



COMPLAINTS POLICIES

FROM VISION TO ACTION

The Training &
Learning Company



COMPLAINTS POLICY



Introduction

At TLC, we aim to provide the highest standards of service at all times. However, if you feel that we have not met your expectations with any services we have provided you and have a complaint, you are invited to let us know as soon as possible. Customer satisfaction is of the utmost importance to us and we appreciate all forms of feedback. We take all complaints and disputes seriously. As a result, we endeavour to resolve them swiftly and professionally always.

Policy Scope

This Complaints and Disputes Resolution Policy, aims to provide a structured approach to resolving complaints and disputes that is fair, equitable and that will lead to solutions that are acceptable to all parties.

This Policy outlines the procedures for effectively and fairly, responding to complaints and disputes in a professional and timely manner.

This Policy provides a process for handling and resolution of complaints and disputes between TLC, employees, customers and members of the public.

The objectives of this Policy are to establish a process to:

- Record, action and resolve complaints and disputes
- Provide complainants, dissatisfied with a decision, a referral to an external process for resolution of their complaint
- Review and monitor the association's performance against the procedures outlined in this Policy

Overview

TLC complaints and disputes resolution process operates in two stages:

- An internal dispute resolution process; under which TLC will use its best efforts to resolve a complaint or dispute, with the mutual satisfaction of TLC and the complainant.
- Failing to achieve a resolution; an external dispute resolution process, under which the complainant is dissatisfied with TLC's decision, can refer the complaint to the TLC's external dispute resolution mediator or other external mediation body/service for resolution.

Definitions

Complaint

A complaint is an expression of dissatisfaction made in relation to the TLC's activities, operations, policies, employees or the complaints handling and dispute resolution process itself, where a response or resolution is explicitly or implicitly expected.

Complainant

A complainant is a person, or persons who have issued a complaint.

For example: A customer, a member of the public, employees or suppliers and contractors.

Dispute

A dispute is an unresolved complaint. It is a matter that has been dealt with as a complaint under this Policy, but where the complainant is still not satisfied and a resolution has not been made.

Effective and efficient complaints and disputes resolution process

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TLC will adopt an effective and efficient complaint and dispute resolution process that:

- Is documented
- Is communicated to TLC members, employees, suppliers, contractors and members of the public
- Has stated time limits for each stage of the process
- Is reviewed annually

Board and Management Commitment

The Directors and management of TLC are committed to the implementation of this Policy, as evidenced by:

- Ensuring customers, employees, members of the public, suppliers and contractors are aware of the Policy
- Implementing management systems and reporting procedures, in order to ensure timely and effective complaints handling, disputes resolution and monitoring of effectiveness

Complaints handling and disputes resolution coordinator

TLC will appoint an internal Complaint Handling and Dispute Resolution Coordinator who will be responsible for managing and coordinating the implementation of this Policy.

All complaints should be directed to the Complaint Handling and Dispute Resolution Coordinator;

Miss Gemma Thomas

Communication

This Policy is displayed in a public area within the association web site and is communicated to all TLC employees upon induction, as well as, periodically.

Internal resolution of complaints and disputes

Procedures for Receiving Complaints

If a complaint is submitted to TLC, then the below actions will be implemented;

- If the complaint is verbal, TLC will seek to either resolve it "on the spot", or if that is not possible, request the complainant to submit a written complaint to the Complaint Handling and Disputes Resolution Coordinator
- If the complaint is in writing, TLC will acknowledge, in writing, receipt of the complaint as soon as is practicable and in any event within 14 days from receipt, and enclose a copy of this Policy for the complainant's information
- TLC will ensure that the complaint receives proper consideration and result in a determination, by the Complaint Handling and Dispute Resolution Coordinator, as to the person designated as appropriate to handle the complaint
- Act in good faith in dealing with and resolving the complaint
- Investigate the complaint including by:
 - Seeking all relevant information from the complainant
 - Obtaining all relevant information from TLC members of whom the complaint regards
- At management discretion TLC may give any appropriate remedy to the complainant, including any of the following:
 - Provide information and explanation regarding the circumstances giving rise to the complaint

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- Issue an apology
- Issue compensation for any losses incurred by the complainant, as a result of TLC

When a Complaint will be treated as resolved by TLC

Written Complaints

Where the complainant has been notified in writing of a decision and no response has been received, the complaint will be treated as resolved by TLC.

