

# **COMPLAINTS POLICY AND PROCEDURE**

## **1.0 INTRODUCTION**

1.1 A complaint is where you express dissatisfaction with a service or action. You can complain in writing, by email or by speaking to someone in the organisation.

1.2 You should make your complaint within ten days of the incident. This time limit can sometimes be extended if it is still possible to investigate your complaint.

## **1.3 What to expect after making a complaint**

You should:

- have your complaint acknowledged and properly looked into
- be kept informed of progress and told the outcome
- be treated fairly, politely and with respect
- be offered the opportunity to discuss the complaint with an appropriate member of staff
- expect appropriate action to be taken following your complaint.

1.4 All learners or employees have the right to seek redress for complaints / grievances relating to their learning or employment, 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 (in the first instance informally if possible) which has resulted in the complaint / 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 complaint / grievance has been necessary.

1.5 The complaint / grievance procedure is intended to be used for all issues that are not dealt with under specific procedures detailed elsewhere.

1.6 A learner or employee may have a complaint / grievance as an individual or a group of learners or employees may have a collective complaint / grievance. In the case of a collective complaint / grievance, where there are more than six learners or employees 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.

- 1.7 It is important to remember that all learners or employees, whether bringing a complaint / grievance as an individual or on behalf of a group of learners or employees, may consult with and be accompanied by their trade union representative to any meetings concerning the complaint / grievance. Those learners or employees 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 complaint / grievance procedures fall into three distinct stages, details of which are given below:

### **2.2 Stage 1**

- 2.2.1 If a learner or employee or a group of learners or employees feels aggrieved on any matter, the first stage is to raise the issue with their tutor or line manager. 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 tutor or line manager, in hearing the complaint / grievance, to collect evidence by interviewing other learners and/or staff. The tutor or line manager must respond to the complaint / grievance within seven working days. This should be done in a meeting arranged for that specific purpose.

### **2.3 Stage 2**

- 2.3.1 If the learner or employee remains dissatisfied with the response, he/she must put his/her complaint / grievance in writing within seven working days of receiving the tutor's or line manager's response and direct it to the appropriate nominated manager (tutor's own line manager or normally the original line manager) or the Director of Operations.
- 2.3.2 The manager identified will then acknowledge receipt of the complaint / grievance in writing no later than seven working days of receiving it and

arrange for a meeting to be held. The learner(s) or employee(s) should have at least five working days' notice of the meeting. At the meeting the manager will hear the complaint / grievance and again may take evidence from others but not respond at this stage. The matter will then be discussed separately with the tutor or line manager 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 learner or employee still remains dissatisfied, he/she can, within fourteen working days of the Stage 2 meeting, submit an application for the matter to be heard by the Head of Education & Learning if appropriate. A hearing will be arranged to take place within 14 working days of receipt of the application. The hearing will be attended by the learner(s) or employee(s), their representative, the Head of Education & Learning and an additional member of staff if deemed appropriate by London Vesta College. In hearing the complaint / grievance, the panel may find it necessary to collect evidence from other members of staff.

2.4.2 Following the hearing, within the next 14 working days, the Head of Education & Learning will respond in writing to the learner(s) or employee(s). The decision or comments made will **normally** close the matter.

2.4.3 If the complaint process has been exhausted and you are still dissatisfied you can appeal to the Education and Skills Funding Agency (see below their contact details). Please note, you will not be successful unless you have fully engaged with London Vesta College's complaint process and given the college the opportunity to attempt to resolve the issue.

The escalation process to the ESFA is through the apprenticeship helpdesk (on 08000 150400 or email [nationalhelpdesk@apprenticeships.gov.uk](mailto:nationalhelpdesk@apprenticeships.gov.uk)).

## 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 Education & Learning and the third stage hearing will be heard by a panel of the Board of Management (as appointed by London Vesta College).

3.2 Where the line manager is the Head of Education & Learning, a complaint / grievance will be referred to a panel of the Board of Management (as appointed by London Vesta College) for a final decision.

## **4.0 GENERAL**

- 4.1 Once a complaint / 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 is otherwise agreed.
- 4.2 It is expected that the number of formal complaints / grievances can be kept to a minimum. Very often a simple explanation can suffice and learners or employees are urged to consider the situation carefully before embarking on the procedure. However, if it is necessary to have recourse to the procedures, learners or employees 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 complaint / 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 complaint / 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 with the 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 / Internal Quality Assurer (IQA)
- Stage 3 – with the awarding body / external verifier / EQA.

## **6.0 APPEALS PROCEDURE ASSESSMENT / ASSIGNMENT DECISION**

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

London Vesta College Appeals Procedure is as follows:

- 6.1 A candidate should first talk to his/her assessor / tutor to try and sort out the problem, but if no solution can be found, the candidate should submit a written appeal to the assessor / tutor who will provide the candidate with a written response within seven working days of receiving the letter.
- 6.2. If a 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 seven working days from the date of the decision. The IQA will confirm the outcome of the appeals procedure within seven 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 procedure will be for them to submit the appeal to the Awarding Body with which they are registered. The Operations & Quality Manager will provide the learner with details of who to write to and where to send their letter of appeal. The Operations & Quality Manager can be contacted on 020 7377 0731 or email [apprenticeship@vestacollege.com](mailto: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. Awarding Body (BCS) will charge the following to review the appeal / re-mark:

| Qualification               | Automated Assessment Appeal | Manual Assessment Appeal/Re-mark | 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 (Awarding Body -BCS)

- When submitting an appeal, please complete the EPA Learner Appeals form and send to the EPA team on the [EPAteam@bcs.uk](mailto: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 requirements.

## **7.0 Additional Info for Employer Complaints**

7.1 We want to appreciate the contribution that employers make towards enabling apprentices to achieve their goals. By providing placement places the delivery of apprenticeships is made possible. A good working relationship with employers is key to apprenticeship success.

7.2 However, there may be times when employers identify issues that need to be addressed. This may result in a complaint for the College to address. We want to encourage employers to come forward should they have any concerns or queries.

7.3 In the first instance we would encourage the employer to discuss their concerns with their allocated employer engagement officer. This can be an

informal conversation or email to raise the issue with a view to an action plan to resolve the matter in a timely manner.

- 7.4 If the complaint requires a higher level of authority to resolve the issue, then we ask the employer to send an email to the Operations & Quality Manager giving as much detail as possible. An acknowledgement of the correspondence will be given within two working days of receiving the complaint. This will be either a telephone call or email. Where practicable we aim to resolve issues within three to seven working days.
- 7.5 The College is monitored/inspected by a number of Government organisations and Awarding Bodies, to maintain high quality standards. Depending on your complaint these Government organisations / Awarding Bodies may be involved in resolving the matters. The involvement of these organisations will mean that the resolution of an issue can take longer. We strictly follow their guidelines in seeking a positive outcome for everyone.

If you are unable to reach a satisfactory conclusion to your concern, then upon exhaustion of the above steps, you can escalate them to ESFA using the following contact information.

The escalation process to the ESFA is through the apprenticeship helpdesk (on 08000 150400 or email [nationalhelpdesk@apprenticeships.gov.uk](mailto:nationalhelpdesk@apprenticeships.gov.uk)).

London Vesta College will monitor, review (annually) and evaluate the implementation and effectiveness of this procedure.

Head of Education and Learning, has overall responsibility for this policy and process.

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