfactorily resolve these issues, complainants should follow the formal complaints procedure as outlined within this policy. This stage is intended to ensure that all complaints are handled fairly and consistently, and without bias or disadvantage to any learners involved, and with the aim of satisfactorily resolving the complaint wherever possible. The organisation recognises a formal complaint to be; ***'A continued expression of dissatisfaction by a learner or other stakeholder which has not been appropriately acknowledged or responded to by the individual or department perceived to be causing the dissatisfaction'***.

This policy and procedures will apply consistently across the organisation and should be adopted when dealing with all learners and stakeholders, i.e. learners, partners, etc. In the event that a complainant wishes a matter to be raised on their behalf by a chosen representative, i.e. family member or friend, this will need to be confirmed to Challenge-trg in writing.

The complainant should ensure that they follow the correct procedure at Stage 1 prior to making a formal complaint, in order for Challenge-trg to respond as swiftly and appropriately as possible. This does not need to be done in writing. Where the issue is not resolved and the complainant wishes to make a formal complaint, they should bring this to the attention of The Director of HR in writing

normally within 2 weeks of the issue arising, and following the procedure at Stage 2. The complainant should explain the problem as fully and clearly as possible and provide detail of what steps have been taken to attempt to resolve the complaint informally at a local level. They should allow the Director of HR reasonable time to investigate the matter and formulate a response within the stated timeframes, and should recognise that some circumstances may be beyond Challenge-trg's control.

Complaints concerning assessment and accreditation are dealt with through appeals procedures set up with Awarding Bodies. Complaints from contractors will be dealt with as appropriate and with reference to the contract terms.

## Implementation

Challenge-trg Group will ensure that:

1. Support in preparing a formal complaint in writing will be made available to learners if required by the appropriate member of staff or HR with any complaints being signed personally by the complainant prior to submission.
2. Receipt of formal complaints is acknowledged in writing within 5 working days of receipt, outlining what will happen next and the timeframes for this action.
3. They respond to the complainant within 15 working days either with a resolution or an update on the progress of the formal investigation with reviewed timeframes for completion.
4. Appropriate action is taken by the relevant person within the organisation, and that they deal with the complaint objectively and sensitively.
5. Appropriate good practice guidelines underpinned by any relevant legislation are followed at all times as appropriate to the nature of the complaint.
6. The complainant will receive written confirmation of the outcome of the investigation and any agreed actions in order for the dispute to reach its conclusion.

## Communication Flow

1. The Complaints and Compliments Policy and Procedure will be readily available to all stakeholders via the Challenge-trg website.
2. Appropriate training will be offered to all staff to ensure that they recognise their individual responsibility in providing good customer care, and are fully aware of this policy and procedures and follow them appropriately as the need arises.
3. In recognising and responding to an informal complaint, the member of staff will inform their line manager and any others as appropriate, and report to HR for logging.
4. Formal complaints and compliments will be recognised, logged, and acknowledged by the HR Department within a central logging system.
5. The HR Department will assign formal complaints to the relevant Senior Manager to investigate.
6. Senior Managers will be informed of any complaints assessed to have the potential to have a widespread negative impact on the reputation of Challenge-trg by the Director of HR on the day that they are received.
7. The Senior Manager overseeing the investigation will formulate a written response to the complainant within agreed timeframes and utilising appropriate communication tools (i.e. Challenge-trg templates), and send a copy to HR in order for this to be reviewed and sent, saved to the file, and logged as resolved.

8. The complainant should write to Challenge-trg following the appeals procedures outlined within this policy if they are dissatisfied with the response and conclusion of the formal complaint investigation.
9. During any interaction with a learner or learner representative, appropriate action must be taken by the member of staff to establish the identity of the person they are engaged in communication with. This should include appropriate checks of individual and next of kin details on the challenge-trg learner records system, re-establishing contact as appropriate and in accordance with the contact information provided by the learner, and only engaging with a third party where the learner has given express permission to do so in writing.
10. Any member of staff dealing with a complaint should not be subject to any form of verbal or physical violence or aggression from the complainant, with appropriate action being taken against anyone displaying these behaviours.
11. All feedback/ compliments, informal and formal complaints, will be reviewed termly by the Director of HR with overall responsibility for the procedures, and feed back in a short report to the relevant members of the Senior Management Team. This will enable a departmental response in terms of identifiable patterns of good practice and areas for development.
12. The Director of HR will prepare an annual report for the Corporate Governance Group.

