



# Grievance and Complaints Policy 2024-2025

<b>The Term ....</b>	<b>Will hereinafter refer to...</b>
<b>Directors</b>	The Director of the Company
<b>Centre Directors</b>	The Director of the Companies Funded Centres
<b>Personnel</b>	Any employees of the company and/or the funded organisations and partner organisations who are responsible for the delivery or support of the companies Funded Learners.
<b>Partner Organisations</b>	Employers, work placement providers, service providers, support organisation.

**Purpose:**

The company is fully committed to the provision of support and training within a friendly environment. Wherever possible the vast majority of concerns, complaints or grievances will be dealt with informally within the companies funded centre. The Grievance or Complaints Policy is to enable all parties that are involved with the company, the opportunity to lodge a grievance or complaint, in the knowledge they will be treated fairly, and their concerns will not be trivialised.

The Company and its funded centres welcome feedback whether negative or positive and will, wherever possible, take on board complaints and use them to continuously develop and improve delivery for the benefit of learners, partners organisations and its own funded personnel.

The Grievance and Complaints Policy has been produced to provide a uniform approach to dealing with grievances or complaints about the Companies Funded Centres and to ensure all matters are dealt with fairly and consistently.

Grievances or Complaints referred to under this policy may be made by any of the companies funded centres, its funded personnel, learners, parents, or guardians (or under 18-year-old learners), or partner organisations involved in the training, assessment, and support of the company's funded learners.

**This policy has been written to combat any form of prejudice or discrimination whilst dealing with grievance or complaints and to fulfill its statutory legal obligations under the:**

**Employment Act 2008** - covering aspects of UK employment law, including dealing with discipline and grievance issues, the enforcement of the national minimum wage, and the employment agency standards enforcement regime.

**The Statutory ACAS Code of Practice** - providing basic practical guidance on discipline and grievance handling in the workplace. The ACAS Code came into effect on 6 April 2009 and replaced the previous ACAS Code on discipline and grievance handling which was issued in 2004.

**Candidate Assessment Appeals Procedure:**

It should be noted that Candidate Assessment Appeals are dealt with separately under the Candidate Assessment Appeals Procedure – in line with the appropriate Awarding Organisation.

**Persons involved**

**Director:**

Responsibility for the detailed implementation of this policy rests with the Director of the company. In the event of a complaint, being made by the Director, then the nominated link Director will be responsible for overseeing the informal stage one, another independent Director would deal with the complaint at stage two and all the directors would form a panel at stage three. The organisation making the complaint can choose to bring independent representation to the panel meeting at stage three. The decision of the panel is final.

### **Timescale:**

The timescale for dealing with complaints or grievances will be outlined within the Grievance and Complaints Procedure, as stated previously, Complaints must be made within 12 months of the incident or occurrence for which the complaint is being made, unless in the view of the Link Director there is good cause for a delay and clear evidence exists to support the delay in making a complaint.

Further timescales are outlined with the procedure.

### **Related Documentation**

Company Funded Centres will ensure they maintain records for ...

<b>Record</b>	<b>Purpose to record evidence of ....</b>	<b>Frequency</b>
Grievance and Complaints	Grievance and complaints received and the actions taken with the resulting outcomes.	When a formal complaint/ grievance is received.
Grievance and Complaint Form	The grievance and/ or complaint an outline of the incident, any witnesses or evidence any actions that have been taken and how the complainant would like the issue to be resolved.	On submitting a complaint at the first stage.
Grievance and Complaints Continuation Form	Why the issue has not been resolved and what further action the Company need to take to resolve the complaint. Any further evidence to uphold the complaint.	If the complaint has been dealt with at one stage – but unresolved the complainant submits to move to the next stage.
Grievance and Complaints Log	The complaint progression, including outcomes, decisions and dates.	Logged at each stage of the complaint by the Companies personnel to record the process.
Policy awareness, acceptance and agreement.	Compliance and agreement to the Grievance and Complaints Policy by funded Centres, funded personnel, employers, and learners (this may be within another document e.g., agreement/ contract).	On commencement of employment/working partnership/programme. With updates as appropriate.

