



COMPLAINTS POLICY AND PROCEDURE

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1 PROCEDURE STATEMENT

The purpose of this procedure is to ensure that all parties involved have confidence in the application of this complaints policy and procedure. In order to realise this purpose the procedure will ensure that all complaints are dealt with openly, fairly, effectively and efficiently as possible.

2. PROCEDURE AIMS/OBJECTIVES

- 2.1 The aims of the procedure are to ensure that Skills to Group employs a fair and consistent approach to the management of all complaints, internal and external and listens to stakeholder feedback, thereby:
- Bringing matters of dissatisfaction and complaint to the attention of Skills to Group
 - Investigating and respond to concerns and allegations raised.
 - Resolving complaints and allegations reasonably, proportionality and efficiently enabling Skills to Group to reach outcomes, learn and make future improvements.
- 2.2 To ensure that stakeholder feedback whether negative or positive is used to improve quality of service and the business delivery in accordance with Skills to Group Quality Improvement Strategy
- 2.3 To ensure that customer satisfaction is prioritised, swift action is taken to address any areas of concern.

3. SCOPE

- 3.1 This procedure applies to all allegations of breaches of discipline, complaints raised and the management of feedback detailing performance failings or shortcomings. It therefore applies to everyone working within, studying at or visiting Skills to Group.

4. PROCEDURE DETAIL

There are 3 stages to complaints at Skills to Group - **Informal**, **Formal** and **Appeal**

4.1 STAGE ONE - INFORMAL

1. Any person with a complaint or concern is invited to bring the complaint or concern immediately to the attention of an appropriate member of staff, if available this should be a person most closely associated with the problem or business area. In the case of learners this could be their Coordinator, Trainer, Assessor, member of the Learner Support Team or Safeguarding Officer.
2. In the case of staff, this should always be their Line Manager. If the complaint is about their Line Manager, then a member of the Senior Management Team (SMT) should be approached.
3. Skills to Group encourages members of the public, parents/carers, employers and partner agencies to try and resolve their dissatisfaction through open and informal procedures in the first instance, with Coordinators, Advisors or Managers.
4. Staff who receive and resolve concerns informally should record the concerns raised, their actions and fully document discussions and decisions. The staff member involved should then email the details to the Complaints Administrator (CA) who in turn can raise with the Quality Improvement & Curriculum Manager (QI&CM) so that management intelligence about the problem and its resolution can be collated.
5. If a member of staff is unable to resolve the complaint, the complaint should be raised with the relevant manager who will assess the actions taken to date and consider the scale and seriousness of the complaint or misconduct alleged. They will review the investigation and actions taken to date and consider if further informal progress is appropriate and if so, respond to complainant accordingly. If not considered suitable for informal resolution then the line manager will escalate to the formal process.
6. All learners making a complaint are required to exhaust the Skills to Group complaints procedure before contacting the Awarding Body.
7. Where the complaint is not satisfactorily resolved, the complaint may be escalated by the complainant to **Stage 2 (Formal Stage)**
8. A complaint or concern which may involve the disclosure of any act or omission which if found would involve gross misconduct or a serious breach of the code of conduct by a staff member or learner cannot be resolved informally and must upon assessment be escalated to stage 2 formal response.

4.2 STAGE TWO - FORMAL

Individuals who are not satisfied with the outcome or do not wish to discuss the matter with an appropriate member of staff and wish to make a formal complaint should do so in writing. This will preferably be completed utilising the Skills to Group complaints form (*need to provide link to appendix form*) providing name, contact details, facts about the complaint, reasons for escalating the complaint to stage 2 and what outcome is being sought. This formal approach will include all matters which may reveal gross misconduct or a serious breach of the code of conduct. All staff, managers or directors receiving complaints should forward them to the complaint administrator via one of the below methods;

Complaints Manager

Telephone: 01752 332442

Email: complaints@skillsgroupuk.com

Letter addressed to:

Complaints Manager

Horizon Building

Western Wood Way

Plympton, Plymouth, PL7 5BG

Receipt of the complaint will be acknowledged within writing within **2 working days from when the formal complaint is received.**