## **Monitoring of Implementation**

The HR Department are responsible for logging and reviewing all feedback, compliments, informal and formal complaints upon receipt, and for referring to the Senior Management Team where further action is required to avoid escalation to a formal complaint or where a formal complaint needs to be assigned for investigation. In some circumstances this information will be received directly by HR, who will log on the central system and then refer back through to a manager for appropriate action.

Following receipt of a formal complaint the Director of HR will ensure that appropriate and timely communication is maintained with the complainant in line with the investigation, and will liaise with the investigating manager to ensure that the procedures outlined within the policy are followed in order to maintain an open and transparent process.

The Director of HR will report back to other departmental managers on a termly basis to ensure that the Senior Management Team can remain informed and take any necessary action in terms of full compliance and implementation of this policy and procedures.

The number of formal complaints received by Challenge-trg will be reviewed annually with a report prepared and presented to both the Senior Management Team and Corporate Governance Group, who will monitor the handling of complaints in accordance with this policy. Within this report, the Managing Director will also report back on any complaints resulting in appeals under procedure 4 of this policy.

The complaints procedure will be reviewed annually, taking into account any feedback received via opinion surveys and focus groups.

## Associated Information and Guidance

- Skills Funding Agency Procedure for dealing with complaints about providers of education and training <https://www.gov.uk/government/publications/sfa-complaints-procedure-about-providers>
- Consumer Rights Act <http://www.legislation.gov.uk/ukpga/2015/15/contents/enacted>
- Data Protection Act <https://www.gov.uk/data-protection/the-data-protection-act>

## Related Policies and Documents

- Data Protection Policy
- Learner Code of Conduct
- Learner Disciplinary Procedure
- Staff Code of Conduct
- Staff Disciplinary Procedure

## Procedures

**Procedure 1:** Providing Feedback and Compliments

**Procedure 2:** Making an Informal Complaint (Stage 1)

**Procedure 3:** Making a Formal Complaint (Stage 2)

**Procedure 4:** Appealing Against the Outcome of a Formal Complaint (Stage 3)

## Procedure 1: Providing Feedback and Compliments

**Purpose:** To provide a formal process for logging and acknowledging feedback and compliments in order to continually improve as an organisation, and to share and build on good practice.

**Responsibility:**

- Customer (CUST)
- HR (REC)
- Senior Manager (SMT)
- Director of HR (DHR)

No	Procedure	Timeframe	Responsibility	Doc Ref
1.	<p>1.1 Feedback and Compliments should be shared verbally with HR or via email to: <a href="mailto:HR@challenge-trg.co.uk">HR@challenge-trg.co.uk</a> Alternatively you can provide feedback through the Challenge-trg Website.</p> <p>1.2 HR will log the feedback / compliment onto the central system and send an acknowledgement email in the case of feedback received in writing</p> <p>1.3 Details of the feedback / compliment will be emailed directly to the individual or team via the relevant manager, copying in the Managing Director</p> <p>1.4 SMT will review the feedback / compliment and ensure that this information is used to inform best practice</p> <p>1.5 An annual report of feedback / compliments will be prepared for the Corporate Governance Group</p>	<p>Within 2 working days</p> <p>Within 2 working days</p> <p>Annually</p>	<p>CUST</p> <p>REC</p> <p>REC</p> <p>SMT</p> <p>DHR</p>	

## Procedure 2: Making an Informal Complaint (Stage 1)

**Purpose:** To provide an opportunity for customers to raise any issues / causes for concern directly with the department concerned in order for a quick and satisfactory resolution to be sought.

**Responsibility:**

- Customer (CUST)
- All staff (AS)
- Director of HR (DHR)

No	Procedure	Timeframe	Responsibility	Doc Ref
2.	2.1 When a customer of the organisation is dissatisfied with any aspect of the service and care they receive, they should communicate this at the earliest opportunity with the relevant member of staff in order for this to be addressed and resolved. (if unsure of who to speak to ask at HR who will be happy to put you in touch with the relevant person).	Within 1 week of becoming dissatisfied	CUST	
	2.2 The member of staff dealing with the informal complaint should complete the internal complaint record and send this to HR for central logging. They should make every effort to resolve the informal complaint / area of dissatisfaction, seeking advice from their Line Manager as appropriate.	Within 5 working days	AS	Internal Complaint form
	2.3 The outcome of the informal complaint response should be communicated clearly to the customer and emailed to HR: <a href="mailto:HR@challenge trg.co.uk">HR@challenge trg.co.uk</a> in order for the complaints log to be updated. If the customer is not satisfied with the outcome, this should also be logged and the customer advised of the formal complaints procedure.	Within 2 working weeks	AS	Email communication
	2.4 The Director of HR will monitor the complaints and compliments log on a weekly basis and seek updates on informal complaints.	Weekly	DHR	Complaints and Compliments log

## Procedure 3: Making a Formal Complaint (Stage 2)

**Purpose:** To provide a formal process for recognising and responding to formal complaints in order to resolve them effectively and in a timely manner.

