



# Complaints and Appeals Policy And Procedure



## Our Aim

Umbrella Training Ltd is committed to providing a quality service and working in an open and accountable way that builds trust and respect. One of the ways in which we can continue to improve our service is by listening and responding to the views of our learners and clients, and 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 a clear expression of dissatisfaction with our service which calls for an immediate response;
- we deal with it promptly, politely and, when appropriate, confidentially;
- we respond in the right way - for example, 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 quickly. Our aims are to: resolve informal concerns quickly;

- keep matters low-key;
- 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 initially by speaking to your LDM or your Line Manager to raise issues. But if concerns cannot be satisfactorily resolved informally, then the formal complaints procedure should be followed.

## Grounds for Complaint

Unfair or discriminatory actions or decisions other than those which relate to the assessment process and decisions covering for example, information provided on qualifications, selection procedures, support for individuals, time taken to deal with enquiries or unfair or discriminatory treatment by anyone acting on behalf of Umbrella Training Ltd.

## Resolution of the Complaint

### Step 1

The individual who wishes to make the complaint must contact the Director of Excellence - Skills and Apprenticeships and state their complaint. The Director of Excellence – Skills and Apprenticeships will then record the complaint and request that the person complaining completes a “Complaints Form “within five working days.

### Step 2

On receipt of the written complaint, the Director of Excellence - Skills and Apprenticeships will, within ten working days, identify the relevant person to deal with the complaint, review the information and make recommendations for its resolution.

The relevant person may be:

- Curriculum Lead
- A manager from within the employee's organisation
- An independent person
- Another Director in the business

The Director of Excellence - Skills and Apprenticeships will then write to the complainant with recommendations for resolving the issue.

### Step 3

If the individual is unhappy with the action taken by the Director of Excellence - Skills and Apprenticeships, s/he can write, within 10 working days expressing the concern. The Director of Excellence - Skills and Apprenticeships will make a full report and discuss it with the Directors. S/he will then advise further action or support the initial decision

If the complaint is against the Director of Excellence - Skills and Apprenticeships, s/he will submit the complaint and the action taken to the Managing Director who will deal with it. This may include involving an independent person to help resolve the issue or referring the matter to the appropriate awarding body or relevant stakeholder.

### Step 4

If the complainant is still dissatisfied with the action taken, s/he can request that the complaint be submitted for the agenda of the next Directors meeting. If the time of the next meeting is more than three months from the initial date of the complaint, a special meeting will be convened to discuss the complaint. The meeting will take account of all previous action taken. The decision taken by the Directors will be final.

It is worth noting that the complaint may be the responsibility of another organisation, it can agree to refer the matter for resolution. For examples where the difficulty raises concerns about:

- The National Standards and the delivery of the qualification, these can be referred to the Awarding Body or Ofqual
- Manner and level of support for the qualification within a member organisation can be referred to that organisation in relation to their signed partnership agreement
- The conduct of the Director of Excellence - Skills and Apprenticeships these can be referred to her/his employer Umbrella Training Ltd Directors – Adele Oxberry/Jamal Bentaleb to resolve.

If the complainant is still dissatisfied following discussion with the Awarding Organisation or standards moderator, they may refer to the Qualifications Regulator (OfQual in England, Wales and NI).

## Recording and Monitoring

The Director of Excellence - Skills and Apprenticeships keeps a complaint book in which all complaints and actions taken are recorded. This will be shared with the relevant personnel as part of the regular monitoring process. The Directors as part of the process of review and evaluation will also consider complaints in the wider context. Outcome of this discussion may result in changes to policy and procedures.

## Grounds for Appeal

The trainer role is to judge the evidence and then decide if the learner is competent or not yet competent. If the learner is unhappy with the trainer's decision or the way the assessment has been conducted, s/he can ask for the decision to be reviewed by the trainer. If this does not resolve the situation the learner has access to the following Appeals Procedure.

The learner can appeal on the grounds that the assessment procedures have not been properly carried out. This may relate to:

- The conduct of the assessment
- The sufficiency of evidence against the national standards
- The assessment opportunity

If the learner is unhappy about other aspects of the qualification, they can raise it within the grievance procedure or through the Awarding Body Appeals procedures.

## Appeal Process

### Step 1

Contact the Curriculum Lead (CL) to discuss the problem. The CL will record the problem and attempt to resolve it in writing to all concerned within ten days of receipt of the appeal.

### Step 2

If the learner is not satisfied with the CLs response, s/he can write within ten days to the Director of Excellence - Skills and Apprenticeships requesting that the matter be reconsidered. The Director of Excellence - Skills and Apprenticeships will review the material and make recommendations in writing to all concerned within ten days of receipt of the appeal.

### Step 3

If the learner is unhappy with the decision of the Director of Excellence - Skills and Apprenticeships, s/he can appeal in writing to the Appeal Panel, which will be responsible for making the final decision. The Appeals Panel will respond within four weeks of receiving an appeal.

## Appeal Panel

### Membership

The panel will comprise an independent Chair, a Curriculum Lead and a LDM, neither of whom have been associated with the learner. The Director of Excellence - Skills and Apprenticeships will arrange for an observer to take notes.

### Responsibility

An Appeal Panel will meet within four weeks of the learner notifying the Director of Excellence - Skills and Apprenticeships that they are not satisfied by the decisions of the internal verifier or the Director of Excellence - Skills and Apprenticeships. Once they hear the evidence, they will reach a decision and record it.

## Decision

If the Appeal Panel find in favour of the learner, they can recommend one of two things:

- Either the LDM reconsiders the decision
- Or another trainer repeats the assessment

When an appeal is unsuccessful, the learner will continue to have access to assessment, however changing the trainer will be discretionary and agreed on the advice of the Appeal Panel in conjunction with the Director of Excellence - Skills and Apprenticeships.

A report from the Appeal Panel will be made to the Directors and the External Lead.

If a learner remains dissatisfied with the outcome of the Appeal Panel the Director of Excellence - Skills and Apprenticeships will inform the learner that s/he has a right to appeal to the relevant Awarding Body in writing. The learner may also escalate their appeal to the relevant Qualifications Regulator after the Awarding Organisation.

## Recording and Monitoring

The Director of Excellence - Skills and Apprenticeships keeps a book in which appeals are recorded. S/he will ensure that detailed and accurate records of any appeals are kept in a safe and secure place. The nature and content of appeals at all stages will be monitored so that appeals can be reviewed, and recommendations are made to the Directors in order to resolve consistent difficulties.

The grievance procedure is available to anyone involved with the Quality. It is separate from the Appeal procedure, which relates to the assessment process and decisions only.



## Appeals / Complaints Form

Complainant Name: .....

Address/Contact details: .....

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Nature of Complaint or Appeal:

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Signature .....

Date .....

Date submitted to the Assessment Centre:

Received by – internal use

Centre.....

Date ..... Signature .....

## Annex 1

Contact details within Umbrella Training Ltd (Sept 2019)

- Managing Director: Adele Oxberry – [adele.oxberry@umbrellatraining.co.uk](mailto:adele.oxberry@umbrellatraining.co.uk)
- Director of Excellence - Skills and Apprenticeships: Jo Simovic – [jo.simovic@umbrellatraining.co.uk](mailto:jo.simovic@umbrellatraining.co.uk)
- Business Relations Director – Sam Coulstock – [sam.coulstock@umbrellatraining.co.uk](mailto:sam.coulstock@umbrellatraining.co.uk)
- Curriculum Lead – Hospitality – Gemma Ardis – [gemma.ardis@umbrellatraining.co.uk](mailto:gemma.ardis@umbrellatraining.co.uk)
- Curriculum Lead – Culinary – Joanna Hutchison – [Joanna.hutchison@umbrellatraining.co.uk](mailto:Joanna.hutchison@umbrellatraining.co.uk)
- Main office – 0333 577 2557

Should you need to raise your appeal or complaint to any of our awarding bodies (relevant to your course), please find below their details:

- VTCT – Hospitality Apprenticeships – [www.vtct.org.uk](http://www.vtct.org.uk).
- Quasafe – Food Safety and Health and Safety courses – level 2 - <http://www.quasafeawards.org>
- Highfield – Health and Safety level 3 & 4, personal license holder & Manual handling courses  
[www.highfieldabc.com](http://www.highfieldabc.com)
- For apprenticeship standards – People 1<sup>st</sup> - <http://www.people1st.co.uk/>

Should you address your complaint or appeal to any awarding body and remain unhappy with the outcome, you may then raise your complaint or appeal to the relevant qualification regulator, either a representative of Umbrella Training Ltd or the relevant awarding body will be able to offer you guidance on the appropriate qualification regulator in each instance and provide contact details.