



Complaints and Learner Grievance Policy

Version 11

Next Review due date: Jan 2025

Reviewed by: DH

Date: Jan 2024

COMPLAINTS POLICY AND PROCEDURE

1. INTRODUCTION AND CONTEXT

- 1.1 The Complaints Policy and Procedure is intended to bring matters of concern to the attention of CSR and enable investigation of those concerns with the aim of a satisfactory resolution. This process provides welcome feedback to help us improve CSR services.
- 1.2 The Complaints Procedure is an integral part of CSR's quality assurance framework and helps us to identify areas of concern.

2. DEFINITION

- 2.1 A complaint is defined as an oral or written expression of dissatisfaction about an aspect of a service or about another matter of serious concern connected to an individual or group's experience of CSR.

3. PRINCIPLES AND SCOPE

- 3.1 This Complaints Procedure is for use by potential learners, employers, customers and the general public. For current learners, see section 10 for the learner grievance procedure with raising grievances relating to their programme of learning.
- 3.2 The Procedure aims to be simple, clear and fair to all parties involved, with informal resolution an option at any point. Complaints will be handled sensitively and with due consideration to confidentiality. Any person named in a complaint will be informed of the substance of the complaint and will have the right to reply as part of the investigation. Information contained within the complaint will be made available only to those parties involved in its resolution.
- 3.3 It is expected that, except in exceptional and fully documented circumstances, a complainant who wishes to make a complaint will invoke the Informal Stage within one calendar month of the incident.
- 3.4 No complainant bringing a complaint under this Procedure, whether successfully or otherwise will be treated less favourably by any member of staff than if the complaint had not been brought. If evidence to the contrary is found in this regard the member of staff may be subject to disciplinary proceedings under the relevant CSR policy.

4 MONITORING EVALUATION AND REVIEW

- 4.1 The Directors will oversee the tracking and monitoring of complaints progressed through the Procedure and will ensure that records show the nature of the complaint, how it was dealt with, the time taken for each part and the outcome. All complaints will be monitored in accordance with CSR's Equality & Diversity Policy.
- 4.2 The Complaints Procedure is one aspect of CSR's quality assurance procedures; complaints are therefore considered as useful feedback and, where appropriate, will be used to facilitate improvements to services and facilities. This will be achieved through annual reporting to the Board and an audit trail to ensure that outcomes and recommendations from the formal procedure are actioned. Complainant details will be anonymised before complaints are used for monitoring and evaluation purposes.

5 COMPLAINTS PROCEDURE

- 5.1 The procedure is divided into two parts, an Informal Procedure, which emphasises resolution at the 'local' point where the complaint arose, and a Formal Procedure, which involves the Directors as facilitator of the Procedure as well as an Appeals section. The role of the Directors is to ensure that the Formal Procedure is operated according to due process and with regard to the pertaining timescales aiming to resolve complaints within Part I and Part II as quickly as possible.

Should a complaint concern the work of the Directors, the Board will oversee the formal procedure.

- 5.2 Informal Procedure

Local Resolution

It is anticipated that most complaints can be resolved through informal means. Usually, problems can be resolved by explaining the situation from both sides and discussing ways forward. This being the case, resolution should be sought from the Service Area in which the complaint arose, by expressing the complaint to the most appropriate member of staff e.g. the Course Tutor or Apprenticeship Manager.

- 5.3 Formal Procedure

Dispute Resolution

- 5.3.1 The Directors will attempt resolution at any stage during the Formal Procedure, either by correspondence between the parties, or facilitation of a conciliation meeting between the complainant concerned and the managing member of staff. The circumstances of the complaint will dictate which of these methods is considered most likely to result in resolution of the complaint to the satisfaction of the complainant.

Part I

- 5.3.2 If the response to the complaint under the Informal Procedure is not considered by the complainant to be satisfactory, or if the complainant does not feel able to use the Informal Procedure, he/she may invoke Part I of the formal procedure by submitting the complaint in

writing to the Directors based at CSR's Head Office Address (see page 7). The Directors will acknowledge receipt of the complaint within five working days.

- 5.3.3 Part I of the formal procedure would comprise of an initial investigation of the complaint beginning within 10 working days of receipt of the notification and the outcome sent to the complainant. Where necessary this will be followed by further investigation and a full response within one calendar month. During this time and if appropriate the complainant may be invited to attend a meeting to consider the complaint. He or she may be accompanied by a representative if they so wish. The Directors will keep all parties informed of progress and the reason for any delay in proceedings if applicable. The decision notified to the complainant will set out the steps to be taken to remedy the complaint, or the reasons why the complaint has not been upheld.

Part II (Appeal Stage)

- 5.3.4 If the response to the complaint following completion of the Part I procedure is not considered by the complainant to be satisfactory, he/she may invoke Part II (Appeal Stage) of the formal procedure by a request in writing, within ten working days of notification of the decision under Part I. The request should be addressed to the Directors outlining why the outcome of Part I is not satisfactory.
- 5.3.5 Taking into account the substance of the complaint and the previous attempts at resolution, the case will then be reviewed by the Directors, Board and Governors who will provide the complainant with a decision in writing within one calendar month of receipt of the complainant's request under the Appeal Stage. The Directors' decision will set out the steps to be taken to remedy the complaint, or the reasons why the appeal has failed. The decision will be final.

OUTCOMES OF THE COMPLAINTS PROCEDURE

- 6.1 Should a complaint be upheld, the Directors will make recommendations to the Board and Governors.
- 6.2 Recommendations may also be made to CSR's Board in respect of quality assurance procedures or policies.
- 6.3 If a complaint is not upheld, the complainant will be informed in writing with reasons for its rejection.
- 6.4 Any conclusions and recommendations will be communicated in writing to the complainant.
- 6.5 Annual Reports of complaints will be sent to the Board and Governors. This will assist in monitoring the effectiveness of the Complaints Procedure and identify relevant quality assurance issues.

7 TRAINING AND AWARENESS

- 7.1 The Directors will facilitate activities to raise awareness of the Complaints Procedure. They, the Quality Manager and the Apprenticeship Manager will also provide support and guidance for staff, learners, employers, clients and members of the public in handling complaints and resolving them as close as possible to their point of origin.

8 INDEPENDENT REVIEW APPEALS PROCESS

8.1 If the complainant remains unsatisfied following a thorough investigation by CSR and its Board and Governors, CSR will arrange for an independent review to be carried out. The independent reviewer:

- will not be an employee of CSR or be otherwise connected to CSR.
- must have the relevant competence to make a decision in relation to the appeal
- must not have a personal interest in the decision being appealed.

The Independent Reviewer will review all the evidence which took place during previous stages and review whether CSR have applied the procedures fairly, appropriately and consistently in line with this policy.

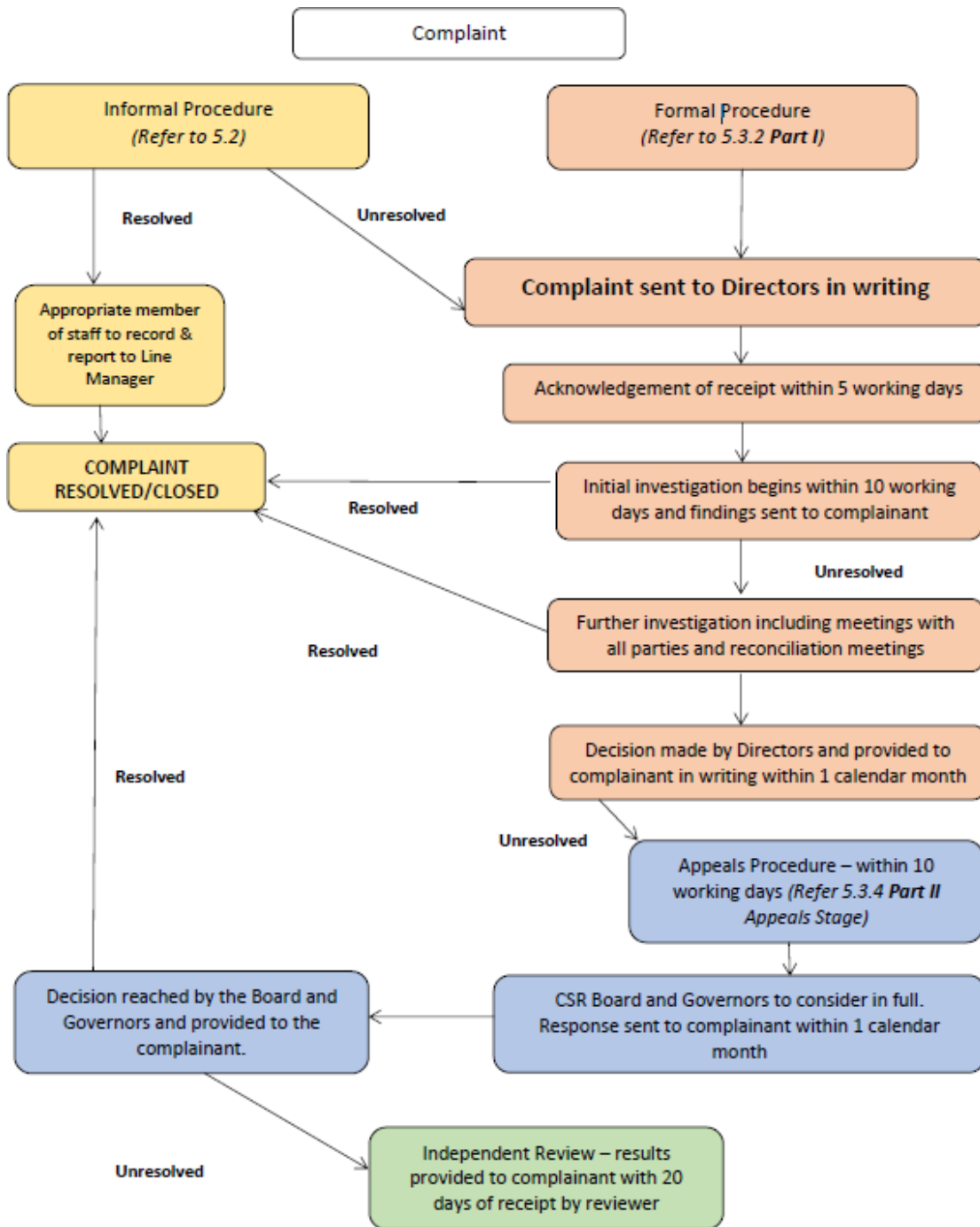
The independent review process may involve:

- a discussion with the complainant and CSR staff
- a request for further information from the complainant and CSR staff
- a meeting with complainant and CSR staff. The Independent Reviewer's decision is final in relation to how CSR will consider such appeals and will inform the complainant of the outcome of the review within 20 days of receipt of the independent appeal.

9. STORAGE AND USE OF INFORMATION

9.1 All information and data collected regarding any complaints made to CSR will be stored securely. Depending on the nature of the complaint this information will be stored against either an employer or apprentice. This information will only be made available to relevant persons.

9.2 Information may be used to review associated processes and policies to ensure that the 'failure' does not occur again or mitigate the situation as far as possible if the failure that occurred cannot be corrected.



Formal complaints should be made in writing to the CSR Directors at the following address:

CSR Scientific Training Ltd
 1b Mitre Court
 Lichfield Road
 Sutton Coldfield
 B74 2LZ

10. LEARNER GRIEVANCE PROCEDURE

This grievance procedure is intended as the tool by which a learner may formally raise a grievance, relating to their programme of learning, heard by the management of CSR. The aggrieved learner has the right to representation by a work colleague or another suitable person.

In the event of a learner wishing to raise a grievance, it is preferable for the grievance to be satisfactorily resolved by the individual and their Tutor/assessor if possible. It is understood however that this is not always possible and that a formal procedure is required to ensure the swift and fair resolution of matters which may aggrieve the learner.

Time scales have been fixed to ensure that grievances are dealt with quickly, however these may be extended if it is agreed upon by both parties.

This procedure is not intended to deal with appeals relating to marking or assessment of learners' assignments or portfolio of evidence. Appeals relating to these would be covered by the CSR Appeals Procedure (for learner appeals against assessment decisions).

The process to be followed in the case of a learner grievance is outlined below:

Stage 1

A learner who has a grievance, should raise the matter with his/her Tutor/Vocational Skills Coach immediately either verbally or in writing. If the matter itself concerns the learner's Tutor/Vocational Skills Coach, then the grievance should be taken to the CSR's Apprenticeship Manager.

If the Vocational Skills Coach/Tutor is unable to resolve the matter at that time, then a formal written grievance form should be submitted (see appendix 1). The Tutor/Vocational Skills Coach should respond within 5 working days to the grievance unless an extended period of time is agreed upon by both parties. The response will give a full written explanation of the Tutor/Vocational Skills Coach's decision and who to appeal to if still aggrieved. The Tutor/Vocational Skills Coach must bring the grievance to the notice of the CSR Director, who will notify the learner's employer.

Stage 2

If the matter does not come to a close and the learner remains aggrieved, then they can appeal against the decision of the Tutor/Vocational Skills Coach concerned.

The appeal, to the Director, must be made within ten working days of the original response to the learner's grievance. The appeal must be in writing (see appendix 2) and contain the original formal Grievance form. The Director will attempt to resolve the grievance involving, if required and appropriate, the learner's employer. A formal response and full explanation will be given in writing, as will the name of the person to whom they can appeal if still aggrieved, within 20 working days. Throughout the process, the learner's employer will be kept informed.

For learners on the Higher Nationals programme, if the matter is not resolved following the above procedure, you are entitled to make a complaint to the Office of the Independent Adjudicator. Further information about this process can be found [here](#).

There is no further right of appeal. Where however **both** parties agree that there would be some merit in referring the matter to a third party for advice, conciliation or arbitration, arrangements will then be made to find a mutually acceptable third party.

Using mediation

An independent third party or mediator can sometimes help resolve grievance issues before it is necessary to invoke the formal procedure. Mediation is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement. Any agreement comes from those in dispute, not from the mediator. The mediator is not there to judge or to tell those involved in the mediation what they should do. The mediator is in charge of the process of seeking to resolve the problem but not the outcome.

There are no rules for when mediation is appropriate but it can be used:

- at any stage in the conflict as long as any ongoing formal procedures are put in abeyance
- to rebuild relationships after a formal dispute has been resolved
- to address a range of issues, including relationship breakdown, personality clashes, communication problems and bullying and harassment.

Mediation is not part of CSR's formal grievance procedure. However, if both parties agree to mediation, then the grievance procedure can be suspended in an attempt to resolve the grievance through that route. If mediation is not successful, then the grievance procedure can be re-commenced.

Any learner making a malicious complaint could lead to disciplinary action being taken. Please also consult the following policies and procedures:

- Student Disciplinary issues (covered by the Academic Misconduct Policy)
- Allegations of discrimination (covered by the Equality & Diversity Policy)
- Learners Appeals Procedure (for Learners' Appeals against Assessment Decisions)

Appendix 1

To:

From:

Organisation:

Date:

Immediate Line Manager:

Dear

I wish to take a formal grievance out against:

in line with the Learner Grievance Procedure. The details of my grievance are shown below:

Yours sincerely,

Note: Tutor/Vocational Skills Coach should respond to this formal written grievance within 5 working days unless an extended period for response is mutually agreed.

Appendix 2

To: CSR Director

From:

Organisation:

Date:

Immediate Line Manager:

Dear

On (within 10 days of the response to the second stage of the formal grievance) I appealed against the decision made at my initial grievance against

I remain dissatisfied with the outcome of this meeting and would like to appeal to you for a further hearing of my grievance, in line with the Learner Grievance Procedure.

I enclose a copy of the original letter regarding this matter and other correspondence and information related to it.

Yours sincerely

Note: CSR Director should respond to this formal written grievance within 20 working days unless an extended period for response is mutually agreed)