### **Training and Induction to the Policy:**

#### **Company Funded Centres personnel (includes self-employed funded personnel)**

All Company funded centres will provide personnel delivering to learners funded by the Company with a copy (which may be electronic on a VLE) of the Company Grievance and Complaints Policy, along with thorough training/briefing, during induction to their post by an appropriate person. Further training needs will be assessed on a continued basis at an annual

appraisal. Funded personnel will be asked to sign a declaration to register their understanding and agreement with this policy.

### **Learners:**

All learners will receive a "user friendly" version of the Company Grievance and Complaints Policy, during their induction, at the commencement of their training programme. They will be shown where the full policy can be located within the training room or via the OneFile. They will be asked to sign a declaration to register their understanding and agreement with this policy.

### **Procedure:**

#### **Informal Discussion**

Initially a grievance or complaint may be raised to any centre funded personnel. At first, it may be unclear whether a person is asking a question or expressing an opinion rather than making a complaint. A possible complainant may wish to have a preliminary discussion about an issue to help decide whether they wish to take it further. The recipient of the complaint will clarify the nature of the concern and reassure them that the Company wants to hear about it. They may explain to the complainant how/why a situation occurred. They will also identify at this point, what sort of outcome is being sought.

If the Funded Centre personnel first contacted cannot deal with the matter, or it is clear it is a formal grievance or complaint s/he will make a clear note of the date, complainant's name, status, contact address, phone number, and refer to the appropriate person in line with this policy

If a satisfactory outcome is found, then no further action is taken. Where no satisfactory solution has been found then the complaint must be dealt with in line with this policy.

### **COMPLAINT MADE BY Company FUNDED PERSONNEL:**

Each Company Funded Centre will have in place an appropriate Grievance and Complaints Policy which will, where appropriate, deal with funded personnel grievances or complaints.

#### **STAGE ONE – Dealt with by the Centre Director**

##### **Centre Personnel Notification of Complaint**

- The Centre Personnel wishing to make a complaint will submit the Grievance and Complaint Form to their Centre Director (or their representative). (

##### **Centre Response:**

- On receiving the form, the Centre Director will respond within 10 working days, providing a copy of this policy and record the complaint on the Grievance and Complaint Log.
- Where a response within this time is not possible or investigations are required the Centre Director will inform the Centre Personnel of the reason for the delay and state a target date for their response.

#### **Centre Investigation:**

- The Centre Director (or their representative) dealing with the complaint provides an opportunity for the complainant to meet him/her to supplement information provided previously. It is made clear to the complainant that if s/he wishes, s/he may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf.

### **Centre Outcome Feedback:**

- On concluding investigations, the Centre Director will inform their Company Link Director and the complainant of the outcome within 10 working days and finalise the Grievance and Complaint Log. The Centre Director (or their representative) dealing with the complaint keeps written records of meetings, telephone conversations and other documentation – within a file.

### **Outcome Action:**

#### **Complainant satisfied with the outcome:**

- If a satisfactory outcome is reached then no further action will be taken, but the person dealing with the complaint will inform their Company Link Director who will cascade to all Directors that a complaint was made by a Centre's Personnel, the action/s that were taken and the improvements to be made where necessary to prevent further dissatisfaction.
- Feedback will be collected from the complainant on the way the complaint was dealt with by the quality team.

#### **Complainant dissatisfied with the outcome:**

- The complainant is referred to stage two
- The Directors are informed that a complaint has moved to stage two; however, no information is disclosed as this could prejudice the complaint's panel (if necessary).

### **STAGE TWO – Dealt with by the Company Director**

#### **Centre Personnel 1<sup>st</sup> Notification:**

- If the Centre Personnel is dissatisfied with the outcome at stage one, within five working days of receiving the outcome they will inform the Centre Director, they wish to proceed to stage two.