A complaint must be escalated immediately to Stage 2 (Formal Stage) where it relates to:

- Safeguarding
- Health and Safety
- Equality and Diversity (i.e. discrimination)
- Gross misconduct or a serious breach of the code of conduct

Any complaint regarding statutory safeguarding issues will be forwarded by the complaints administrator to the Designated Safeguarding Lead Officer (DSLO). The matter will then be dealt with in accordance with the Safeguard policy and disciplinary policy where required. The complainant will be notified of this and the complaint closed showing referral to DSLO.

- 1.4 A Complaint Incident Report will be completed and discussed with the relevant manager responsible for the area within which the complaint has arisen and a full investigation will be carried out. This will include securing initial evidence, especially that which is perishable or time limited, accounts from witnesses, documents and may include further discussions, clarifications or meeting with the complainant.
- 1.5 **Skills to Group aims to complete all investigations and reply to the complainant within a maximum of 20 working days**, if possible this will include a full response outlining the outcomes of the investigation. If it is not practicable to give a full reply within this time – for instance, because a detailed enquiry is still taking place, or sickness etc. –

we will issue an interim response, explaining what is being done to deal with the complaint, when a full reply can be expected and from whom.

- 1.6 Where a complaint is not upheld reasons will be given as to why along with details of the appeal process available to the complainant.

5 COMPLAINTS INVESTIGATING PROCEDURES - In particular cases it may be beneficial to arrange a meeting to try to manage and resolve complaints and concerns in a quicker manner for all parties involved.

If the complaint is about a member of staff and has the potential to lead to implementation of the Staff Disciplinary, their Line Manager may carry out the investigation with/or supporting Complaints administrator.

In general, the subject of a complaint has the right to know what is being claimed and who is making the complaint. There are on occasion's exceptions to this rule e.g. where there are valid concerns as to personal safety.

Where a complaint is made in writing, a copy will normally be supplied to the person who is the subject of the complaint.

All staff are under an obligation to ensure any complaint by a learner, staff member or their representative does not have any impact on the way that learner or employee is treated, marked or assessed.

If the complaint is regarding a statutory safeguarding issue, then the matter will be referred by Complaints administrator to Safeguarding Officer (DSLO) The matter will then be dealt with in accordance with the Safeguard policy and disciplinary policy where required

A Skills to Group staff member/manager will be asked to investigate the complaint and the subject of the complaint. The complaint investigator will hold meetings with relevant staff and interview learners and stakeholders as appropriate to gather evidence, information and any other relevant material sufficient to prepare an investigation report and complaint summary for submission to a senior decision maker. The investigating person will be required to prepare and submit a summary of the investigation and any outcome recommendation(s) in a hard copy file. This will then be sent to a member of the SMT for final decision and approval of any recommended action(s) before being sent to the complainant. It is anticipated complainants will receive a formal response within 20 working days, where possible. As such, those investigating are required to send responses for review to the SMT member in a timely manner to allow the review to take place, a target timeline of 15 working days for submission to the SMT should be adopted.

The SMT member will inform the complainant in writing and if appropriate in person of the outcome of the investigation and the right to appeal the decision and/or outcome

Within the response to the complainant the SMT will identify the outcome which has been reached which can fall into three categories

- Upheld
- Partially upheld
- Not upheld

The SMT member will direct any further investigatory actions which need to take place and communicate with any outside bodies or stakeholders as necessary. In addition, the appointed SMT member will direct the initiation of any directed internal disciplinary action through Human Resources and ensure reports to regulatory bodies as necessary.

Human Resources will be also notified of any non-disciplinary issues concerning performance and/or conduct of a member of staff where further improvement action/s are required, i.e. mentoring support, further training and a timely action plan for that staff member put in place, reviewed monthly.

The complaints administrator will log and monitor the complaint as being closed (pending appeal) upon receipt from the SMT member of the letter or email being sent to complainant.

