

### **Policy Statement**

The Apprentice & Training Partnership (“The ATP”) is committed to providing the best possible service to all its learners, visitors, parents and partners. We acknowledge that all parties are entitled to have any concerns listened to and addressed. In which case The ATP will respond quickly and effectively to any concerns raised.

These procedures are primarily for the use of learners, however, may be used by visitors, parents and partners who have permitted use of our services. In any circumstances of a staff complaint, appropriate HR procedures should be followed.

Complaints reports are prepared regularly to review trends by cause, site, ethnicity and disability. These reports are submitted to the Board. The investigator allocated to any complaint raised will review any systems relating to the complaint and recommend changes that would prevent a recurrence of similar complaints. These recommendations will be included in Quality Improvement Reports and Self-Assessment Reports of the organisation and will also be shared with relevant managers, for action and/or to feed their self-assessment process.

### **Responsibility**

Overall responsibility for this procedure lies with the Board, while day to day for implementation lies with the Senior Management Team.

All staff have a responsibility to try and resolve informal complaints prior to invoking the Complaints Procedure.

All staff have a responsibility to forward formal complaints to the Senior Management Team.

### **Policy**

The ATP will:

- Investigate complaints thoroughly and objectively and they will be regularly monitored by Senior Management and reported to the Board.
- Aim to reach an outcome or decision within the ten working days following a complaint – however some difficult to resolve complaints, may take longer.
- Will contact the complainant to advise if the investigation is likely to take more than ten working days and will keep them informed throughout the process.
- Aims to have communicated the outcomes or decisions to the complainant within fifteen working days after a complaint has been escalated.
- Will ensure that learners will not be treated less favourably following their complaint. If evidence is found that a complainant has been discriminated against as a result of making a complaint formal, staff disciplinary procedures will be followed.
- Will identify actions taken as a result of a complaint to improve and develop services.

## Use of Data in Complaints Process

Complaints are raised with the appropriate tutor/assessor and managers. These parties may need access to sensitive personal information (under the Data Protection Act) in order to come to a sound and fair conclusion. All personal details will be used appropriately and sensitively. Sensitive information will only be shared with those involved as part of the investigation process.

## Complaints Procedure – Learners, employers, visitors, parents and partners

Formal complaints can be made in the following ways:

**By telephone** – 0330 380 0249

**By email** – [info@theatp.co.uk](mailto:info@theatp.co.uk)

**In writing** – by completing the complaints form (Appendix A), which is available from the ATP website, your assessor and at the ATP reception.

The Complaints Form should contain as much detail as possible including:

- The full name of the complainant
- The complainant's date of birth
- The complainant's contact details

As part of our drive to improve all services for ATP customers, we will ask the complainant if they would like to disclose Equality and Diversity protected characteristic information, for example; their gender, age and ethnicity. These details help us to ensure that everyone is treated fairly and respectfully.

**If you disagree with an assessment decision made by your trainer/assessor or you wish to make a complaint, please follow the following procedure:**

There are 3 stages in the complaints procedure and each stage must be fully complete before proceeding to the next one. You are advised to keep copies of all the documents used in the complaints procedure.

### 1 Stage 1 ("on-the-spot" solutions)

- If you are still completing your course you must first contact your tutor who will ensure that your concerns are dealt with fairly and quickly.
- You should raise your concerns within 7 days of the matter in question. Your tutor will fully investigate your concerns and address accordingly.
- If your complaint is about your tutor and it would be inappropriate to discuss the matter with him/her you may begin with Stage 2.

### 2 Stage 2

- If you are not satisfied with the outcome of stage 1 or if you are no longer on your course please contact The ATP management team on 0161 273 8261 or email [info@theatp.co.uk](mailto:info@theatp.co.uk) where your concerns will be investigated.
- A response will be sent to you within 10 working days.

### 3 Stage 3

- If you are not satisfied with the outcome of Stage 2 you will need to complete the Complaints Form (which can be requested at [info@theatp.co.uk](mailto:info@theatp.co.uk)) and forward to the management team at [info@theatp.co.uk](mailto:info@theatp.co.uk) . This may be in writing in the post or via email.
- An investigation lead will be allocated within 2 working days of the receipt of your formal complaint. You are likely at this stage to be requested to substantiate any complaints or allegations with written factual evidence and/or signed statements from witnesses. This will assist in reaching a speedy conclusion to the complaint.
- The administrative department will monitor the progress of the complaint until the issue has been resolved. A response to your complaint/appeal will be sent to you within 28 days.
- The investigator will also review any systems relevant at the complaint, to identify and recommend changes that would prevent a recurrence of similar complaints (preventative action). These recommendations should be included on the Action and Tracking Form.
- The investigator may take advice from other internal and external agencies, as appropriate, in investigating the complaint.

### 4 Stage 4 – Appeals

- The complainant may appeal against a decision if they regard the complaint as still unresolved.
- The complainant should appeal in writing to the Head of Operations within 15 working days from the date that the final response was sent by the ATP.
- The letter of appeal must indicate, what are the complainant's reasons for appealing against the investigator's conclusions.
- The Head of Operations will review the documentation via an appeals panel if necessary.
- This review will consider whether or not the investigation has been fair, sufficiently thorough and proportionate in its judgements.
- It will not involve a re-hearing of the complaint nor a meeting with the complainant unless the investigation is found to have been unsatisfactory and further investigatory work is required.
- The decision of the Operations Director/ panel will be sent to the complainant within 15 working days.

If the complainant or learner is unsatisfied with the ATP's decision or handling of a complaint:

- They can write to the North West Skills Funding Agency.
- They can appeal to the awarding body, following their complaints/appeals process. Further information regarding the awarding body complaints/appeals process can be requested from your allocated investigator or by emailing [info@theatp.co.uk](mailto:info@theatp.co.uk)

If a learner is still unsatisfied with the final decision made by the awarding body, they can escalate their complaint or make an appeal to Ofqual, the Qualifications Regulator whose decision will be final. These processes should only be followed after all stages of the ATP's complaints and appeals processes have been exhausted.

Learners should be aware that disciplinary action will be taken if they provide untrue and misleading information or use foul or threatening language in any communication with and employee of the ATP.

If you require an electronic copy of the complaint/appeals form, or require the document in alternative formats such as braille/large print, please email [s.graham@theatp.co.uk](mailto:s.graham@theatp.co.uk). Alternatively please complete your hard copy and post to the following address:

The Apprentice & Training Partnership  
Customer Services  
Universal Square  
Devonshire Street North  
Manchester  
M12 6JH

**This policy should be read in conjunction with:**

- Assessment Appeals Policy
- Malpractice Policy

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