Verbal Complaints

Will be treated as resolved by TLC where:

- The complaint has been resolved to the complainants satisfaction "on the spot"
- The complainant has been notified of a decision about a complaint and no response has been received.

Confidentiality

TLC will ensure the complaints and disputes resolution process protects the complainant's identity private, at all times, to guard against inconvenience or discrimination.

Sensitivity

TLC will treat each complaint separately and on its merits.

Recording the Complaint

Complaints and Disputes Register

The Complaint Handling and Dispute Resolution Coordinator must ensure, a Complaints and Disputes Register is established, maintained and kept up-to-date.

The Register will be comprised of a copy of each Complaint Report.

At a minimum, the Register must include the following information about every complaint that is received:

- Date complaint was made
- Nature of complaint / issue
- Action taken to investigate the complaint
- Date the complaint was resolved
- How the complaint was resolved

The Complaint and Dispute Resolution Coordinator is to periodically review the Register, in order to ensure complaints are being handled appropriately, in accordance with the procedures in this Policy and within the required timeframes.

The Complaints Register must also be tabled annually at director and management meetings.

Timetable for complaints handling

TLC will always attempt to resolve complaints and notify the complainant as soon as possible.

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If after exhausting this process the employer complainant is still not satisfied, they can escalate their complaint to the Complaints Adjudicator at the Education and Skills Funding Agency (ESFA)

Email: nationalhelpdesk@apprenticeships.gov.uk

Phone: 0800 015 0400 or 0247 682 6482

Please note that the ESFA will not usually investigate complaints more than 12 months after the original decision or action has been taken.

Monitoring and reviewing of this Policy

The Complaint Handling and Dispute Resolution Coordinator, is responsible for ensuring this Policy is adhered to at all times.

Complaint Handling and Dispute Resolution Coordinator will review this Policy and report the outcome of this review. This Policy is to be reviewed annually and any amendments made are to be communicated at the earliest opportunity.

If an Individual asks for Assistance in Formulating or Lodging Complaint

If an individual asks for assistance in the formulation and lodgement of his/her complaint, employees are to refer the request to the Complaint Handling and Dispute Resolution Coordinator as soon as possible. The Complaint Handling and Dispute Resolution Coordinator must ensure reasonable assistance is provided to the individual.

Where a complaint is not resolved to an individual's satisfaction

For each complaint that cannot be resolved to the complainant's satisfaction within 45 days, the Complaint Handling and Dispute Resolution Coordinator is to inform the complainant, in writing, that they have the option to pursue resolution of their complaint with TLC's external Dispute Resolution Mediator, and provide details about how to access them.

External Resolution of Disputes

Failing to resolve a complaint through TLC dispute resolution process, as outlined in this Policy, complainants can refer their complaint to an external mediation body/service for resolution.

Annex 1:

Complaint Report Form

Annex 2:

Timetable for Complaints Handling and Disputes Resolution

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Annex 1 Complaint Report Form

1. Date of this Report	
2. Date complaint made / dispute notified	
3. Details of complainant (Name, address & telephone number)	
4. Nature of complaint	
5. Action taken to investigate the complaint	
6. Who is responsible for ensuring this action is carried out	
7. Date action completed	
8. The name of the person or persons who were the subject of the complaint	
9. Does the complaint / dispute indicate a recurring or systemic issue?	
10. If yes, what action was taken to ensure the issue does not recur / that systemic issue has been addressed?	
11. Is the complaint / dispute significant?	
12. If yes – date notified to Directors	
13. How was the complaint / dispute resolved	
14. Date complaint / dispute resolved	