#### **Centre Director Response:**

- Within 5 working days The Centre Director will provide them with contact details for the Link Director and a Grievance Continuation form.

#### **Centre Personnel 2<sup>nd</sup> Notification:**

- The centre personnel will submit a Grievance and Complaint Continuation Form to the Link Director within 10 working days.

#### **Company 1<sup>st</sup> Response:**

- On receiving the form, the Link Director will respond in writing within 10 working days and record on the Grievance and Complaint Log. Where a response within this time is not possible or further

investigations or evidence is required the Company Director will inform the Centre/Subcontractor Director of the calendar of dates and the reason for any delays.

### **Company Investigation:**

- The Company Director (and/or their representative/s) dealing with the complaint will provide an opportunity for the complainant to meet him/her to supplement information provided previously. It is made clear to the complainant that if s/he wishes, s/he may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf.

### **Company Outcome Feedback:**

- On concluding investigations, the Company Director will inform the complainant of the outcome in writing within 10 working days from the date of the meeting and finalise the Grievance and Complaint Log.
- The Company Director (or their representative) dealing with the complaint keeps written records of meetings, telephone conversations and other documentation – within a file.

### **Outcome Action:**

#### **Complainant satisfied with the outcome:**

- If a satisfactory outcome is reached then no further action will be taken, but the person dealing with the complaint will inform all of the company Directors that a complaint was made by the Centre, the action/s that were taken and the improvements to be made where necessary to prevent further dissatisfaction.
- Feedback will be collected from the complainant on the way the complaint was dealt with by the quality team.

#### **Complainant dissatisfied with the outcome:**

- The complainant is referred to stage three
- The directors are informed that a complaint has moved to stage three, however no information is disclosed as this could prejudice the complaints panel
- 
- **STAGE THREE** – Dealt with by a Company Panel

#### **Centre Personnel Notification:**

- If the Centre Personnel is dissatisfied with the outcome at stage two, within five working days of receiving the outcome they will inform the Company Director dealing with the complaint at stage two they wish to proceed to stage three.

#### **Company 1<sup>st</sup> Response:**

- Within 5 working days a Company Director will provide them with the Grievance and Complaint Continuation Form and contact details for the named Panel Chair Director at stage three.

#### **Centre Personnel 2<sup>nd</sup> Response:**

- The Grievance and Complaint's Form must be submitted to the Director within 10 working days of receipt.

#### **Company 2<sup>nd</sup> Response:**

- On receiving the form, the Director will respond in writing within 10 working days and log on the

Grievance and Complaint Log. Where a response within this time is not possible or further investigations or evidence is required the Director will inform the Centre Personnel of the calendar of dates and the reason for any delays. The Company will inform the complainant in writing of the right to be accompanied to the meeting by a friend/advocate/interpreter, how the meeting will be conducted and the complainant's right to submit further written evidence to the panel.

### **Panel Arrangements:**

- The panel will consist of two Company Directors or Manager (or a suitable representative appointed by the directors), and one independent person appointed to the panel.
- All members of the panel will have had no previous involvement in the complaint.
- The Company Director will appoint an administrator who will minute the meeting accurately and these will be checked by the Chairperson and signed as a true record.

### **Meeting Aim:**

- The aim of the meeting is to resolve the complaint and achieve reconciliation between the complainant and the Company. The chair of the panel will try to ensure the meeting is as informal as possible to prevent the complainant from feeling inhibited when speaking to the panel.
- If either side wishes to introduce previously undisclosed evidence or witnesses, it is essential that it is submitted to the panel no later than the day of the meeting. Evidence submitted after the panel meeting will not be considered.

### **The Meeting will allow for...**

- The complainant to explain their complaint
- The Company Centre Director to respond to the complaint (where appropriate)
- The Company to question the complainant and the complainant to question the Company Director about the response
- Panel members to question the complainant
- Any party to call any witnesses (subject to the approval of the Chairperson). All parties to question all witnesses
- Final statements from both the complainant and the Company Chair
- The Chair of the panel will explain to the complainant that the panel will now consider its decision, and a written decision will be sent to the complainant within 10 working days. The complainant and witnesses will then leave.

