The complaints procedure

Statement

We aim to deliver high quality services and a positive experience for everyone, however sometimes things go wrong or could be better. When this happens, we want to know about it so that we can put it right, apologise and improve what we do in the future.

We operate within a highly regulated sector, with various legal and regulatory duties setting minimum standards for how we handle complaints.

We want to hear about people's experience of using our services, we are also obliged both to have a rigorous and robust approach to collecting feedback – both positive and negative – and taking action, including making systemic changes, where lessons are identified. While complaints are only one part of delivering our obligations, it is important that service users are able to freely access information about how to complain under this policy.

Confidentiality

We have a duty of confidentiality to our service users, and of course, we are subject to data protection laws and regulations.

You can view our privacy policy using this link www.thelearningenterprise.co.uk /privacy-policy/

Purpose of the procedure

The Learning Enterprise (TLE) has a staged complaints procedure which aims to resolve concerns swiftly and fairly. The purpose of the procedure is to investigate complaints in a way that:

- Encourages informal resolution of issues and concerns if possible
- Is fair and equitable
- Treats complaints with appropriate seriousness
- Use outcomes to improve the learner journey for our service users, learners and apprentices

Scope & responsibility

This procedure covers complaints relating to:

- Any TLE policy, procedure or process
- Academic and support services or facilities
- The conduct or actions of a TLE member of staff, this will link in with the existing HCRG Care Group disciplinary policy and procedure
- Misleading or inaccurate information regarding academic programmes, fees, services or facilities

This procedure is **NOT** used for:

- Complaints about academic judgements, examination decisions, academic appeal or assessment outcomes
- Appeals against disciplinary actions, when relating to TLE staff members our existing HCRG Care Group disciplinary policy and procedures will be followed
- Whistle blowing

Definitions

TLE uses the following definitions specific to this procedure:

- A complaint is the expression of a specific concern
- 'Days' refers to Monday – Friday
- Timescales specified will be adhered to wherever possible but may be extended during seasonal holiday periods. On these occasions the complainant will be notified

The Procedure

Complaints should be made as soon as possible after the events or actions (or omission of actions) which have prompted the complaint.

TLE will not normally consider complaints that are made more than 30 working days after the incident or event complained about. In exceptional circumstances, a complaint may be considered outside this timeline.

A complainant may be invited for a meeting as part of any investigation relating to the complaint and may be accompanied by a parent/carer, employer or other representative. Details of any support needs to be declared prior to any meeting by the complainant.

TLE will make reasonable adjustments, where necessary, to ensure that the complaints procedure is fair, equitable and accessible to all.

Where it is inappropriate or not possible for an apprentice or other stakeholder to make a complaint, this may be done on their behalf by another person, who has a legitimate interest in the complaint and has the complainant's knowledge and written consent. That interest must be made clear to the investigating officer.

Records will securely be held on TLE's system.

The complaints procedure is required to allow service users, learners, apprentices, assessor, internal and external quality assurer and relevant stakeholders to challenge an appropriate aspect of the centres operation.

The Complaints Process for Apprenticeships

If a person wishes to complain, the complaint is lodged with the Apprenticeships operations Manager within 30 days of the issue arising via the contact information displayed on www.thelearningenterprise.co.uk or through the appropriate contact information listed below.

In the first instance the Apprenticeships Operations Manager will:

- Investigate the complaint or appoint an investigating officer
- Notify the TLE quality lead of the complaint and resolution and learning shared
- Keep detailed records of all parts of the investigation

If a complaint remains unresolved then the Apprenticeships Operations Manager must instigate the next steps to appeal procedure.

The Complaints Process for TLE eLearning, Virtual classroom and Face to Face Training

If a person wishes to complain, the complaint is lodged with the TLE Training and Development Manager within 30 days of the issue arising via the contact information displayed on www.thelearningenterprise.co.uk or through the appropriate contact information listed below. .

In the first instance the TLE Training and Development Manager will:

- Investigate the complaint or appoint an investigating officer
- Notify the TLE quality lead of the complaint and resolution and learning shared
- Keep detailed records of all parts of the investigation

If a complaint remains unresolved then the TLE Training and Development Manager must instigate the next steps to appeal procedure.

The complaints appeals procedure

The appeals procedure is to allow service users, learners and apprentices who are registered or have received services with TLE to challenge the outcome of the complaint. This must be logged with the Apprenticeships Operations Manager or the TLE Training and Development Manager (depending on the services you received) within 20 days of notification of investigation and decision.

The outcomes of the appeal will be judged on individual basis, examples of outcomes may be*:

- Confirmation of the original decision
- Instructions that the competence be re-assessed by the same or a different assessor
- A judgement that the evidence presented is an adequate demonstration of competence and a recommendation that the assessment decision be reconsidered
- Refund of services used or attended in the case of eLearning, virtual classroom and face to face training (excluding apprenticeships)
- Formal apology and improvements to services based on the complaint feedback

These outcomes are not guaranteed results and will vary on individual basis, not all potential outcomes can be listed.

The complaints appeals procedure for apprenticeships

The appeals panel will be small and constituted to be objective and independent.

The Apprenticeships Operations Manager will:

- Inform the quality assurance appeals panel of complaint within 20 days of start of formal stage
- The appeals panel will ensure that it has full account from all parties involved in the assessment
- No one involved in the original investigation will be on the appeals panel
- Notify the outcome of the appeals panel decision to the apprentice and or appropriate representative

TLE provides a system to support those making the complaint and the complaint documentation should be as simple as possible and should preferably be a pre-printed form.

External appeal

If the complaint remains unresolved after appeal, TLE can provide the appropriate external contact, including awarding organisations or funding body details, in order for an external appeal to be made.

Contact should be made to **apprenticeships@hcrgcaregroup.com** or to **tletraining@thelearningenterprise.co.uk** for relevant details. Before this is done, all stages of the complaint's procedure must have been exhausted.

Contact information

Apprentices can take advice and support from TLE either prior to making a complaint or during the complaints process at:

Address; Director of Operations TLE, The Learning Enterprise, The Heath Business and Technical Park, Runcorn, Cheshire, United Kingdom, WA7 4QX

Apprentice email; **apprenticeships@hcrgcaregroup.com**

eLearning and classroom email; **tletraining@thelearningenterprise.co.uk**

Apprentices and Employers can contact the apprenticeship helpline regarding apprenticeship concerns, complaints and enquiries:

National Apprenticeship Helpline
email: nationalhelpdesk@apprenticeships.gov.uk
Tel: 0800 015 0400

If having followed TLE's complaints and appeals process as described in the apprenticeship handbook, the complainant remains unsatisfied they can contact the ESFA who will check that TLE handled the complaint properly. The ESFA can't make a training provider change their decision.

Details in the link below.
Complaints about post 16 education and training provision funded by ESFA - GOV.UK (www.gov.uk)