

Learner Complaints Policy & Procedure

34-38 Upper Green East, Mitcham, Surrey, CR4 2PB

E: info@rapidimprovement.co.uk

W: www.rapidimprovement.co.uk

T: 020 8648 0395 F: 020 8286 4207

Company Reg. No. 06129256

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Version Control

Version	Summary of Changes	Date Changed
1	Revised	12.6.19
2	Contact details amended	20.6.19
3	Revised in light of feedback from ESFA	17.8.19

1. Introduction

1.1 The Learner Complaints Policy and Procedure provides the framework that Rapid Improvement Limited works within:

- So any learner who has experienced dissatisfaction with our services they can raise their concerns, and
- Staff should deal with complaints from students, parents, customers, employers, contractors, local residents, visitors and others.

1.2 Our aim is to strive for excellence and continually raise the standard of teaching, learning and services provided to all. Complaints are encouraged and welcomed as a way of ensuring that any dissatisfaction with the quality of training provided by the agency is brought to the attention of the Operations Director as quickly as possible. We feel that complaints enable us to make changes and improve the learning experience that we provide to students.

1.3 This policy document will be provided to any learner, or their representative, upon request. If the learner is blind, or their vision is impaired, then the agency will, so far as it is practicable to do so, supply, in addition to a copy of this document, a copy of the complaints procedure in a form which is suitable to that person.

2. Policy

2.1 Learners using our services, and those who act on their behalf, will be encouraged to make use of the complaints procedure if they have any reason to be dissatisfied. They will be offered assistance or advice on independent advocacy where this may help to ensure that concerns and views are fully expressed.

2.2 All staff have a responsibility for receiving complaints, treating them seriously, and dealing with them promptly and courteously in accordance with the procedure set out below. The Operations Director and Managing Director have a responsibility for resolving a complaint, and leading or contributing to an investigation into a complaint when this is considered appropriate.

2.3 All complaints will be fully investigated, handled sympathetically and confidentially, and, where necessary, improvements made and appropriate reparation offered. We will respond to any dissatisfaction with our services fairly and promptly:

- An initial response will be provided within 7 working days
- A further more detailed response will be made if appropriate
- A meeting with the various parties involved if appropriate
- May appeal to the Managing Director if dissatisfied with the outcome
- Information on how to take the complaint further will be provided if you are not satisfied with the provider's response

- 2.4 If, as a result of a complaint the agency has reason to believe that the actions or negligence of any of its employees have harmed an individual using its services or placed them at risk of harm, the employee concerned will be referred to the Protection of Vulnerable Adults (POVA) list.
- 2.5 The matter may also be reported to the Education & Skills Funding Agency (ESFA), the Police, the local adult protection teams and the National Apprenticeship Service (or other workforce regulator).
- 2.6 Failure of both parties to reach an agreeable outcome will result in the complainant having the opportunity to turn to the appropriate professional body.
- 2.7 Should a complaint be made against the Managing Director, the Board of Directors will become involved and asked to assess the situation. The Board of Directors will deliberate and make a final decision. The Board of Directors may liaise with the appropriate professional body should the need arise to seek further help/clarification. The Board of Directors will only become involved when the complaint is made against the Managing Director themselves.

3. Procedure

3.1 Oral Complaints

- 3.1.1 An oral complaint will, wherever possible, be dealt with at the point of service, by the person providing that service and as quickly, sympathetically and efficiently as possible. Upon receipt of an complaint, an employee will:
 - Attempt to deal with the matter to the overall satisfaction of the complainant; and subsequently
 - Prepare a comprehensive written record of the complaint using the form designed for this purpose; and
 - Submit the form to the Operations Director, who will maintain an accurate record of oral complaints, and, where necessary, will seek assurance from the complainant that the matter has been dealt with satisfactorily.
- 3.1.2 However should the employee not be capable of dealing immediately (or the same day) with the initial complaint for whatever reason, then the employee will inform the complainant that the matter will have to be referred. In such situations the complainant will be advised that their complaint will be acknowledged, formally, in writing, within three working days. At this point the matter will be dealt with as if it were a written complaint.