### **The Panel will then consider the complaint and all the evidence presented and....**

- a. Reach a unanimous, or at least a majority decision on the outcome.
- b. Decide upon the appropriate action to be taken to resolve the complaint.

- c. Where appropriate, suggest recommended changes to the Company systems or procedures to ensure problems of a similar nature do not happen again.

### **Company Outcome Feedback:**

- A written statement describing the final decision of the panel will be sent to the complainant.
- The Chairperson summarises onto Grievance and Complaint Log the outcome and ensures the form is fully completed.
- The Company Director dealing with the complaint keeps written records of meetings, telephone conversations and other documentation – within a file.

### **Outcome Action:**

- The person dealing with the complaint informs the Company Director regarding the complaint that was made, and informs them, where appropriate, of any changes to the Company systems or procedures to ensure problems of a similar nature do not happen again.
- The decision of the panel is final. There is no appeals process; the complainant will be informed of their right to contact external sources such as the Education Skills Funding Agency who funds the Company to deliver programmes.
- Other possible alternative organisations that may advise the complaint (see the end of this policy)

### **Additional Information when Dealing with Complaints:**

- If the complainant fails to respond to communications within ten working days or fails to attend agreed meetings the Company reserves the right to end the complaint process as it will be deemed the complainant no longer actively wishes to pursue the complaint.

### **COMPLAINT MADE BY LEARNER (or their representative when under 18)**

Grievances or complaints from learners which may be, for example, regarding a Company funded centre, their personnel and/or training issues.

#### **STAGE ONE – Dealt with by the Centre Director**

#### **Notification of Complaint by Learner (and/or parent and guardian for under 18 year old learners):**

- The Learner (and/or parent and guardian for under 18 year old learners) wishing to make a complaint will submit the Grievance and Complaint Form to their Centre Director (or their representative) (the form can be requested if the Learner cannot access it directly).

#### **Centre Response:**

- On receiving the form, the Centre Director will respond within 10 working days, providing a copy of this policy and record the complaint on the Grievance and Complaint Log.
- Where a response within this time is not possible or investigations are required the Centre Director will inform the Learner of the reason for the delay and state a target date for their response.

#### **Centre Investigation:**



- The Centre Director (or their representative) dealing with the complaint provides an opportunity for the complainant to meet him/her to supplement information provided previously. It is made clear to the complainant that if s/he wishes, s/he may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf.

**Centre Outcome Feedback:**

- On concluding investigations, the Centre Director will inform their Company Director and the complainant of the outcome within 10 working days and finalise the Grievance and Complaint Log. The Centre Director (or their representative) dealing with the complaint keeps written records of meetings, telephone conversations and other documentation – within a file.

**Outcome Action:**

**Complainant satisfied with the outcome:**

- If a satisfactory outcome is reached then no further action will be taken, but the person dealing with the complaint will inform their Company Director who will cascade to all Directors that a complaint was made by a Centre's Personnel, the action/s that were taken and the improvements to be made where necessary to prevent further dissatisfaction.
- Feedback will be collected from the complainant on the way the complaint was dealt with by the quality team.

**Complainant dissatisfied with the outcome:**

- The complainant is referred to stage two
- The directors are informed that a complaint has moved to stage two; however, no information is disclosed as this could prejudice the complaint's panel (if necessary).

**STAGE TWO** – Dealt with by the Company Link Director:

**Notification of Complaint by Learner (and/or parent and guardian for under 18-year-old learners)**

- If the Learner is dissatisfied with the outcome at stage one, within five working days of receiving the outcome they will inform the Centre Director, they wish to proceed to stage two.

**Centre Director Response:**

- Within 5 working days the Centre Director will provide them with contact details for the Link director and a Grievance Continuation form.

**Learner 2<sup>nd</sup> Notification:**

- The centre personnel will submit a Grievance and Complaint Continuation Form to the Director within 10 working days.

**The Company 1<sup>st</sup> Response:**

- On receiving the form, the Director will respond in writing within 10 working days and record on the Grievance and Complaint Log. Where a response within this time is not possible or further investigations or evidence is required the Company Director will inform the learner of the calendar of dates and the reason for any delays.

**Company Investigation:**

- The Company Director (and/or their representative/s) dealing with the complaint will provide an opportunity for the complainant to meet him/her to supplement information provided previously. It is made clear to the complainant that if s/he wishes, s/he may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf.

**Company Outcome Feedback:**

- On concluding investigations, the companies Director will inform the complainant of the outcome in writing within 10 working days from the date of the meeting and finalise the Grievance and Complaint Log.
- The Company Director (or their representative) dealing with the complaint keeps written records of meetings, telephone conversations and other documentation – within a file.

**Outcome Action:****Complainant satisfied with the outcome:**

- If a satisfactory outcome is reached then no further action will be taken, but the person dealing with the complaint will inform all Company Director that a complaint was made by the Centre, the action/s that were taken and the improvements to be made where necessary to prevent further dissatisfaction.
- Feedback will be collected from the complainant on the way the complaint was dealt with by the quality team.

**Complainant dissatisfied with the outcome:**

- The complainant is referred to stage three
- The directors are informed that a complaint has moved to stage three, however no information is disclosed as this could prejudice the complaints panel

## **STAGE THREE – Dealt with by a Company Panel:**

### **Notification of Complaint by Learner (and/or parent and guardian for under 18 year old learners):**

- If the Learner is dissatisfied with the outcome at stage two, within five working days of receiving the outcome they will inform the Director dealing with the complaint at stage two they wish to proceed to stage three.

### **Company 1<sup>st</sup> Response:**

- Within 5 working days the Director will provide them with the Grievance and Complaint Continuation Form and contact details for the named company Panel Chair Director at stage three.

### **Learner 2<sup>nd</sup> Response:**

- The Grievance and Complaint's Form must be submitted to the named Director within 10 working days of receipt.

### **Company 2<sup>nd</sup> Response:**

- On receiving the form, the Director will respond in writing within 10 working days and log on the Grievance and Complaint Log. Where a response within this time is not possible or further investigations or evidence is required the Director will inform the Centre Personnel of the calendar of dates and the reason for any delays. The Company will inform the complainant in writing of the right to be accompanied to the meeting by a friend/advocate/interpreter, how the meeting will be conducted and the complainant's right to submit further written evidence to the panel.

### **Panel Arrangements:**

- The panel will consist of two company staff -Director/Managers (or a suitable representative appointed by the Directors) and one independent person appointed to the panel.
- All members of the panel will have had no previous involvement in the complaint.
- The Company Director will appoint an administrator who will minute the meeting accurately and these will be checked by the Chairperson and signed as a true record.

### **Meeting Aim:**

- The aim of the meeting is to resolve the complaint and achieve reconciliation between the complainant and the Company. The chair of the panel will try to ensure the meeting is as informal as possible to prevent the complainant from feeling inhibited when speaking to the panel.
- If either side wishes to introduce previously undisclosed evidence or witnesses, it is essential that it is submitted to the panel no later than the day of the meeting. Evidence submitted after the panel meeting will not be considered.

### **The Meeting will allow for...**

△ The complainant to explain their complaint

△ The Company Centre Director to respond to the complaint (where appropriate)

- △ The Company to question the complainant and the complainant to question the Company Director about the response
- △ Panel members to question the complainant
- △ Any party to call any witnesses (subject to the approval of the Chairperson). All parties to question all witnesses
- △ Final statements from both the complainant and the Company Chair
- △ The Chair of the panel will explain to the complainant that the panel will now consider its decision, and a written decision will be sent to the complainant within 10 working days. The complainant and witnesses will then leave.