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Annex 2

Timetable for Complaints Handling and Disputes Resolution

Action required	Timeframe
Send copy of the association's Complaints Handling and Dispute Resolution Policy to anyone who asks for information about its complaints or disputes handling methods.	Within 7 days
Oral complaints not resolved "on the spot" and written complaints to be referred to the Complaints Handling and Disputes Resolution Coordinator.	Immediately
Where client requests assistance in formulation/lodgement of a complaint – refer matter to the Complaints Handling and Disputes Resolution Coordinator.	As soon as available
Complaints Handling and Disputes Resolution Coordinator to write to complainant acknowledging receipt of complaint and forwarding copy of TLC Complaints Handling and Disputes Resolution Policy.	Within 14 days of receiving complaint
Complaints Handling and Disputes Resolution Coordinator to advise complainant, in writing, of outcome and (if complaint not resolved to complainant's satisfaction) advise complainant in writing of the availability of external dispute resolution mechanisms and how they may be accessed.	Within 45 days of receiving complaint
Complaints and Disputes Register – Complaints Handling and Disputes Resolution Coordinator to: (a) Record complaint in Register (b) Keep Register updated	(a) Within 7 days of receiving complaint (b) As required

COMPLAINTS PROCEDURE



This policy applies to all learners undertaking a TLC qualification and to all assessors and verifiers involved in the delivery of TLC qualifications. The policy provides definition and examples of Complaints which may occur for a learner, assessor or verifier. The process for making a complaint is described, although we expect a learner to follow report to their assessor before referring to TLC's head office, unless this is not an appropriate option.

This TLC policy is provided for two purposes – to guide you in how to approach TLC as well as to provide an example of how you might develop and structure your own policy statement. This policy can also be accessed by learner or managers who wish to lodge a complaint. We aim to give you an excellent experience when dealing with TLC, so we welcome your comments, suggestions and feedback about the service you have experienced when contacting us or when using any of our products or services.

A complaint is an expression of dissatisfaction from you about our products, services or the complaint handling process itself where it's clear that you expect us to identify the cause of the problem and to take some kind of remedial action.

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 by giving you an explanation or an apology where we have got things wrong, and letting you know what action we've taken;
- we learn from complaints and we use them to improve our service

It is not possible to provide a definitive list of examples of complaints, but the following are examples of situations that would constitute a complaint:

- certificate spelling errors
- lack of response to queries
- unable to unsubscribe to emails
- delay with receipt of certificates
- non-compliance with stated TLC process e.g. not adhering to published timescales or processes

In the first instance you must try and resolve your complaint with your trainer, assessor or IQA. But if you feel the problem needs to be escalated then please lodge your complaint with the company Directors.

Many matters can be resolved informally so do contact our head office on 01792 700611 or email headoffice@tlc-uk.org as we may be able to iron out the problem straight away. But if you feel the problem needs to be put on a more official footing, please follow the process below:

Raise your concern by emailing info@tlc-uk.org, explaining the problem as clearly and fully as possible, including any action taken so far. When you contact us, please give us your full name, contact details, and include a daytime telephone number along with:

- A full description of your complaint (including the subject matter and dates and times if known);
- Any names of the people you have dealt with so far; and
- Copies of any papers or letters to do with the complaint.

TLC ask that you raise your complaint as soon as possible after the event so that we have the opportunity to investigate fully. The Head of Quality & Compliance will investigate your complaint.

Except in exceptional circumstances, we will try to ensure that your complaint remains confidential but in some cases the circumstances giving rise to the complaint may make it impossible to maintain confidentiality. In these situations we will discuss

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this with you. We will appoint an appropriate person to investigate the matter on your behalf. We'll acknowledge your complaint within 2 working days and let you know who will be dealing with it. We aim to resolve complaints within 10 working days but if it's going to take longer than that we'll keep you fully informed. Once we have completed our investigation, we will explain what went wrong and why, apologise when it is appropriate and take action to remedy the situation as soon as possible.

If you are not satisfied with the response you receive to your complaint, you can take the matter further by contacting the company Directors by emailing info@tlc-uk.org setting out why you are dissatisfied.

TLC will review the details of the original complaint, the evidence collected by the person who investigated the matter on your behalf and their initial response. TLC may consult with other parties, including other staff within TLC, before writing a report setting out TLC's proposed response and any further action to be taken.

If you remain unhappy after following our own internal complaints procedure and your complaint refers to services you have received relating to your course and achieving your qualification then please contact the Awarding Organisation directly.

The Awarding Organisations include:

Highfield Qualifications - www.highfieldabc.com - 0845 2260350.

