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# **COMPLAINT AND GRIEVANCE POLICY**

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Last Updated	August 2022
Next review	August 2023

## Introduction

The Academy strives for excellence in the services it offers. However, it accepts that, on occasions, individuals will feel the need to complain. The Academy will ensure that a set of procedures exists to deal speedily with such complaints in a fair and equitable manner.

The intention behind the Complaints Procedure is to:

- improve the service the Academy provides to learners, employers, staff and the broader local community
- clarify for staff and learners the procedures for handling complaints
- ensure and encourage that the procedures are sensitive to issues of confidentiality
- encourage clients to seek means of resolving problems without further or more formal procedures.
- provide where appropriate means of recording both the nature of complaints and the effectiveness of their resolutions
- encourage a regular process of monitoring and reviewing records within the quality assurance framework.

## Who can complain?

Complaints can be made by any of the client groups i.e learners, employers and staff members if and when applicable.

## What can be complained about?

Complaints can be made about:

- unfair coursework marking and grading
- other learners
- course tutors
- non-academic staff, including management
- alleged unfair treatment at the place of work
- Academy policies and practices

For complaints against unfair coursework marking and grading it is appropriate to refer to Procedure 2.1 Academic Appeals.

## Issues excluded from Complaints procedures

There are three issues excluded from the complaints procedures:

- services outside the Academy's control, e.g, funding criteria,
- issues involving criminal offences.
- matters dealt with under other procedures such as the Disciplinary Procedures

If the complaint is found to be malicious, action may be taken against the Complainant

## Possible outcomes of complaints

The possible outcomes are:

- an apology and/or appropriate redress.
- a correction of any error
- an improvement in services

## The processes of a complaint

The process of complaints is a 4 stage process (see below)

## Monitoring and review

The Academy will maintain confidential records of all complaints that are dealt with. Data on the numbers of complaints and issues involved will be held but not the names of the individuals or specific courses involved.

## Training and support

The Academy will ensure that all persons involved in the implementation of this procedure will have access to appropriate training and support.

As it is recognised that staff who are the subject of a complaint can find it a very stressful experience, support will be provided as and when appropriate.

If members of staff are affiliated with a recognised Trade Union they may find it helpful to discuss the matter with their representative. They are entitled to union representation during the investigation of any complaint.

## Complaints process

It is the aim of Applied Business Academy Ltd (ABA) to provide a quality service for its customers by working in an open and accountable way that builds the trust and respect of all our stakeholders.

One of the ways in which we can continue to improve our service is by listening and responding to the views and complaints of our students, prospective workers or employees, contractors, or temporary staff (hereinafter referred to as complainant(s)), in particular by responding positively to complaints and by putting mistakes right. Therefore, we aim to ensure that – making a complaint is as easy as possible; – we treat a complaint as an expression of dissatisfaction with our service which calls for a prompt response; -- we respond with an explanation or an apology where we have got things wrong or information on any action taken etc; – we learn from complaints, use them to improve our service, and review annually our complaints policy and procedures.

We recognise that many concerns will be raised informally and dealt with promptly and quickly. Our aims are to resolve informal concerns promptly and enable mediation between the complainant and the individual to whom the complaint has been referred. An informal approach is appropriate when it can be achieved. But if concerns cannot be satisfactorily resolved informally, then the formal complaints procedure should be followed. ABA defines a complaint as ‘any expression of dissatisfaction that relates to organisation and that requires a formal response’.

The organisation’s responsibility will be to ensure that all complaints are handled fairly, consistently and resolved promptly acting where appropriate. A complainant’s responsibility is to bring their complaint, in writing, to the organisation’s attention as soon as reasonably possible or raise concerns promptly and directly with a member of staff in ABA, explaining the problem as clearly and as fully as possible, including any action taken to date and allowing the organisation a reasonable time to deal with the matter. It is also important to recognise that some circumstances may be beyond the organisation’s control.

