

## Complaints and Appeals Policy

### 1. Context and Scope

- 1.1. This policy and procedure relate to all activities and delivery of provision by Diamond People (NE) Limited trading as Tyneside Training Services (TTS).
- 1.2. TTS is a provider of commercial and funded training primarily within the Logistics Sector. Provision is blended and includes face-to face delivery, online learning and practical face-to-face delivery, primarily from its Sunderland training site.
- 1.3. All references to “apprentices” shall be deemed to also apply to “learners”. For the avoidance of doubt, this policy will apply to those learners undertaking commercial programmes of learning with TTS who are not utilising government or devolved education funding of any kind.
- 1.4. This policy shall apply from the start of all contractual relationships and will be made available to potential contractors, partners, employees and apprentices via the company’s website. It is the responsibility of the interested party to ensure that they have read, understood and are compliant with the policy, prior to any meeting with TTS. For the avoidance of doubt, “start of all contractual arrangements” shall include the commencement of recruitment processes and accordingly prospective employees should ensure that they are familiar with the policy prior to application. At all times, safer recruitment processes will be adhered to.
- 1.5. This policy shall apply from the commencement of an apprentice’s journey. For the avoidance of doubt this will include the initial contact between the apprentice and TTS.
- 1.6. This Policy outlines the **Complaints Procedure for staff, apprentices and employers, with specific detail for apprentices on how to appeal assessment decisions.**

### 2. Introduction and Policy Aims

- 2.1. The complaints policy and procedure provides apprentices with a mechanism to have concerns and complaints address efficiently and effectively, in the interests of the continuous improvement of the provision.
- 2.2. The aim of the policy and procedure is to provide an accessible, fair and straight forward system which enables individuals to raise concerns and ensures a timely and appropriate response.
- 2.3. This will be achieved by:
  - 2.3.1. Ensuring that every learner and apprentice receives full support and guidance within their learning, assessment and working environment that recognises diversity and inclusion.

- 2.3.2. Providing clear and easily accessible details of the Complaints and Appeals Policy and Procedure and to whom complaints should be directed.
- 2.3.3. Completing competent, comprehensive and objective investigations with a view always, to get to the root of the issue.
- 2.3.4. Ensuring privacy and confidentiality when investigating complaints and appeals.
- 2.3.5. Carrying out analysis of complaints received to ensure lessons are learned.
- 2.3.6. Continually benchmarking internal procedures against external expectations and experiences.

### 3. Defining a Complaint

- 3.1. A complaint is the formal expression of dissatisfaction with the service or conduct received from TTS or its employees/ partners.
- 3.2. TTS recognises that complaints can be made from any stakeholder and have trained all employees to resolve a large variant of complaints effectively.
- 3.3. All complaints will be dealt with on a case-by-case basis and the individual aspects of each situation will be thoroughly reviewed.

### 4. Complaints Policy

- 4.1. All apprentices and stakeholders have the fundamental right to learn, be assessed and work in an environment that is free from discrimination, always bullying and harassment.
- 4.2. All apprentices, employees and stakeholders have the fundamental right to have equal access to training and assessment that enhances career progression and promotional opportunities through continuous professional development opportunities.
- 4.3. All apprentices will receive full support and guidance within their learning, assessment and working environment that recognises diversity, which always promotes and safeguards the apprentice's wellbeing.
- 4.4. This complaints procedure provides all apprentices and their delivery staff with a formal and effective mechanism to complain without fear of victimisation and repression.
- 4.5. Apprentices who believe they are being subjected to, or are suffering because of victimisation, discrimination, bullying, harassment or being prevented from equality of opportunity will be encouraged and supported to execute these procedures to seek confidential guidance and support that is intended to resolve the issues that have initiated the complaint
- 4.6. If you feel you are being discriminated against, bullied or harassed you should seek guidance and support immediately. Our procedures offer such guidance and support and can ensure any approaches to our employees will remain private and confidential.

- 4.7. TTS will also ensure staff are strictly discreet in their approach if you have a complaint or concern. You should, in the first instance, approach your trainer/assessor. If you do not feel you can approach your assessor, or the trainer or assessor is the subject of the complaint, the initial concern should be raised with the Head of Centre, whose contact details are below. The contact details for tutors are issued to apprentices during induction.
- 4.8. Whoever you contact will then investigate your complaint or concern with your permission and extremely discreetly and in line with the Complaints Procedure outlined below.

## 5. Who Should you Complain to?

- 5.1. Complaints should be made to the Head of Centre.
- 5.2. The current Head of Centre is Allan McNaught whose email address is [allan@tynesidetrainingservices.co.uk](mailto:allan@tynesidetrainingservices.co.uk) and telephone number is 0191 286 2919

## 6. Complaints Procedure

- 6.1. Where training of apprentices is undertaken on TTS premises, the approved organisational procedures, relevant to the nature of tasks, activities, working environment involved with the training, will apply.
- 6.2. Complaints should include the following information:
- Name of complainant (person & organisation if appropriate)
  - Address
  - Telephone number
  - Training the complaint relates to
  - Details of complaint
  - Any specific action/outcome requested
- 6.3. Receipt of a complaint will be acknowledged within 3 working days.
- 6.4. On receipt of a complaint, a thorough investigation shall be conducted.
- 6.5. TTS will aim to resolve the complaint within 10 working days. Where this is not possible, the complainant will be contacted and notified of the expected timescale.
- 6.6. If the complaint is about a member of staff, HR will be informed and the appropriate HR action will be invoked if appropriate.
- 6.7. The investigating manager will:
- Record their findings
  - Identify the actions that need to be taken to resolve the complaint
  - Put in place an action plan to address the issues raised
  - Confirm any actions required with HR if the complaint is about a staff member

- Respond in writing to the complainant to detail the outcome of the investigation and the resulting actions to the complainant.
- 6.8. All complaint responses must be authorized by the Head of Centre prior to sending.
- 6.9. If actions have been identified and an action plan put in place, it is the responsibility of the Head of Centre to ensure that the actions have been completed and to confirm this to the complainant.
- 6.10. Any complaints and investigations and resolutions resulting from these should, where appropriate, be reflected in the Quality Improvement Plan to ensure they are used to inform future planned improvements and drive forward the quality of provision in the spirit of continuous improvement.