City and Guilds - www.cityandguilds.com - 0844 543 0000

Pearson's Edexcel – www.qualifications.pearson.com

TQUK - www.tquk.org – 03333583344

ILM - www.i-l-m.com – 01543 266867

Should you address your appeal to the Awarding Organisation and remain unhappy with the outcome you may then raise your appeal to the relevant qualification regulator (for example, OFQUAL, SQA Accreditations or Qualifications Wales dependent upon the qualification).

Either a representative of TLC – The Training and Learning Company or Awarding Organisations will be able to offer you guidance on the appropriate qualification regulator in each instance and provide contact details.

If you have any queries about the contents of this policy, please contact the Head Of Quality & Compliance directly:

Miss Gemma Thomas

Gemma.thomas@tlc-uk.org

01792700611

APPEALS POLICY



This appeals procedure attempts to embody the principles of:

- Natural Justice
- Equal
- Opportunities
- Fairness
- Equity
- Independence
- Objective
- Anti-discrimination
- A consideration of special needs

This appeals procedure is available to learners who feel that an assessment decision concerning their competence has been made in a way that was unfair, subjective, or biased by discriminatory actions or attitudes.

Implementation – The following arrangement is offered;

1. If a participant wishes to appeal, the appeal is logged with the Programme manager within 20 days of the learner being notified of the assessment decision.
2. The Programme Manager will attempt to find a solution with the learner, assessor and/or internal verifier, for example, by reconsideration of the evidence.

If this fails to satisfy the appellant, the centre co-ordinator will then:

1. Set a Date for the appeal to be considered by an Appeals Panel
2. Notify the external verifier that an appeal has been lodged and give details of how it will be heard, including the composition of the Appeals Panel.

The Appeals Panel

The appeals Panel will meet to consider the appeal within 20 working days of the Programme Manager receiving the appeal.

The Appeals Panel will be small and constituted so as to be objective and independent. In some instances, this will mean inviting an experienced Assessor or verifier from another approved centre to sit on the panel.

The Panel will ensure that it has full accounts from all parties involved in the assessment. No one involved in the original assessment will be on the Panel.

The centre has a system to support those making the appeal and the appeal documentation is as simple as possible. Participants may bring a representative with them if called to attend an Appeals Panel.

The Awarding Body

If the appeal is not resolved to the satisfaction of the learner, appeal or complaint can be made to the awarding body. This must be made by the participant to the awarding body within one calendar month of the participant receiving the result of his/her appeal to the accredited assessment centre.

In making such an application to the awarding body the participant must be certain that they have evidence to show that they have been treated unfairly, discriminated against or that the appeal has not been conducted in the fashion approved by the awarding bodies. 'Hearsay' or conjecture cannot be classed as evidence.

APPEALS POLICY



The following sets out the appeals procedure for TLC – The Training & Learning Company. This procedure covers the process for raising appeals against an academic decision that has been made. Should a learner feel that proper process has not been followed or that the academic decision was not made in accordance with the regulations of the programme of learning then they may appeal to The Head of Quality & Compliance via one of the following methods:

Call: 01792700611

E-mail: Gemma.thomas@tlc-uk.org

Examples of areas where an appeal may be raised are as follows:

- If the learner believes that TLC – The Training & Learning Company has not applied our procedures consistently or that procedures were not followed properly, consistently and fairly;
- If the learner is not satisfied with the conduct of the assessment and believed it disadvantaged them; and
- If the learner feels that the premises/environment for assessment has disadvantaged them.

(Should a learner wish to appeal against a decision made after a complaint has been investigated then please refer to our Complaints Procedure).

When you contact us, please give us your full name, contact details, and include a daytime telephone number along with:

- A full description of your appeal (including the subject matter and dates and times if known);
- Any names of the people you have dealt with so far;
- Copies of any papers or letters to do with the appeal; and
- Any other factors for consideration such as any extenuating circumstances that the learner either did not address at the time or believes that were raised but were not taken into consideration when the decision was made.

Appeals will be investigated and a review panel may be formed in order to reach a decision. We aim to investigate and respond to appeals within 28 Days.

This will be the final route of escalation within our company. Therefore, if you remain unhappy after following our own internal appeals procedure then please contact the Awarding Organisation directly.

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City and Guilds - www.cityandguilds.com - 0844 543 0000

Pearson's Edexcel – www.qualifications.pearson.com

TQUK - www.tquk.org – 03333583344

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