**The Panel will then consider the complaint and all the evidence presented and....**

- a. Reach a unanimous, or at least a majority decision on the outcome.
- b. Decide upon the appropriate action to be taken to resolve the complaint.
- c. Where appropriate, suggest recommended changes to the Company systems or procedures to ensure problems of a similar nature do not happen again.

**Company Outcome Feedback:**

- A written statement describing the final decision of the panel will be sent to the complainant.
- The Chairperson summarises onto Grievance and Complaint Log the outcome and ensures the form is fully completed.
- The Company Panel Chair Director dealing with the complaint keeps written records of meetings, telephone conversations and other documentation – within a file.

**Outcome Action:**

- The person dealing with the complaint informs the Company Director regarding the complaint that was made, and informs them, where appropriate, of any changes to the Company systems or procedures to ensure problems of a similar nature do not happen again.
- The decision of the panel is final. There is no appeals process; the complainant will be informed of their right to contact external sources such as the Education Skills Funding Agency
- Other possible alternative organisations that may advise the complaint (see the end of this policy)

**Additional Information when Dealing with Complaints:**

- If the complainant fails to respond to communications within ten working days or fails to attend agreed meetings The Company reserves the right to end the complaint process as it will be deemed the complainant no longer actively wishes to pursue the complaint.

**COMPLAINT MADE BY EMPLOYER:**

Complaints or grievances by partner organisations of learners on Company Funded Training are

initially dealt with by the Funded Centre Manager/Director.

The Company link Director will deal with stage two and the Company Panel will oversee stage three. In the event of the complaint being against the Company Director, stage one will be dealt with by the Company Director, stage two by an alternative company Director appointed by the Company and stage three will be dealt with by the Company panel.

#### **STAGE ONE – Dealt with by the Centre Director **Notification of Complaint by the Partner:****

- The Partner wishing to make a complaint will submit the Grievance and Complaint Form to their Centre Director (or their representative) (the form can be requested if the Learner cannot access it directly).

#### **Centre Response:**

- On receiving the form, the Centre Director will respond within 10 working days, providing a copy of this policy and record the complaint on the Grievance and Complaint Log.
- Where a response within this time is not possible or investigations are required the Centre Director will inform the Partner of the reason for the delay and state a target date for their response.

#### **Centre Investigation:**

- The Centre Director (or their representative) dealing with the complaint provides an opportunity for the complainant to meet him/her to supplement information provided previously. It is made clear to the complainant that if s/he wishes, s/he may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf.

#### **Centre Outcome Feedback:**

- On concluding investigations, the Centre Director will inform their Link Director and the complainant of the outcome within 10 working days and finalise the Grievance and Complaint Log. The Centre Director (or their representative) dealing with the complaint keeps written records of meetings, telephone conversations and other documentation – within a file.

#### **Outcome Action:**

#### **Complainant satisfied with the outcome:**

- If a satisfactory outcome is reached then no further action will be taken, but the person dealing with the complaint will inform the Link Director who will cascade to all Director that a complaint was made by a Centre's Personnel, the action/s that were taken and the improvements to be made where necessary to prevent further dissatisfaction.
- Feedback will be collected from the complainant on the way the complaint was dealt with by the quality team.

#### **Complainant dissatisfied with the outcome:**

- The complainant is referred to stage two
- The directors are informed that a complaint has moved to stage two; however, no information is disclosed as this could prejudice the complaint's panel (if necessary)

#### **STAGE TWO – Dealt with by the Company Director:**

#### **Notification of Complaint by Partner:**

- If the Partner is dissatisfied with the outcome at stage one, within five working days of receiving the outcome they will inform the Centre Director, they wish to proceed to stage two.

#### **Centre Director Response:**

- Within 5 working days The Centre Director will provide them with contact details for the Link director and a Grievance Continuation form.

#### **Partner 2<sup>nd</sup> Notification:**

- The centre personnel will submit a Grievance and Complaint Continuation Form to the Link Director within 10 working days.

#### **Company 1<sup>st</sup> Response:**

- On receiving the form, the Link Director will respond in writing within 10 working days and record on the Grievance and Complaint Log. Where a response within this time is not possible or further investigations or evidence is required the Company Director will inform the Partner of the calendar of dates and the reason for any delays.

#### **Company Investigation:**

- The Company Director (and/or their representative/s) dealing with the complaint will provide an opportunity for the complainant to meet him/her to supplement information provided previously. It is made clear to the complainant that if s/he wishes, s/he may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf.

#### **Company Outcome Feedback:**

- On concluding investigations, the Company Director will inform the complainant of the outcome in writing within 10 working days from the date of the meeting and finalise the Grievance and Complaint Log.
- The Company Director (or their representative) dealing with the complaint keeps written records of meetings, telephone conversations and other documentation – within a file.

#### **Outcome Action:**

#### **Complainant satisfied with the outcome:**

- If a satisfactory outcome is reached then no further action will be taken, but the person dealing with the complaint will inform all Company Director that a complaint was made by the Centre, the action/s that were taken and the improvements to be made where necessary to prevent further dissatisfaction.
- Feedback will be collected from the complainant on the way the complaint was dealt with by the quality team.

#### **Complainant dissatisfied with the outcome:**

- The complainant is referred to stage three
- The directors are informed that a complaint has moved to stage three, however no information is disclosed as this could prejudice the complaints panel

## **STAGE THREE – Dealt with by a company Panel:**

### **Notification of Complaint by Partner@**

- If the Partner is dissatisfied with the outcome at stage two, within five working days of receiving the outcome they will inform the Company Director dealing with the complaint at stage two they wish to proceed to stage three.

### **Company 1<sup>st</sup> Response:**

- Within 5 working days the Company Director will provide them with the Grievance and Complaint Continuation Form and contact details for the named company Panel Chair Director at stage three.

### **Partner 2<sup>nd</sup> Response:**

- The Grievance and Complaint's Form must be submitted to the named company Panel Chair Director within 10 working days of receipt.

### **Company 2<sup>nd</sup> Response:**

- On receiving the form, the Company Panel Chair Director will respond in writing within 10 working days and log on the Grievance and Complaint Log. Where a response within this time is not possible or further investigations or evidence is required the Company Panel Chair Director will inform the Centre Personnel of the calendar of dates and the reason for any delays. The Company will inform the complainant in writing of the right to be accompanied to the meeting by a friend/advocate/interpreter, how the meeting will be conducted and the complainant's right to submit further written evidence to the panel.

### **Panel Arrangements:**

- The panel will consist of two Company staff Director/Manager (or a suitable representative appointed by the Directors), and one independent person appointed to the panel.
- All members of the panel will have had no previous involvement in the complaint.
- The Company Directors will appoint an administrator who will minute the meeting accurately and these will be checked by the Chairperson and signed as a true record.

### **Meeting Aim:**

- The aim of the meeting is to resolve the complaint and achieve reconciliation between the complainant and the Company. The chair of the panel will try to ensure the meeting is as informal as possible to prevent the complainant from feeling inhibited when speaking to the panel.
- If either side wishes to introduce previously undisclosed evidence or witnesses, it is essential that it is submitted to the panel no later than the day of the meeting. Evidence submitted after the panel meeting will not be considered.

### **The Meeting will allow for...**

- △ The complainant to explain their complaint
- △ The Company Centre Director to respond to the complaint (where appropriate)
- △ The Company to question the complainant and the complainant to question the Company Director about the response
- △ Panel members to question the complainant
- △ Any party to call any witnesses (subject to the approval of the Chairperson). All parties to question all witnesses

- △ Final statements from both the complainant and the Company Chair
- △ The Chair of the panel will explain to the complainant that the panel will now consider its decision, and a written decision will be sent to the complainant within 10 working days. The complainant and witnesses will then leave.