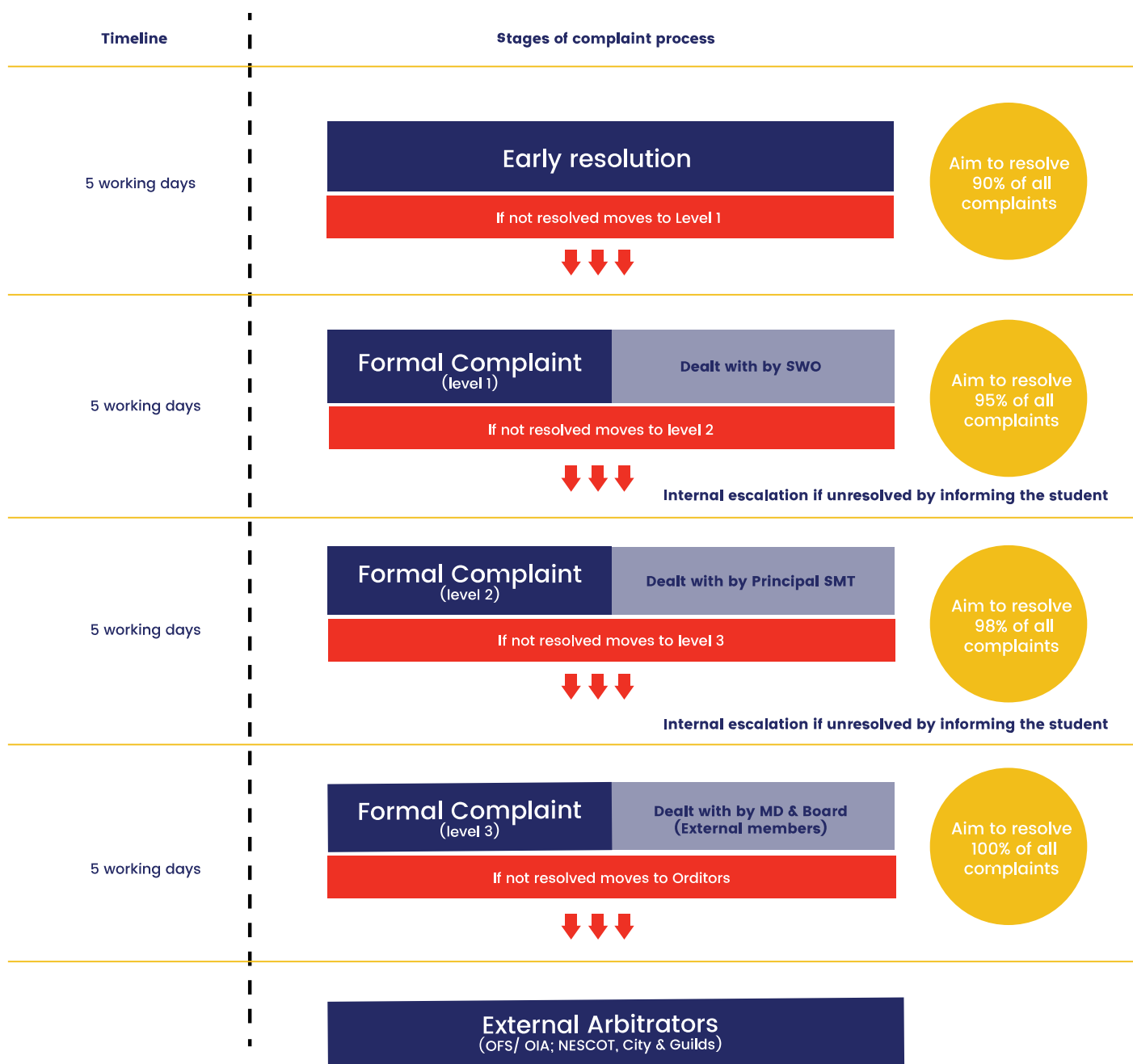
The Managing Director will receive a periodic report from the respective Managers of complaints made and their resolution.

### Formal Complaints Procedure

- It is a formal way to progress a complaint through ABA; however, it should not interfere with or replace informal discussions with staff and Student Welfare Officer



## Complaints process flowchart



## Stage 1 – Early resolution

<b>Aim:</b>	To resolve 90% of complaints at this stage
<b>Response time:</b>	5 working days

- This process is to address concerns at a local level, anyone who has an issue with a person or procedure relevant to the organisation is able to seek and discuss their concerns. It is common for this resolution to be carried out before the person escalates the matter into a formal complaint. This discussion can be carried out face to face, with an appropriate member of staff or respective third party conciliator to deal with the matter. A standard turnout to resolve the matter is within 5 working days of it being raised by the person.

## Stage 2 – Formal Complaint Level 1

<b>Aim:</b>	To resolve 95% of complaints at this stage
<b>Response time:</b>	5 working days

- This process begins when a person has decided to put forward their concerns in writing by sending an email to [Complaints@abacademy.co.uk](mailto:Complaints@abacademy.co.uk) or passed on from the responsible member of staff. following from an early resolution meeting with an appropriate person at the institution where the person remains dissatisfied and wants to initiate the formal process.

Upon receipt of the written complaint, the Student Welfare Officer may subject to the nature and intensity of the complaint escalate this directly to Level 2 or 3 in the complaint process for a quick resolution.

If the complaint is towards the Student Welfare Officer, then the written complaint will be redirected to the Principal who would look to take forward the complaint through the formal process.

The meeting will involve a thorough investigation which includes identification if the complaint relates to several different incidents or specific to the conduct of staff member(s).