3.2 Written Complaints

- 3.2.1 All written complaints (together with unresolved oral complaints) should be addressed (or forwarded) to the Operations Director;
- 3.2.2 Any written complaint addressed to someone else within the agency should be referred to the Operations Director for action and resolution;

Marian Dweben
Operations Director
Rapid Improvement Care Agency
34-38 Upper Green East
Mitcham
Surrey, CR4 2PB

Tel: 020 8648 0395

- 3.2.3 Any complaint about the Operations Director herself should be addressed to:

Isaac Dweben
Chief Executive
Rapid Improvement Care Agency
34-38 Upper Green East
Mitcham
Surrey, CR4 2PB

Tel: 020 8648 0395

3.3 Governing principles for dealing with complaints:

- 3.3.1 All complaints will be recorded in a register maintained for this purpose;
- 3.3.2 All complaints will be acknowledged within 3 working days of receipt;
- 3.3.3 All complaints (other than oral complaints resolved on the same day) will be investigated, and a written response given within 28 working days. The written response will address the issues raised in the complaint, and provide information about what action (if any) has been taken, or is to be taken, by way of resolution;
- 3.3.4 All records relating to the complaint, including copies of all correspondence etc. will be filed in the complaints file maintained by the Operations Director.
- 3.4 Where it is considered, at the outset, that the “28 day response” target is unlikely to be met, then a more realistic assessment will be made, and the complainant informed. Complainants will also be advised if any statutory or

other bodies have been notified and what that may mean for the investigation. If a target date is missed, then the complainant will be informed of the reason(s) why, given a new target date, and kept regularly informed at all times of progress. It is hoped that all complaints may be dealt with satisfactorily within the governing principles described above and that the complainant is satisfied with the way the matter has been handled, and the response which has been given. Therefore the matter comes to a close.

- 3.5 However if the complainant or her /his representative is not satisfied then they should be advised to refer the complaint, together with an understanding of why dissatisfaction remains, in writing, to:

<p>Isaac Dweben Chief Executive Rapid Improvement Care Agency 34-38 Upper Green East Mitcham Surrey, CR4 2PB Tel: 020 8648 0395</p>

- 3.6 Complainants will also be reminded that, if unsatisfied at any stage, they may take their complaint further. In addition to the senior responsible manager above and ESFA below, contact details may be provided for:

- National Apprenticeship Service
- Any third-party purchaser involved (local authority, PCT etc);
- Relevant membership organisations (UKHCA etc).

- 3.7 The timescales for response are as before:

- A further letter of acknowledgement will be sent within 3 days; and
- A further written response will be provided within 10 days.

- 3.8 If the “28 day target” is likely to be missed, then the complainant will be kept informed as at the initial stage of review and investigation.

- 3.9 It is hoped that following further review and response that the complainant is satisfied with the way the matter has been handled, and the response which has been given. Therefore the matter comes to a close.

- 3.10 However if the complainant remains dissatisfied, then they should be referred to:

<p>Complaints Team, Education and Skills Funding Agency, Cheylesmore House, Quinton Road, Coventry CV1 2WT</p>

4. Notes

- 4.1 *Legal Intervention.* This complaints procedure is designed to try to ensure, as far as is possible, that all complaints about the training provided by the agency are dealt with internally, and, hopefully, to the satisfaction of the learner and/or their representative. However if it is immediately apparent that the matter is to be referred, by the complainant, to a solicitor, then the relative informality of the review process is immediately compromised. If such a situation arises, either at the outset, or during the complaints procedure, then the complainant will be informed that the complaints procedure is no longer in operation, and that the matter is to be immediately referred to solicitors and/or insurers who represent the interests of the agency.
- 4.2 *Disciplinary Action.* The agency has a number of employment policies in place, which are designed to deal with allegations of abuse, discrimination, etc. If, during any investigation into a complaint made by a learner it becomes apparent that some form of disciplinary action is to be taken, against an employee of the agency, then it will be taken in accordance with the most appropriate and relevant policy.
- 4.3 *Bullying/Harassment.* The agency has introduced a policy/procedure relating to bullying/harassment which advises that any complaint of this type should, in the first instance, be handled informally, either by the learner himself/herself, or by someone acting on their behalf. However it is accepted that dealing with the complaint informally, in the first instance, may not be the desired option of the complainant, or such an approach may not be effective in resolving the problem. Where a formal complaint is to be made, then learners are advised to use this complaints procedure, or to have someone use it on their behalf.
- 4.4 *Records.* Complaints/Compliments, including details of any investigation or action taken will be recorded on the relevant employee's personnel file and the personal file of the Learner.
- 4.5 A copy of this Complaints Policy can be found on our website at <https://rapidimprovement.training/policies-procedures/>

Appendix 1. Complaints Process Diagram