**The Panel will then consider the complaint and all the evidence presented and....**

- a. Reach a unanimous, or at least a majority decision on the outcome.
- b. Decide upon the appropriate action to be taken to resolve the complaint.
- c. Where appropriate, suggest recommended changes to the Company systems or procedures to ensure problems of a similar nature do not happen again.

**Company Outcome Feedback:**

- A written statement describing the final decision of the panel will be sent to the complainant.
- The Chairperson summarises onto Grievance and Complaint Log the outcome and ensures the form is fully completed.
- The Company Panel Chair Director dealing with the complaint keeps written records of meetings, telephone conversations and other documentation – within a file.

**Outcome Action:**

- The person dealing with the complaint informs the Company Director regarding the complaint that was made, and informs them, where appropriate, of any changes to the Company systems or procedures to ensure problems of a similar nature do not happen again.
- The decision of the panel is final. There is no appeals process; the complainant will be informed of their right to contact external sources such as the Education Skills Funding Agency.
- Other possible alternative organisations that may advise the complaint (see the end of this policy)

**Additional Information when Dealing with Complaints:**

- If the complainant fails to respond to communications within ten working days or fails to attend agreed meetings the Company reserves the right to end the complaint process as it will be deemed the complainant no longer actively wishes to pursue the complaint.



## Summary of Stages for Handling Complaints

### **Stage One: Refer to Policy Procedures for Responsibilities**

Expression of concern to HAHA personnel

Complaint notified on Grievance and Complaints Form

Satisfactory Outcome reached?

No To Stage 2

Yes No further action

### **Stage Two: Director Investigation**

Written complaint on Grievance and Complaint  
Continuation Form to HAHA Director

Investigation conducted and reported to complainant

Satisfactory Outcome reached.

No To Stage 3

Yes No further action

### **Stage Three: HAHA Panel Review**

- Formal written complaint on Grievance and Complaint Continuation Form
- to the Company Panel Chair Director
- The Company Complaints Panel
- Final Outcome reached (further contacts noted at end of this policy)

### **Stage 4 Contact ESFA**

You should email complaints to [complaints.esfa@education.gov.uk](mailto:complaints.esfa@education.gov.uk), or put them in a letter to:

Customer Service Team,  
Education and Skills Funding Agency  
Cheylesmore House

Quinton Road  
Coventry CV1  
2WT

## **Monitoring, Review and Evaluation:**

### **Monitoring of Process and Information:**

The Company Director, if commenced, will monitor the Grievance and Complaints Procedure. In the case of a Grievance or Complaint about either of the aforementioned, another Director will monitor the process and the Company Quality Team on the behalf of the Directors will be involved in the monitoring process.

### **Impact Assessment:**

This policy will be impact assessed for equality and diversity and records will be maintained.

### **Safeguarding:**

This policy will be reviewed to ensure it fully safeguards learners, funded personnel, and other partners in relation to their levels of safety, health, achievement, enjoyment, contribution and wellbeing.


### **Monitoring of Documentation and Policy:**

The Company Quality Improvement Team will review this policy and documentation annually. Updates and communications will be notified to employers of all relevant reviews and any specific outcomes from the reviews, where appropriate). The updated policy will be submitted to the Company Directors for approval/ratification. The completed policy will then be displayed for learner access and issued to all employers and Company funded personnel if amendments have been made. Where possible it will also be available to access through the company VLE.

A learner or centre's funded personnel who are not satisfied with the action taken by the Company and feel it right to question the matter further, s/he may consider the following possible contact points:

- Education and Skills Funding Agency
- ACAS
- The Equality and Human Rights Commission
- The employee's Trade Union
- The Citizens Advice Bureau and/or law centre/firm
- Relevant professional bodies or regulatory organisations

## Document Revision

Issue Date	01 July 2019	Authorised: Steven Churcher
Review Date	01/09/2024	Appointment: Quality Director
Next Review Date	01/09/2025	Signature: Steven Churcher
		
All company policies are to be reviewed by the Quality Director annually or earlier where circumstances dictate.		