



Complaints and Dispute Resolution Procedure.

Complaints Policy and Procedure

This policy, in line with the public interest disclosure act 1998, is designed to protect employees, learners, employers who make disclosures of certain types of information, in the public interest. It shields whistleblowers from retribution.

1 Introduction

Anderson Stockley Accredited Training Ltd (ASAT) is committed to providing a high-quality service for all learners and clients. Its policy is to welcome and try to resolve complaints from all who use ASAT Ltd and feel they may have a complaint/Dispute.

ASAT Ltd will deal with legitimate complaints/disputes in a fair, prompt and objective manner. Complaints will be dealt with without recrimination unless malicious and unfounded. Learners will not be disadvantaged by personally raising a complaint. Anonymous complaints cannot be accepted. However, all information is kept in strict confidence, shared only on a need-to-know basis with learner's/client's agreement if necessary.

ASAT Ltd will be fair in its treatment of all those who complain/raise a dispute irrespective of age, gender, ethnicity, disability and regardless of the nature of the complaint.

Complaints/disputes will be dealt with promptly and constructively. All complaints will be dealt with in confidence but shared with any person who may be the subject of a complaint. The outcomes of any complaint will be shared with the complainant and any staff involved. Complaints made that, on investigation, turn out to be malicious, may result in further action.

The Managing Director has overall responsibility for the Complaints and Dispute Resolution Procedure and may nominate another person to investigate the complaint. Where the Senior Business Manager is not available or not the most appropriate person to deal with the complaint, then a suitable alternative member of senior staff will be made available to deal with the complaint, or in the event it is not possible to respond within the timescales of this policy due to available staffing, then this will be communicated to the complainant.

2 Types of complaint

The types of complaint ASAT Ltd can consider are:

- Delivery (or lack of delivery) of services or training including teaching, course content, tutoring and learner support.
- The quality or management of learning provision
- Equality or diversity issues (except where there is a more appropriate mechanism for dealing with the matter through the courts, tribunals or other organisations)
- Health and Safety concerns (unless these are matter for the Health and Safety Executive)
- Incorrect or misleading information about services provided by ASAT Ltd
- Delivery (or lack of delivery) of support services provided by ASAT Ltd
- Unacceptable behaviour by any staff, learners or employers

The types of complaint ASAT Ltd cannot consider are:

- Examination results where a more appropriate redress would be the examining body or Ofqual.
- Implementation of mandatory adaptations due to unforeseen circumstances i.e. a global pandemic.
- Removal from a qualification if a learner has failed the maximum of attempts at exams as stipulated by the examining body.
- Removal from a qualification under the Fitness to Practise Procedure.
- Individual employment issues which are a matter for the employer and the employee, where employment law provides appropriate remedies.
- Matters that are the subject of legal action, or where legal proceedings are the most appropriate way of resolving the dispute.

It is expected that staff, learners and employers are tactful and courteous in dealing with each other when raising a complaint.

Resolving Complaints

At each stage of our procedure we will seek to resolve the complaint made. If appropriate we will acknowledge if the complaint is upheld in whole or in part and in addition we may offer one of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have taken to ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review our policies and procedures in light of the complaint
- an apology.

Withdrawal of a complaint

If at any time the complainant wishes to withdraw their complaint, we will require this to be confirmed in writing.

Stage 1: Informal resolution of complaints/disputes

Most complaints/disputes should be able to be resolved by discussion between the complainant and the appropriate member of staff, within 14 working days of an incident arising. This discussion will be documented and placed on record, including the scope of the complaint and the resolution reached.

Please note if the complaint is solely regarding an assessment decision, the appropriate appeals procedure must be followed. The discussion will take place via video call and will be recorded.

If the complainant is dissatisfied with the response received/no resolution is reached, they should then be guided to use stage 2 of the procedure.

Stage 2: Formal Discussion

If a resolution has not been reached at stage 1, ASAT Ltd will arrange a formal discussion to take place, with a senior member of our team via video call and will be recorded. Where appropriate, inviting the learner to attend, plus the member of staff from ASAT Ltd that carried stage 1 of the process. Attendees will be dependent on the complaint content.

All learners will be encouraged to bring a supporter to any interview. Vulnerable Adults and those under 18 years of age must have the support of their care worker if appropriate, or a person of their choice, who can act as their advocate and we must be informed prior to any meeting who will be in attendance.

This discussion will be documented and placed on record, including the scope of the complaint and the resolution reached.

If the complainant is dissatisfied with the response received/no resolution is reached, they should then be guided to use stage 3 of the procedure.

Stage 3: Formal Complaint made in writing

A formal complaint should be made in writing within 14 working days setting out the nature of the complaint and particulars of the matter, together with relevant supporting documents, from which the complaint arises, or from the date when the complainant received a reply to an informal complaint. The complaint should be sent to the Senior Business Manager. The complaint will be acknowledged to the complainant within 5 working days and the Senior Business Manager will attempt in good faith to resolve the complaint/dispute.

Senior Business Manager will carry out an initial assessment of the complaint within 5 working days taking into account Stage 1 and Stage 2 of the process. In most cases, complaints will be referred and carried out primarily by the Senior Business Manager.

Senior Business Manager will carry out a factual investigation of the complaint and may interview the complainant, the respondent, witnesses to the matter or events and anyone they believe may have a role in establishing or disproving the complaint, as necessary. They will prepare a summary and report back to the Director within 10 working days of the initial assessment.

The Director will record the outcome of the complaint and will notify all those involved in writing, with the outcome of the complaint and action to be taken, where applicable. All outcomes will be confirmed in writing to all those involved.

The formal complaint should be resolved within 14 working days of the original formal complaint made in writing. If it appears that a decision will not be reached within the due period, those involved will be advised of the need for a longer period and why.

4 The Appeals Procedure

Either the complainant or the respondent may appeal in writing, stating detailed reasons and listing any supporting new documents or reasons to the Director within 5 working days of receiving written confirmation of the outcome of the formal complaint. The appeal will be acknowledged within 5 working days and the Managing Director will review and notify the final decision in writing to all those involved within 14 working days of receiving the appeal.

If a resolution cannot be reached through ASAT Ltd learners/clients have the right to escalate their complaint to the relevant Awarding Organisation, Regulatory Bodies and Funding Partners.

We have a separate Appeals Procedure for disputes within the assessment process.

5 Monitoring the Procedure

It is essential that complaints are resolved promptly. The Director will check the status of complaints on a regular basis to identify outstanding complaints and ensure that the procedure is following the set time limits.

ASAT Ltd will hold a record of all complaints for 2 years for audit purposes.

ASAT Ltd complaints contact details:

FAO: Complaints
Unit 9 Prospect Court
Courteenhall Road
Northampton
NN7 3DG

Email – enquiries@asatraining.co.uk

NEBDN Complaints contact details:

FAO: Complaints
NEBDN
First Floor
Quayside Court
Chain Caul Way
Preston
PR2 2ZP

Email: info@nebdn.org

Apprenticeship Clients and Learners

To complain to the ESFA you must first have exhausted ASAT Ltd's own complaints procedure.

All Clients and Apprentices can contact the apprenticeship helpline regarding apprenticeship concerns, complaints, and queries on the details below and they will direct you to the correct department:

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

Alternatively please follow the link below for details regarding the ESFA's Complaints Procedure:

<https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>

Information held by ASAT Ltd complies with General Data Protection Regulation and is stored securely and used by those with sufficient authority to use it for the intended purpose.