

COMPLAINTS POLICY AND PROCEDURE

1.0 INTRODUCTION

- 1.1 All employees or learners have the right to seek redress for grievances relating to their employment or learning, and London Vesta College is responsible for ensuring that adequate and effective procedures are available to enable them to do so. The essence of the procedure is to try and resolve the issue which has resulted in the grievance to the satisfaction of all concerned or, where this is not possible, to provide an explanation (as far as it is appropriate to do so) as to why a particular course of action which has given rise to the grievance has been necessary.
- 1.2 The grievance procedure is intended to be used for all issues that are not dealt with under specific procedures as detailed elsewhere.
- 1.3 An employee or learner may have a grievance as an individual or a group of employees or learners may have a collective grievance. In the case of collective grievance, where there are more than six employees or learners involved, it will be necessary for the group to nominate three of their number to handle the matter on their behalf. In all circumstances the same procedures will be followed.
- 1.4 It is important to remember that all employees or learners, whether bringing a grievance as an individual or on behalf of a group of employees or learners, may consult with and be accompanied by their trade union representative to any meetings concerning the grievance. Those employees or learners who are not in a trade union may consult with, or be accompanied by, a colleague, friend or other staff representative who is not acting in a professional capacity.

2.0 THE PROCEDURES

- 2.1 The grievance procedures fall into three distinct stages, details of which are given below:
- 2.2 **Stage 1**
 - 2.2.1 If an employee or learner or group of employees or learners feels aggrieved on any matter, the first stage is to raise the issue with their line manager or tutor. Although this can be done on a relatively informal basis it is recommended that a separate time be set aside to discuss the issue.
 - 2.2.2 It may be necessary for the line manager or tutor, in hearing the grievance, to collect evidence by interviewing other staff or learners. The line manager or tutor must respond to the grievance within seven days. This should be done in a meeting arranged for that specific purpose.

2.3 Stage 2

- 2.3.1 If the employee or learner remains dissatisfied with the response, he/she must put his/her grievance in writing within fourteen days of receiving the line manager's or tutor's response and direct it to the appropriate nominated manager (normally the original line manager's or tutor's own line manager) or the Director of Quality and Performance.
- 2.3.2 The manager identified will then acknowledge receipt of the grievance in writing seven days of receiving it and arrange for a meeting to be held. The employee(s) or learner(s) should have at least five working days' notice of the meeting. At the meeting the manager will hear the grievance and again may take evidence from others but not respond at this stage. The matter will then be discussed separately with the line manager or tutor and a written response given to the aggrieved party within ten working days of the meeting.

2.4 Stage 3

- 2.4.1 If the employee or learner still remains dissatisfied he/she can, within fourteen days of the stage 2 meeting, submit an application for the matter to be heard by the Head of Learning if appropriate. A hearing will be arranged to take place within fourteen days of receipt of the application. The hearing will be attended by the employee(s) or learner(s), his/ her representative, the Director of Education and Learning and an additional member of staff if deemed appropriate by London Vesta College. In hearing the grievance, the panel may find it necessary to collect evidence from other members of staff.
- 2.4.2 Following the hearing, within the next ten working days, the Head of Learning will respond in writing to the employee(s) or learner(s). The decision or comments made will **normally** close the matter and there will be no further right of appeal.

3.0 LEVELS OF AUTHORITY

- 3.1 Where the nominated manager is in fact the employee's immediate line manager, the nominated manager for the purposes of Stage 2 of the procedure will be the Head of Learning and the third stage hearing will be heard by a panel of the Board of Management (as appointed by the London Vesta College).
- 3.2 Where the line manager is the Head of Learning, a grievance will be referred to a panel of the Board of Management (as appointed by the London Vesta College) for a final decision.

4.0 GENERAL

- 4.1 Once a grievance has been raised and is being dealt with through the procedures set out, it is expected that normal work will continue until such time as it is otherwise agreed.
- 4.2 It is expected that the number of formal grievances can be kept to the minimum. Very often a simple explanation can suffice and employees or learners are urged to consider the situation carefully before embarking on the procedure. However, if it is necessary to have recourse to the procedures, employees or learners should be assured that they will be afforded every opportunity to put forward their case and the matter will be handled promptly and fairly.
- 4.3 Some issues, which are considered to be of a very serious nature, will not be heard through each stage of the grievance procedure but will immediately be heard by the panel identified for Stage 3 of the proceedings.
- 4.4 As a result of hearing the grievance, facts may come to light that necessitate disciplinary action being taken. In these cases the disciplinary procedures will be followed.

5.0 ASSESSMENT AND INTERNAL VERIFICATION

- 5.1 If a candidate (learner) is not satisfied on assessor's decision he or she needs to follow the three-stage procedure as described in this document.

Please Note:

Stage 1 – candidate needs to raise the issue with his or her assessor

Stage 2 – with the internal verifier

Stage 3 – with the awarding body / external verifier

6.0 APPEALS PROCEDURE ASSESSMENT/ASSIGNMENT DECISION

If the candidate disagrees with the assessment/assignment decision, then the candidate has the right to appeal. The appeal must be submitted within 7 working days from the date of the decision.

London Vesta College Appeals Procedure is as follows:

- 6.1 Candidate should first talk to his/her assessor/tutor to try and sort out the problem, but if no solution can be found, Candidate should submit a written appeal to the assessor/tutor and the assessor/tutor will provide candidate with a written response within 7 working days of receiving letter.
- 6.2. If candidate is still not satisfied with the outcome of the first stage of the Appeals Procedure, the appeal should be submitted to the IQA (Internal Quality Assurer) for the learner's qualification within 7 working days from the

date of the decision. The IQA will confirm the outcome of the appeals procedure within 7 working days.

- 6.3. If the learner is not satisfied with the outcome of the second stage of the Appeals Procedure, the final stage in the appeals procedure will be to submit the appeal to the Awarding Body with which they are registered. The Operations & Performance Manager will provide the learner with details of who to write to and where to send their letter of appeal. The Director of Operations & Quality can be contacted on 020 7377 0731 or email apprenticeship@vestacollege.com.

Process for raising an Appeal with an awarding body

- 6.4. All appeals must be submitted in writing within 10 days from the date of the decision of the IQA (Internal Quality Assurer) for the learner's qualification.
- 6.5. BCS will charge the following to review the appeal/re-mark:
- | Qualification | Automated Assessment Appeal / Re mark | Manual Assessment Appeal | Independent Review |
|-----------------------------|---------------------------------------|--------------------------|--------------------|
| Higher Education(HEQ) | N/A | £100 | £100 |
| Professional Certifications | N/A | £100 | £100 |
| Education | £10 | £100 | £100 |

(Fees are subject to VAT unless exemptions apply)

Please note that results can go down as well as up following the investigation or re-mark.

Re-mark and appeal requests will not be accepted for any multiple-choice examinations as these are marked electronically.

Once the appeal fee has been received, details will be directed to the relevant team for an investigation to take place.

What details do I have to give?

- 6.6. The Learner Appeals Form is available to capture all required information and may be requested as part of the appeal. When submitting an appeal please provide us with:
- full name;
 - BCS registration number (if known);
 - examination date
 - examination title
 - details of the appeal;
- 6.7. End point assessment (BCS)

- When submitting an appeal, please complete the EPA Learner Appeals form and send to the EPA team on the EPAteam@bcs.uk with the word 'Appeal' in the subject line.
- The standard appeal fee is £300
- BCS will not start the investigation until payment has been made.

This will fully comply with BCS awarding body appeals requirement.