

Avant Skills Academy strives to provide a high-quality service to all customers and welcomes any comments about our services as they enable us to make continuous improvements. We welcome feedback in writing, via email, by telephone, in person or via our website. A copy of this Procedure is available on our website.

We also have a learner and employer survey process that regularly enables the formal evaluation of services, but also offers a further opportunity to comment on the services received. This is outlined in our *Learner, Employer and Partner Survey Procedure*. Additionally, learners in our training centre can make comments, compliments or suggested improvements in a box located in the kitchen. We take all feedback seriously and it is used to evaluate the quality of our provision and as part of our self-assessment arrangements. We operate a 'You Said/We Did' process, to communicate the outcomes of feedback received.

If you have had a positive experience we welcome your feedback and will share this with the team member that provided the service.

If you have a concern about any of our services and wish to make a complaint then we encourage you to discuss it with a team member, in the first instance. It is our aim to resolve complaints as quickly as possible. If you are not satisfied with the outcome at this stage, then the complaint can be referred to the formal procedure outlined below.

Complaints are defined as when any of our customers feels that we have not acted properly and fairly whilst dealing with them and want to tell us. We are receptive to genuine expressions of dissatisfaction. We offer the opportunity for customers to access a fair investigation of their formal complaint and this procedure outlines the process to be followed.

1 CONTACT DETAILS

Address: Avant Skills Academy
Pearl Assurance House
George Street
Grimsby
DN31 1HB

Telephone: 01472 426624

Email: ccc@avant.ac.uk

Website: www.avant.ac.uk

2 WHO CAN MAKE A FORMAL COMPLAINT?

- 2.1 This *Comments, Compliments and Complaints Procedure* does not relate to any complaints from the Avant Skills Academy team, as the organisation's *Grievance Procedure* would apply.
- 2.2 If you are a customer in receipt of a service supplied by Avant Skills Academy (including learners and employers engaged in learning programmes delivered directly by us or a sub-contracted Delivery Partner), you should follow this procedure.
- 2.3 You should make your complaint within 12 months of your dissatisfaction, or in the case of a learner or employer complaining about a delivery partner, 12 months from when the delivery partner's complaints procedure has been exhausted. This is because it can be very difficult to investigate complaints fairly if a long period of time has elapsed.

3 TYPES OF FORMAL COMPLAINT

- 3.1 The types of formal complaint we will investigate include:

- 3.1.1 The quality or management of learning provision;
- 3.1.2 Poor administration;
- 3.1.3 Learner Support Assessment;
- 3.1.4 Qualification assessment decisions;
- 3.1.5 Unsatisfactory, incompetent or unfair treatment;
- 3.1.6 Non-compliance with the requirements of the Data Protection Act;
- 3.1.7 Equality and diversity issues (except where there is a more appropriate mechanism for dealing with this matter through the courts, tribunals and other organisations);
- 3.1.8 Health and safety (unless these are matters for the Health and Safety Executive);

- 3.2 The types of complaint that we will **not** usually investigate include:

- 3.2.1 Examination results, as this should be addressed by the awarding organisation or the regulator of qualifications, examinations and assessments (Ofqual);
- 3.2.2 Individual employment issues, which are a matter for the employer and employee, where employment law provides appropriate remedies;
- 3.2.3 Contractual disputes;
- 3.2.4 Matters that are subject of legal action, or where legal proceedings are the most appropriate method of resolving the dispute;
- 3.2.5 Complaints that are more than 12 months old;
- 3.2.6 Where the complainant has not exhausted other available appeals procedures;
- 3.2.7 We reserve the right not to investigate complaints considered to be malicious or vexatious;

4 MAKING A FORMAL COMPLAINT

- 4.1 If a complaint is regarding a qualification assessment decision, please follow the process outlined in *Section 8* of this Procedure.
- 4.2 Formal complaints should be made in writing and include all necessary evidence and information to substantiate your complaint.
- 4.3 The formal complaint should be written for the attention of the *Director of Operations* either via letter or email in line with the contact details outlined on Page 1 of this Procedure.
- 4.4 If you have difficulty writing, or require assistance, please call the *Director of Operations* on the telephone number detailed on Page 1 of this Procedure.

5 HANDLING A FORMAL COMPLAINT

- 5.1 Following receipt of a formal complaint, this must be investigated by the *Director of Operations* within ten working days. An attempt will be made with the individual to find an acceptable solution to the complaint.
- 5.2 The complaint must be recorded on a ***Complaint Tracking Record*** and filed in the Complaints File (*Shared Drive:\Organisational\Documents\Complaints File*). Each complainant will be assigned a unique identifier, based on the initial of the individual, and/or organisation followed by the date. (E.g. a complaint made by XYZ on 1 July 2017, would be given the identifier XYZ010715).
- 5.3 If the investigation identified the formal complaint related to the safeguarding of children or vulnerable adults, *Section 8* of this procedure would be followed.
- 5.4 If the formal complaint is not a safeguarding issue, the *Director of Operations* will take full accounts from all parties concerned and after all evidence is collected, will formally make a judgement on whether or not the complaint was factually justified.
- 5.5 When an outcome has been reached all parties involved will receive written notification of the decision within seven working days of completing the investigation.
- 5.6 Our ***Equality Diversity and Inclusion Policy*** will be adhered to in the handling of any formal complaint.

6 APPEALS PROCESS

- 6.1 If the complainant is dissatisfied with the outcome of their formal complaint they have the right to appeal.

- 6.2 The complainant must present evidence of their original complaint to the *Chief Executive* within seven working days of the complaint decision.
- 6.3 The *Chief Executive* will review the evidence presented and determine whether the original decision was upheld or not and that the complaint was handled appropriately.
- 6.4 The complainant will be notified of the decision of the *Chief Executive* within seven working days of the appeal, unless there is a delay to the investigation in which case the complainant will be informed.
- 6.5 The decision of the *Chief Executive* is the final stage of our appeals process. If the complainant is not satisfied with the outcome of their appeal they have the option to follow *Section 9* of this Procedure.

7 QUALIFICATION ASSESSMENT DECISION APPEALS

- 7.1 All learners are entitled to fair and reliable assessment in which they play an active part. Learners therefore have a right to appeal against assessment decisions which are unclear or seem unfair. The main reasons for appeal are likely to be:
 - A learner does not understand why they are not regarded as competent, due to a lack of or unclear feedback from their *Programme Tutor Assessor*.
 - A learner believes they are competent and that the *Programme Tutor Assessor* has misjudged them or has failed to use some vital evidence.
- 7.2 If a learner is dissatisfied with an assessment outcome, they have a right of appeal. There are three stages in the qualification assessment decision appeals process. Each stage must be exhausted before proceeding to the next one. The learner needs to be advised to keep their own copies of all the documents used in the appeals process.
 - 7.2.1 Stage 1 - If a learner receives a decision that they are unsatisfied with, they have the right to appeal directly to the *Programme Tutor Assessor* who carried out the assessment. The appeal must be made in writing within **five** working days and clearly indicate:
 - The points of disagreement
 - The evidence of the assessment that the learner believes meets the requirements for claiming competence
 - 7.2.2 Stage 2 - If the learner is not satisfied with the outcome of Stage 1 of their appeal, they can appeal in writing within **five** working days to an Independent Assessment Panel. This panel consists of the *Chief Executive* and *Director of Operations*.

Both the learner and their *Programme Tutor Assessor* will be invited to present the case to the panel. The learner will receive a response within five working days.

The decision of the panel is final.

This is the final stage within our Qualification Assessment Decision Appeals Process.

- 7.3 If the learner is not satisfied with the outcome at Stage 2 of their appeal and they have exhausted the Qualification Assessment Decision Appeals Process, they should follow *Section 9* of this Procedure.

8 PROCESSING SAFEGUARDING COMPLAINTS AND ALLEGATIONS

- 8.1 Where a formal complaint or allegation is received that relates to the Safeguarding of children and vulnerable adults, the *Safeguarding Policy* will be followed.

9 DISSATISFACTION WITH THE OUTCOME OF A FORMAL COMPLAINT

- 9.1 If the formal complaint was related to a qualification assessment decision, the complainant can contact the relevant awarding organisation:

Accelerate People
Scale Space
58 Wood Lane
London
W12 7RZ

TQUK
2nd Floor, Durham House
Cross Street
Sale
M33 7HH

VTCT
Aspire House
Annealing Close
Eastleigh
SO50 9PX

- 9.2 If the formal complaint was related to a programme that was funded by the Education and Skills Funding Agency (ESFA), the complainant can contact the following:

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

Or email complaints.esfa@education.gov.uk

- 9.3 The complainant must have exhausted Avant Skills Academy's *Comments Compliments and Complaints Procedure*, before making a complaint to the ESFA.

9.4 Additionally, apprentices and their employers can contact the Apprenticeship Helpline regarding apprenticeship complaints, concerns and enquiries as follows:

<https://help.apprenticeships.education.gov.uk>

or contact 0800 0150400

The organisational policies and procedures that relate to this Procedure include:

- *Equality Diversity and Inclusion Policy;*
- *Grievance Procedure;*
- *Health and Safety Policy;*
- *Learner, Employer and Partner Survey Procedure;*
- *Safeguarding Policy;*

The organisational documents relating to this Procedure include:

- *Complaint Tracking Record;*
- *Contract for Services;*