**Responsibility:**

- Complainant (C)
- Investigating Manager (IM)
- HR (REC)
- Director of HR (DHR)
- Senior Management Team (SMT)

No	Procedure	Timeframe	Responsibility	Doc Ref
3.	3.1 When Procedure 2 has not brought a satisfactory resolution, the customer can make a formal complaint <b>in writing</b> by completing the attached complaints form and posting to: Director of HR, Challenge-trg group, 1 Smithy Court, Smithy Brook Road , Wigan, WN3 6PS detailing the nature of the complaint and what action has been taken so far to resolve the presenting issue.	Within 2 weeks of issue remaining unresolved	C	Record of complaint
	3.2 HR will log the complaint onto the central system and send an acknowledgement email / letter to the complainant.	Sent within 2 working days	REC	
	3.3 Complaint is assigned to the relevant Manager to conduct an investigation into the issues raised in order for a resolution to be agreed with the complainant.	Within 2 working days	DHR	
	3.4 The manager will conduct a full investigation within the timeframes for resolving complaints, keeping the complainant informed of any extension required in order to reach a conclusion, and should inform HR in order for the new timeframes to be logged and monitored. A written response should be prepared detailing the outcome of the investigation and any other action to be taken, and forwarded to HR for logging and sending out to the complainant.	Within 10 working days	IM/REC	
	3.5 The Director of HR will monitor the complaints and compliments log on a fortnightly basis and seek updates on formal complaints.	Fortnightly	DHR	

## Procedure 4: Appealing against the outcome of a Formal Complaint (Stage 3)

**Purpose:** To provide a formal process for complainants to appeal against an organisational formal complaint response / outcome, in the event that not all of the evidence and relevant information has been taken into account at the formal complaint investigation stage, or that circumstances relating to the complaint and outcome have significantly changed.

**Responsibility:**

- Complainant (C)
- Managing Director (MD)
- Director of HR (DHR)

No	Procedure	Timeframe	Responsibility	Doc Ref
4.	<p>4.1 If the complainant is not satisfied with the outcome of Stage 2 of the complaint outlined in Procedure 3, they can write to the Managing Director/Director of HR (address as noted in procedure 3), stating the reason for this and offering any new evidence for consideration as appropriate.</p> <p>4.2 The Managing Director or nominee (usually another Director) will respond and any new information will be considered.</p> <p>4.3 If the complainant is still dissatisfied and / or feels that there complaint has not been dealt with fairly and effectively, they should seek advice and assistance from the following bodies:</p> <p>For complaints relating to Further Education provision including Apprenticeships:</p> <p><a href="https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure">Education and Skills Funding Agency</a>  <a href="https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure">https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure</a>  <a href="https://www.gov.uk/government/publications/sfa-complaints-procedure-about-providers">https://www.gov.uk/government/publications/sfa-complaints-procedure-about-providers</a></p>	<p>Within 7 working days of receiving written confirmation of formal complaint outcome</p> <p>Within 5 working days</p>	<p>C</p> <p>MD/DHR</p> <p>C</p>	

# Appendices

## Documentation

- A.1- Formal Record of Complaint

## A.1 – Record of Formal Complaint for postal communication

Your complaint will be acknowledged and the relevant Manager dealing with the matter will normally respond within 10 working days. Please address this Record of Complaint to: Director of HR, Challenge-trg group, 1 Smithy Court, Smithy Brook Road, Wigan, WN3 6PS detailing the nature of the complaint and what action has been taken so far to resolve the presenting issue.

Email:

Surname:

First name(s):

Title: Mr/Mrs/Ms/Miss:

Telephone no:

Mobile no:

Home address:

Date:

Existing learner? If the complaint is in relation to the experiences of an existing learner, please provide the learners full name, DOB and/or learner number:

Details of complaint: (Please continue on reverse):