

|  |
| --- |
| **Complaints and Compliments Policy** |



|  |
| --- |
| Document Approval |
| Document Title | Apprenticeship Complaints and Compliments Policy |
| Version | V2 |
| Name of approver |  |
| Date |  |
| Signature |  |

**Policy Statement**

The Learning Experience Team welcome feedback and take all complaints seriously, whilst also valuing compliments. We will act appropriately whenever complaints are received. The Learning Experience Team takes the view that a complaint is an opportunity to improve our level of service.

When a complaint or compliment is received, it is forwarded to the Apprenticeship Quality Manager for recording and disseminating as appropriate.

The Learning Experience Team categorises complaints as informal or formal. Complaints may be raised informally (i.e., in day-to-day conversation with staff) which should then be dealt with immediately to prevent any escalation of dissatisfaction. However, where this is not possible, our escalation process will look to resolve complaints to a satisfactory outcome.

**Responsibility**

This policy is owned by the Head of Learning Experience, supported by the Apprenticeship Quality Manager. Updates are completed annually or if any changes are made by the AQM. Updates and content are reviewed by the HoLE. It is the responsibility of all members of the Learning Experience Team to be aware of this policy and adhere to its content.

**Scope and Definition**

Our complaints and complements policy, along with our library of LNER Learner policies and procedures, sets out the principles and requirements by which LNER will enhance learning through apprenticeships/Learning Programmes. The Policy applies to all LNER Apprentices/Learners in connection with the training, development and support they receive during their apprenticeship/learning programme.

A complaint is an objection to something that is unfair, unacceptable, or otherwise not up to normal standards. While we strive to work to the best of our abilities it is accepted that at times there may be occasion where our delivery falls below the level of standard expected.

Concerns about issues not connected with the apprenticeship/learning programme should be raised using LNER’s established mechanisms including but not limited to: Close Call, Grievance, Bullying and Harassment, and Whistleblowing.

**Making a Complaint**

Ordinarily, anyone wishing to make a complaint should complete a Complaints Form (see page 4). However, it is recognised that it is not always possible to do this and therefore a letter, email, or telephone complaint will suffice addressed to the Apprenticeship Quality Manager who will acknowledge receipt of the complaint within three working days. The AQM will liaise with the Head of Learning Experience (or in their absence a member of the People Leadership Team (PLT)) who will direct the complaint to the most appropriate manager to investigate. The investigating manager will respond directly to the complainant.

Once an investigation is initiated, it should be completed and reported upon within fifteen working days. If that cannot happen, for whatever reason, it is the responsibility of the investigating manager to keep the complainant informed as to the reasons why and the anticipated conclusion date. All complainants will receive a written response outlining the actions taken to resolve it and detailing any mitigating circumstances arising from the investigation. Complainants will be made aware of the appeal procedure at this stage.

An informal complaint may mean that no further action will need to be taken, but the complaint will be recorded, and a copy forwarded to the relevant Manager for information. In all cases, the complainant will be made aware that if they want a resolution to their complaint, then they must follow the procedure for a formal complaint as set out below. If a pattern of a particular type of informal complaint begins to emerge, the Head of Learning Experience may initiate an investigation.

Formal complaints will be investigated by an appropriate manager. The complaints and compliments policy does not apply to appeals against an assessment decision relating to a qualification, award, progression on a programme of study or operational competency assessment. Further information about appeals against assessment decisions will be provided on request.

**Confidentiality and Safeguarding**

All complaints will be treated with due sensitivity and confidentiality, without undue fear of reprisal or repercussion, and access will be provided on a ‘need to know’ basis. We will work to instil a culture through which learners and employers feel confident to make a complaint where they have any perceived grievance. By submitting a letter of complaint, the complainant is agreeing that the company can share details of the complaint, where necessary, to facilitate its resolution.

A copy of the complaint will be circulated to the individual(s) who are subject to the complaint only where appropriate as part of the complaint investigation. Where the complaint proceeds to appeal stage, documentation relating to the complaint will be circulated to those involved in the process of appeal. Where the complaint is about a member of staff the concern will be passed to the Company’s Human Resources department on receipt. If the complaint is taken by them, we will write out to inform you of this, but no further information will be provided on any outcome found.

All material content related to a complaint will be stored in line with the General Data Protection Regulation (GDPR) 2016/679, with no threats to misuse or use for purposes other than those outlined in the initial complaint. Any data held or processed will only be used for the purpose of dealing with complaints and for monitoring and will be deleted/destroyed once the complaint is resolved.

**Appealing the Outcome of a Complaint**

The complainant can appeal against the outcome of the investigation. This must be in writing and received by the Head of Learning Experience within ten working days from the date of the written response sent regarding the outcomes of the complaint. The Head of Learning Experience will then investigate the circumstances surrounding the initial investigation or assign a new investigating (appeal) manager to do this.

Complainants may be invited to a meeting to consider the appeal, and this will ordinarily take place within fifteen working days of the Head of Learning Experience receiving a written notice to appeal. Where it is not possible to hold such a meeting within this timescale, they will be kept informed and the manager considering the appeal may do this through a telephone conversation.

Complainants will receive written notification of the appeal decision. Ordinarily this will be within five working days of the meeting to consider their appeal. The decision reached, as a result of the appeal investigation, will be final.

If the complaint is about an aspect of Learning or Development activity which is not funded from an external funding body, then there is no automatic right of appeal. There are three situations in which such appeals can be made. These are:

a) Complaints from students undertaking LNER run courses, where the Awarding Organisation allow appeals from students studying their qualifications within the business. Some Awarding Organisations (such as CMI, IOSH and Signature) allow students who have been studying the right to appeal any complaint that LNER has dealt with to them. LNER will ensure that complainants are made aware of the contact details, timescales and other information required to appeal the LNER’s decision should that facility exist.

b) Complaints from students undertaking courses funded by the Education and Skills Funding Agency (ESFA). Where the course has been funded by the ESFA, appeals about the outcomes of a complaint could be directed to them. The ESFA will not usually investigate complaints until the internal procedure, including the appeal, has been exhausted. Appeals to the ESFA should be made within 3 months of getting a decision from LNER. More information can be found on the following website https://www.gov.uk/complainfurthereducation

ESFA Apprenticeship Support Service 0800 015 0600

helpdesk@manage-apprenticeships.service.gov.uk

c) Complaints Relating to Higher Education (HE) provision. If after the internal procedures for LNER have been exhausted the complainant remains dissatisfied, they may seek an independent review by the Office of the Independent Adjudicator for Higher Education (OIA). The OIA is an independent body established to consider student complaints which have not been resolved internally. Appeals to the OIA should be made within 12 months of getting a decision from the College. This service is free to students. More information can be found on the OIA website: www.oiahe.org.uk

Where the complainant is not content with the decision made, they may appeal to the relevant regulatory body (SQA Accreditation in Scotland, Ofqual in England).