### **During the formal meeting, the following is likely to be identified:**

- Whether early resolution was attempted, if not, then the matter should be referred back to the early resolution stage if possible.
- Whether this matter is a complaint or relates to an academic appeal, if the latter, the case may be referred to or escalated to the academic appeals procedure.
- Collecting all necessary evidence tied to the matter and also putting in place a plan to hold any other formal meetings with staff members and other person(s) as required.
- Identifying what support and assistance could be put in place for the person to take the matter forward.
- Understanding the expected outcome, the person is hoping for and whether this can be achieved.

All discussions taking place at the formal meeting will be recorded in writing for record purposes. Following the meeting, the complainant will be updated with the proposed actions to be taken.

We work towards producing a response within 5 working days from the date of formal meeting. In some cases, this may take up to 10 working days. The written communication will set out the outcome for the complaint and if the complaint is rejected at the initial evaluation, reasons will be outlined with clear explanations provided. The decision will also include information on:

- The complainant's right to take the complaint forward to the Level 2 in the formal complaint process within 5 working days from date of being notified of outcome
- Outlining the appropriate procedure
- Which grounds they are able to escalate the matter
- Support available to them should this be required

If the complainant does not escalate the complaint to Level 2 within the timeframe, we notify them confirming closure of the matter in writing known as a Completion of Procedures letter.

### Stage 3 – Formal Complaint Level 2

<b>Aim:</b>	To resolve 98% of complaints at this stage
<b>Response time:</b>	5 working days

- If the complainant is dissatisfied about the outcome of their complaint, they may appeal the decision for a review. The decision can be appealed by speaking to the Student Welfare Officer handling the complaint until now. This stage will involve allocation of a member of staff who has not been involved any previous stage during the complaint. A committee would be chaired by the Principal and members of the Senior Management Team. If the complaint is towards a member of the Senior Management Team, then the necessary individual(s) will not be invited to participate in this committee to mitigate conflict of interest.

#### During this stage, the following will be considered:

- Procedures were followed appropriately during Level 1
- Reasons have been clearly provided to the complainant on why the outcome was decided as rejected
- The provided outcome is reasonable taking into account all circumstances
- The complainant wishing to provide new evidence to support the complaint must provide valid reasons for not supplying this earlier

A follow up formal meeting may be held at this point with the complainant where they may be accompanied by someone at this stage and evidence submitted previously will be reconsidered. The complainant will be notified of the outcome in writing within 5 working days. The decision at this stage will be final. At the end of the complaints process, all records of complaints will be securely retained to ensure confidentiality and a clear audit trail.

## Stage 4 – Formal Complaint Level 3

<b>Aim:</b>	To resolve 100% of complaints at this stage
<b>Response time:</b>	5 working days

- If the complainant is still dissatisfied following the outcome of Stage 3 – Formal Complaint Level 2, they are entitled to address their complaint to the appropriate adjudicating committee. The members of this committee include the Managing Director, Chairman of the Board and an external independent member.

At ABA we always provide fair opportunity to our students and stakeholders to escalate any unresolved and/or unsatisfactory outcome to relevant funding agencies and awarding bodies. All relevant contact information is provided below.

After exhausting the process above, If the complainant is still unsatisfied and wishes to take the complaint further, subject to the nature of the complaint, they can reach out to one of the following organisations.

### Higher Education

Office for Students (OfS) – [Complaints about a university or college – Office for Students](#)

Office of the Independent Adjudicator (OIA) – [How to complain to us – OIAHE](#)

### Further Education

Education and Skills Funding Agency (ESFA)

[https://form.education.gov.uk/service/Contact\\_the\\_Department\\_for\\_Education](https://form.education.gov.uk/service/Contact_the_Department_for_Education)

### Awarding Organisations

Diploma in Education & Training Level 5 | City & Guilds

[Feedback and Complaints | City & Guilds \(cityandguilds.com\)](#)

Graduate Diploma in Teaching & Learning Level 6 | OTHM

[OTHM Complaints and Appeals Policy.pdf](#)

British Computer Society (BCS) | Digital Marketing Level 3

<https://www.bcs.org/media/2533/complaints-policy.pdf>

Functional Skills English & Maths Level 1 & 2 | NCFE

[Making a complaint | NCFE](#)

### Please note:

It is highly likely, you will be asked to provide the following with your complaint:

- Details of the complaint, including key dates – A copy of the original complaint you sent, to Applied Business Academy
- A copy of the final, response to your appeal, that you received from Applied Business Academy
- Permission to disclose details of your complaint, to Applied Business Academy



# Appeals / Complaints form

Please note that this form is to be used for any complaints or academic appeals

## Section 1 - Complainant details

<b>Full name</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Telephone no</b>	
<b>Email</b>	
<b>Department (if applicable)</b>	
<b>Programme of study</b>	
<b>Date of complaint</b>	

## Section 2 - Details of complaint or appeal

Please try to set out clearly and concisely what you are complaining about and why

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Please indicate the remedy you are seeking to your complaint.

**Signature of Complainant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### For Office Use Only

Date received:

Acknowledgement sent:

Reference number: