



# Care Learning Centre IOW Ltd (CLC)



## Complaints, Disputes and Appeals Policy & Procedure

### Policy Statement

CLC is committed to providing a quality service to our customers and working in an open and accountable way that builds the trust and respect of all our stakeholders. One of the ways in which we can continue to improve our service is by listening and responding to the views of our customers and stakeholders, 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, an apology, 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.

### Purpose

The formal complaints procedure is intended to ensure that all complaints are handled fairly, consistently and wherever possible resolved to the complainant's satisfaction.

Individuals might complain on a variety of issues including:

- The conduct and behaviour of a staff member and/or is alleged to have fallen below the complainant's expectations.
- The service or quality of experience provided by a CLC and/or their associated staff is alleged to have failed to meet expectations.
- CLC is alleged to have failed to deliver the service required by the Provider Agreement; or that they (or any associated staff) failed to follow the procedures set out in Learner handbook including guidance contained in the appropriate award handbook and guidance notes.
- A failure to reasonably ensure learner's safety and well-being is alleged against a staff member and/or CLC
- An allegation of discrimination in breach of the Equality Act 2010

### CLC's responsibility will be to:

- acknowledge the formal complaint in writing.
- respond within a stated period of time.
- deal reasonably and sensitively with the complaint.
- take action where appropriate.

CLC recognise that many concerns will be raised informally, and dealt with quickly therefore we aim to:

- resolve informal concerns quickly.
- keep matters low-key.
- enable mediation between the complainant and the individual to whom the complaint has been referred.
- record all correspondence, the complaint and its outcome

An informal approach is appropriate when it can be achieved, but if concerns cannot be satisfactorily resolved informally, then the formal complaints procedure should be followed.

## Formal Complaints Procedure:

This procedure outlines the process that should be followed by Learners, Training Advisers, Partners or Employers who are involved with the training and /or qualifications offered by CLC. We aim to resolve all matters as quickly as possible. However, inevitably some issues will be more complex and therefore may require longer to be fully investigated. Consequently, timescales given for handling and responding to complaints and appeals are indicative. If a matter requires more detailed investigation, you will receive an interim response describing what is being done to deal with the issue and when a full reply can be expected and from whom.

### Stage One

In the first instance, if we are unable to resolve the issue informally you should provide a formal written complaint to the Director of Teaching & Learning Sandra Cooper by letter or email direct to Care Learning Centre Ltd, Suite 8, The Courtyard, Monks Brook, St Cross Business Park, Newport, Isle of Wight PO30 5BF – or email to [info@clcentre.co.uk](mailto:info@clcentre.co.uk). In your letter you should set out the details of your complaint, the consequences for you as a result, and the remedy you are seeking. You can expect your complaint to be acknowledged within 4 working days of receipt. This will instigate an investigation with all relevant parties and a written statement of the findings will be prepared. A letter or email will be sent to you with a clear explanation as to the findings and recommendations within 15 working days.

### Stage Two

If you are not satisfied with the initial response to the complaint, then you have the option to appeal within 7 working days of receiving the decision. The complaint will then be referred to the stage 3.

### Stage Three

A panel will be convened of independent persons [no more than 3 people] who have the relevant skills and knowledge to understand the issues surrounding the complaint being made. The complainant will be invited to attend the panel hearing and present their complaint. The complaint will be heard again in its entirety.

The panel will respond within 10 working days to inform you of the outcome of the investigation and the final decision of the complaint.

**If the complainant is still not satisfied with the decision, they should direct their complaint firstly to the appropriate partner and or the awarding body using their complaints procedure**

#### CLC partners

**Ofsted**  
Piccadilly Gate,  
Store Street,  
Manchester,  
M1 2WD.  
Tel No: 0300 123 4666  
Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

**Education & Skills Funding Agency**  
Complaints Team, Skills Funding Agency  
Cheylesmore House,  
Quinton Road,  
Coventry,  
CV1 2WT.  
Email: [complaintsteam@sfa.bis.gov.uk](mailto:complaintsteam@sfa.bis.gov.uk)

#### CLC Awarding Body

**Highfields Awarding Body (HABC)**  
Highfields House,  
Sidings Court,  
Lakeside,  
Doncaster,  
South Yorkshire,  
DN4 4NL.  
**Phone:** 0845 2260350 / 01302 363277  
**Email:** [info@highfield.co.uk](mailto:info@highfield.co.uk)

**City & Guilds**  
1 Giltspur Street,  
London,  
EC1A9DD.  
Main switchboard +44 (0) 207 294 2468  
[csdirect@cityandguilds.com](mailto:csdirect@cityandguilds.com)

**If the complainant still remains unhappy with the decision made by the partner or awarding body, then it can be raised with the Qualification Regulator OFQUAL whose decision will be final.**

#### Register a complaint

Ofqual  
Spring Place,  
Herald Avenue,

Coventry,  
CV5 6UB.  
Email [complaints@ofqual.gov.uk](mailto:complaints@ofqual.gov.uk)  
Follow the link <https://www.smartsurvey.co.uk/s/3O1EJ/>  
Telephone 0300 303 3344  
The phone line is open on weekdays from 9am to 5pm, except bank holidays.

### **Recording of Complaints**

A record of all correspondence, the complaint and its outcome will be kept; electronically and this will be filed separately from the individuals or personnel records.

### **Disputes and Appeals**

#### **Our aim**

To provide all CLC learners the right to challenge the outcomes of their assessment if they consider the assessment has not been carried out properly. The process will be transparent, fair and equitable, and we seek to resolve all appeals in a timely and professional manner.