Where the outcome of the investigation does not satisfy the complainant, **they will have 10 working days in which to appeal the decision.**

Complaints in relation to the outcome of the Learner Code of Conduct procedure and/or Fitness to Study policy are heard in accordance with those policies and procedures and include the opportunity for appeal and therefore would not be heard under the complaints procedure.

6 STAGE THREE - APPEALS

If the complainant is not satisfied with the outcome noted in the response letter they are entitled to appeal the decision in writing to an appointed person who has no involvement in the complaint or investigation within 10 working days from the date the outcome letter was received. An appeal can only be considered on the basis that at least one of the following criteria apply:

- There has been a procedural irregularity
- New evidence has come to light
- Not all the evidence was considered when concluding
- There are grounds for believing that the outcome is not considered proportionate or reasonable

If the complainant appeals, a different member of the SMT will be assigned to deal with the appeal. The member of staff leading the appeal may also direct that further evidence or information to be gathered, re-interviews to take place and to interview the investigator of the complaint if appropriate and necessary. A considered and evidenced decision will be made as to whether or not the appeal is upheld and the complainant will be notified by the staff member who carried out the appeal.

In cases where the formal complaints procedure has been exhausted and a resolution has not been achieved to the satisfaction of the complainant then if appropriate and within scope then the complainant can submit a complaint to the relevant Awarding Organisation or regulatory body and information on this process and pathway will be found on the relevant website.

The appeal process will not be engaged if no appeal is formally made and received within the set timeframe set out.

7 Data protection

Skills to Group manages data in accordance with the Data Protection Act 2018. Further details are available in our GDPR Policy. All details of complaints will be logged and held in a central locked file with the QI&CM.

Where the complaint is received from a third party on behalf of the learner to whom the complaint relates, Skills to Group will only accept the complaint with the express written consent of the learner /individual. Exceptions will only be made on the vital interests of the learner; such as where there is serious concern on the welfare of the learner.

The outcomes of a complaint that involve a member of staff who may be subject to disciplinary action will be managed by Human Resources and the outcomes of such action will be confidential and not disclosed within the complaint's procedure.

8 FURTHER POLICY LINKS

This Policy links with the Staff and Learner Code of Conduct, Staff and Learner Discipline, Health and Safety, GDPR and Safeguarding Policies and Procedures.

Document Control

This policy will be reviewed every 3 years or earlier if deemed necessary.

Date Last Reviewed: April 2025

Date to be Reviewed: April 2028

Authorised By



Mark Boulting **Director**

Appendixes

- Learner Informal Complaint form – Stage 1
- Learner Formal Complaint Form – Stage 2
- Learner Formal Complaint Appeal form – Stage 3

Learner Complaint Form – Stage 1 Informal Complaint

We encourage you in the first instance to seek a solution and resolution with the teaching or service area with which you have a problem. This is often the quickest and most efficient way to resolve any issues you have. If, however, you are still dissatisfied, then please complete this form, and submit to the Complaints administrator complaints@skillsgroupuk.com

YOUR DETAILS

In this section we ask for your information to help us communicate with you about the complaint.

Our default method of communication will be via email, if you would prefer to receive correspondence via the post, or by telephone please let us know here your preference please let us know in the box below

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By leaving this box blank you are agreeing to receive correspondence from us by email

First Name:		Surname:	
Address including Postcode			
Telephone number:		Email:	
Learner Name:		Learner programme	
Learner DOB:*		Relationship to learner (if applicable)	

*Where a learner is over 18 years of age, Skills Group will request the learner's permission to pursue the complaint when parents or guardians (or other third parties with a close connection) make a complaint on the learner's behalf. Permission must be received from the learner in writing

Have you tried to resolve this issue informally? Yes/No (please circle one response)

Is 'Yes' what has been the response to your complaint? If 'no' you are encouraged to seek a solution with the department where the problem exists.