## 7. Unsatisfactory Resolutions

- 7.1. Where a complainant is not satisfied with the outcome of their complaint, they must respond and confirm why they are unhappy with the result.
- 7.2. This referral should be addressed to the Managing Director who will carry out a further investigation within 10 working days.
- 7.3. Where a complainant still remains dissatisfied with the resolution to their complaint, and where this concerns education specifically, they can contact the ESFA.
- 7.4. Contact Details for the EFSA:

[complaints.esfa@education.gov.uk](mailto:complaints.esfa@education.gov.uk)

Complaints Team  
Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

## 8. Appeals Procedure

- 8.1. Learners and apprentices are entitled to make a formal appeal against an assessment decision and require the assessment decision to be revisited, investigated and rectified (where appropriate to do so).
- 8.2. The Appeals Procedures are a systematic procedure which will determine whether the assessor has used assessment practices that are consistent with the internal and external assessment strategies agreed through the relevant awarding organisations. It will

determine whether assessment practices have been applied correctly and fairly to arrive at fair and consistent assessment decisions/judgements about the evidence presented.

## 9. Informal Appeal

9.1. An apprentice or learner can choose to raise an Informal Appeal to the assessment decision. The use of this mechanism does not preclude the learner or apprentice from pursuing a Formal Appeal.

9.2. The Informal Appeals Procedure is as follows:

1. The learner or apprentice raises the appeal with the assessor within 5 working days of the assessment.
2. The IQA reviews the assessment against internal and external benchmarks and confirms the outcome to the complainant within 10 working days.

## 10. Formal Appeal

10.1. An apprentice or learner can raise a Formal Appeal against an assessment decision.

### Stage One

10.2. The learner or apprentice should appeal in writing to the assessor, clearly stating the points of the disagreement and the evidence in their portfolio which the complainant believes meets the requirements of the performance criteria, knowledge and range for claiming competence.

10.3. The assessor will meet with the complainant within 10 working days and go through the assessment process, clearly explaining how they have arrived at their conclusions. The assessor will confirm the findings to the apprentice in writing within the following 5 working days.

### Stage Two

10.4. Complainants who are not satisfied with the outcome of Stage 1 can then appeal in writing to the IQA Lead. The appeal does not have to contain the detail given before as the documents from Stage 1 should be passed to the internal quality assurer. The IQA Lead will meet with the complainant and the assessor within 5 working days and will confirm the findings in writing to both the complainant and the assessor within 5 working days.

### Stage Three

10.5. The Apprenticeship Manager who will consider the appeal using all information gained from the complainant, the assessor and the IQA Lead involved in the appeal. The Apprenticeship Manager will make decisions and judgements to report the appeal to the relevant awarding organisation and inform the apprentice of the decision in writing within 10 working days.

- 10.6. Where a decision is made at any stage to overturn the assessment decision, the respective lead will liaise with the relevant awarding organisation. The Awarding Organisation's Appeal Procedure will be followed. All documents collected from each stage of the process will be made available to the Awarding Organisation.

## 11. Policy Promotion and Gaining Commitment

- 11.1. A comprehensive induction programme will communicate the principles and concepts of appeals and complaints policies and procedures to employees, employers, learners and apprentices.
- 11.2. The policy is made available to Learners and apprentices via the organisation's website and to personnel via the intranet.
- 11.3. Changes to policies and or appeal trends will be communicated to the wider delivery team and where required, additional training will be provided.
- 11.4. Records of complaints and appeals will be retained by TTS for a minimum of 18 months.
- 11.5. Regular Continuous Professional Development will be provided to delivery personnel to strengthen and continually improve assessment activity.
- 11.6. The policy can be found on the organisation's website at:  
<https://www.tynesidetrainingservices.co.uk>

## 12. Monitoring and Review

- 12.1. The Board of Directors will be responsible for monitoring and reviewing the Policy. As a minimum this policy will be reviewed annually, but also in instances of a change to the procedures of awarding organisations or adopted assessment methodologies.
- 12.2. Monitoring will include assessing how this policy is working in practice, reviewing this annually, and considering and taking action to address any issues.
- 12.3. Any improvements identified as a result of any complaints made will be added to the Quality Improvement Plan to ensure they are completed, followed up and reviewed as part of the business's commitment to continuous improvement.
- 12.4. This policy was last updated on 26th April 2022 when minor additions to the apprentice absence process were made and the context was updated.
- 12.5. The policy is scheduled to be reviewed on 26th April 2023.

## 13. Version Control

<b>Version:</b>	2.0
<b>Reviewed by:</b>	Allan McNaught
<b>Reviewer's position:</b>	Head of Operations
<b>Reviewer's signature:</b>	
<b>Review date:</b>	26 April 2022
<b>Next review date:</b>	26 April 2023