Learners might appeal on a variety of issues including:

- Conduct of the assessment
- Adequacy of the range, nature and comprehensiveness of the evidence when set against the national standards and evidence requirements
- The opportunities offered in order to demonstrate competence of attainment Access to assessment
- Process of assessment
- Access to Internal Quality Verification
- The handling of an appeal
- Administrative issues e.g. failure to register/apply for certification

### **The Appeals Procedure**

**Stage One** In this first instance the main objective is to assist the Learner and Training Adviser to reach a clear understanding as to why decisions were made regarding training, marking or assessment outcomes. Learners should therefore, contact their Training Adviser and seek to clarify the result directly with them.

If the learner is unable to resolve their concerns informally then they should lodge a formal written appeal using **APPENDIX 1** and sent direct to Sandra Cooper Care Learning Centre Ltd, Suite 8, The Courtyard, Monks Brook, St Cross Business Park, Newport, Isle of Wight PO30 5BF - or email [info@clcentre.co.uk](mailto:info@clcentre.co.uk) and the matter will be referred to stage two

#### **Stage Two**

Following receipt of a written appeal, the Lead Quality Support Manager assigned to the Learner will be responsible for investigating the appeal with all relevant parties. The Lead Quality Support Manager looking into the appeal will prepare a written statement of their findings and any subsequent recommendations. Within 15 working days a letter/email will be sent to the Learner with a clear explanation as to the findings, outcomes and recommendations.

If the person appealing is not satisfied with the decision, they then have the option to appeal within 7 working days of receiving the decision. The appeal will then be referred to stage three.

#### **Stage Three**

At this stage the appeal request will be passed on to the Director of Teaching & Learning who will seek to ascertain the key facts of the case. To assist in this process the Director of Teaching & Learning will appoint an advisory panel consisting of two representatives who have not been involved with the learner's journey. Whether the appeal is upheld or not, the Director of Teaching & Learning will respond within 10 working days to inform the learner of the outcome of the investigation, any conclusions that were reached and any action taken as a result of the appeal.

**If the learner is still not satisfied with the investigation and outcomes, they can directly appeal to one of CLC awarding bodies using their procedures.**

<b>Highfields Awarding Body (HABC)</b> Highfields House Sidings Court Lakeside Doncaster South Yorkshire DN4 4NL <b>Phone:</b> 0845 2260350 / 01302 363277 <b>Email:</b> info@highfield.co.uk	<b>City &amp; Guilds</b> 1 Giltspur Street London EC1A9DD Main switchboard +44 (0) 207 294 2468 <a href="mailto:csdirect@cityandguilds.com">csdirect@cityandguilds.com</a>
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**If the learner still remains unhappy with the final decision made by the awarding body the learner can raise their appeal with the Qualification Regulator OFQUAL whose decision will be final.**

<b>Register a complaint:</b> Ofqual Spring Place; Herald Avenue; Coventry, CV5 6UB Email <a href="mailto:complaints@ofqual.gov.uk">complaints@ofqual.gov.uk</a> Follow the link <a href="https://www.smartsurvey.co.uk/s/3O1EJ/">https://www.smartsurvey.co.uk/s/3O1EJ/</a> Telephone 0300 303 3344 The phone line is open on weekdays from 9am to 5pm, except bank holidays.
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### **Recording of the appeals**

A record of all correspondence, the appeal and its outcome will be kept; electronically and this will be filed separately from the individuals or personnel records.

**Monitoring and Reporting:** Continued monitoring of complaints and appeals will take place within CLC and will form part of the quarterly quality reviews by the Senior Management Team (SMT). The Director of CLC will receive annually an anonymised statement of complaints. Procedures will be reviewed annually to ensure resolutions and complaints are dealt with in accordance with CLC's Privacy Policy.

**Confidentiality:** Except in exceptional circumstances, every attempt will be made to ensure that both the complainant and CLC maintain confidentiality. However, the circumstances giving rise to the complaint may be such that it may not be possible to maintain confidentiality (with each complaint judged on its own merit). Should this be the case, the situation will be explained to the complainant.

### **Monitoring and review processes**

This Policy will be reviewed on an annual basis or when statutory guidance changes to ensure it continues to meet the needs of the business, its stakeholders and data associated with this procedure. The procedure will be reviewed on an annual basis by the Board of Directors

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Reviewed January 2024

Director of Teaching & Learning Sandra Cooper

Next review date January 2025

**APPEALS AGAINST ALLEGED UNFAIR ASSESSMENT**

All learners including those undertaking Apprenticeships, Diploma and Functional Skills have the right to appeal if they consider an assessment is unfair. The appeal must be reported within 28 days direct to CLC Director of Teaching & Learning ([Sandra@clcentre.co.uk](mailto:Sandra@clcentre.co.uk))



**PROCEDURE**

The following form should be completed by you and accompanied with the email to the Director of Teaching & Learning.

**APPEAL AGAINST UNFAIR ASSESSMENT**

<b>Learners Name:</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Telephone Number:</b>
<b>Email address</b>

**To CLC Assessment Board.**

I consider that the Assessment/Unit

Date:

Training Adviser:

was in my opinion unfair because.

**LEARNER STATEMENT**

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Learner signature:

Date:

CLC Lead Quality Support Manager will assess the appeal and decide the action to be taken; every effort will be made to resolve the matter. Should this not be possible the appeal will be referred to the Awarding Body External Verifier who will consider the appeal and make the final decision.