Please give details of your complaint

(continue on a separate sheet if necessary)

Full Name (capitals):

Signature:

Date:

Learner Formal Complaint Form (Stage 2)

If you are not satisfied with the outcome of the Stage 1 response, you may submit an appeal by completing this form **or if you wish to take the complaint direct to stage 2: formal complaint please fill in your details section and go to Part B of this form**

If you are appealing in regards to the outcome for **(Stage 1) you must do this within TEN working days of receipt of the outcome using Part A of this form after completing your details section of this form.**

Please complete this form and submit to complaints@skillsgroupuk.com

The Quality Improvement & Curriculum Manager (QI&CM) will appoint a Curriculum/Business Service Support Manager from another area to undertake an independent investigation. This investigation should report back to the QI&CM **within 10 working days**. The outcome of the appeal of stage 1 or investigation of formal complaint (stage 2) will be sent to the complainant in writing **within 5 working days**

YOUR DETAILS

In this section we ask for your information to help us communicate with you about the complaint. Our default method of communication will be via email, if you would prefer to receive correspondence via the post, or by telephone please let us know here your preference please let us know in the box below

By leaving this box blank you are agreeing to receive correspondence from us by email

First Name:		Surname:	
Address including Postcode			
Telephone number:		Email:	
Learner Name:		Learner programme	
Learner DOB:*		Relationship to learner (if applicable)	

*Where a learner is over 18 years of age, Skills Group will request the learner's permission to pursue the complaint when parents or guardians(or other third parties with a close connection) make a complaint on the learner's behalf. Permission must be received from the learner in writing

Stage 1 investigating Officer :		Date of Stage 1 Outcome Letter:	
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PART A – for use when appealing informal complaint outcome (Stage 1)

Grounds for Appeal – please select as appropriate (please tick bullet point for all statement/s that apply)
• New evidence has come to light that was not or could not have been available during Stage 1 (informal complaint) • There is evidence that the Stage 1 investigation has not been conducted properly e.g. administration • There is evidence that the judgement reached at Stage 1 was biased or unfair

Part A continued

Please provide an explanation for your grounds for appeal for outcome of Stage 1. Please attach any supporting evidence and continue on a separate sheet if necessary

Full Name (capitals):			
Signature:		Date:	

Part B to be completed if raising your complaint to formal complaint directly

Please give details of your complaint
(Continue on a separate sheet if necessary)

Full Name (capitals):			
Signature:		Date:	

Learner Formal Complaints Appeal Form (Stage 3)

If you are not satisfied with, or disagree with the outcome of the Stage 2 response, you may submit a formal appeal by completing this form, outlining your grounds, **within 10 working days of receipt of the outcome**. Please complete this form and submit to the Complaints Administrator

complaints@skillsgroupuk.com

A member of the senior Skills Group management team (SMT) will then arrange an appeal hearing and final decision will be made. The SMT member will send the outcome of the formal appeal to the complainant in writing within 10 working days of the appeal hearing. The complainant will be informed at this stage of further avenues of appeal if dissatisfied with the outcome of the formal appeals process.

YOUR DETAILS

First Name:		Surname:	
Address including Postcode			
Telephone number:		Email:	
Learner Name:		Learner programme	
Learner DOB:*		Relationship to learner (if applicable)	

*Where a learner is over 18 years of age, Skills Group will request the learner's permission to pursue the complaint when parents or guardians (or other third parties with a close connection) make a complaint on the learner's behalf. Permission must be received from the learner in writing.

Stage 2 investigating Officer :		Date of Stage 2 Outcome Letter:	
Grounds for Appeal – pleas select as appropriate (please tick bullet point for all statement/s that apply)			
• New evidence has become available that was not gathered or considered during the Stage 2 investigation (informal complaint). • There is evidence that the Stage 2 investigation has not been conducted properly or fairly from a procedural perspective. • There is evidence that the judgement reached at Stage 2 was biased or unfair. • There are reasonable grounds to believe that the decision or outcome reached is not proportionate or reasonable in the circumstances.			

**Please provide an explanation for your grounds for appeal for outcome of Stage 2 investigation.
Please attach any supporting evidence and continue on a separate sheet if necessary**

Full Name (capitals):

Signature:

Date: