

Complaints & Appeals Procedure

Including Complaints & Appeals Form

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INTRODUCTION

From time to time, it is expected that apprentices, learners, employees and other stakeholders (collectively referred to as 'stakeholders' from herein after) may not be entirely satisfied with Mediprosects' actions, therefore this procedure is established to ensure there is a way for stakeholders to voice their concern(s).

All Mediprosects staff are trained in Safeguarding at appropriate levels related to their job roles and any complaint raising a safeguarding concern will be shared with the Safeguarding Officer* for appropriate course of action(s).

The Complaints & Appeals Procedure involves 3 formal stages for appealing against any conduct or assessment decisions. The procedure reflects good practice and complies with the **QCF/RQF Code of Practice** and the **ACAS Code of Practice**.

*Complaints which raise safeguarding concerns about the Safeguarding Officer should be reported to the Board of Directors

STAGE 1

Learner / apprentice notifies assessor / trainer of concern regarding his/her conduct or assessment decision either verbally or in writing*. The assessor / trainer and learner should discuss as soon as possible and try to resolve the matter. The assessor should provide written feedback to the trainee within 10 working days. A copy of the feedback should be forwarded to the Internal Quality Co-ordinator (IQC).

Employee notifies the Centre Manager/ Member of Board of Directors of concern regarding the conduct either verbally or in writing*. Both parties are encouraged to discuss the issue(s) as soon as possible and try to resolve the matter. Both parties are to provide a written feedback within 5 working days to be retained by the Centre Manager / Member of Board of directors.

If the issue cannot be resolved between the learner and the assessor / trainer, either party can initiate Stage 2. For Grievances see STAGE 2a.

STAGE 2

A written appeal is submitted to the Internal Quality Co-ordinator who will arrange a meeting with the learner / apprentice and assessor / trainer within 10 working days of receipt of the written appeal. The IQC will inform the learner and assessor / trainer of the decision.

If necessary a further assessment can be organised.

STAGE 2a

In line with the ACAS code of Practice, a written complaint is submitted to either the Centre Manager or a member of the Board of Directors (as a mediator). Upon receipt of the complaint, a formal meeting will be arranged to resolve the issue(s) within 5 working days between the parties and the Centre Manager, provided the Centre Manager is not the aggrieved individual and/or the individual against whom the complaint has been filed. A member of the Board of Directors will chair the meeting if so. A record of the meeting will be retained by the mediator.

Refer to STAGE 3a if a resolution is not reached at this stage.

If the learner / apprentice is not satisfied with the decision they should progress to Stage 3. For Grievances see STAGE 3a.

STAGE 3

The complaints/appeal is referred to the External Quality Assurer appointed by the awarding body (OCR/ Pearson/ C&G/ CACHE/NCFE/ AIM Awards/ HABC / BCS). Contact with the EQA should be arranged by the Centre Manager (Mediprosects Ltd). It is understood that some awarding bodies accept direct appeals against assessment decisions if made within a set period of time – in such cases, learners / apprentices retain the right to do so. For example, learners / apprentices may appeal against an assessment decision directly to BCS within 20 days of assessment.

The decision of the EQA is binding on both parties (Unless the circumstances require escalation to Stage 4). See Stage 4 for further information.

STAGE 3a

The complaint is referred to the Board of Directors. Contact with the Board of Directors will be arranged by a neutral party (or the Mediator).

The decision of the Board of Directors can be appealed against if done so within 2 working days to be reviewed - accompanied by additional evidence(s). Appeals at this stage will not be considered unless additional evidence(s) are provided.

STAGE 4

Complaints / Appeals can only be escalated to this stage only if all previous steps have been exhausted and the learner / apprentices remains unsatisfied with the outcome so far. Contacting the Qualification Regulator, the learner / apprentice must have contacted the relevant Awarding organisation – details of this procedure are clearly established by respective awarding bodies and contact details can be found on the Awarding body's website.

At this stage, the learner / apprentice retains the right to contact OFQUAL (The Office of Qualifications and Examinations Regulations) or OFSTED (The Office for Standards in Education, Children's Services and Skills) following their established procedures.

Learners / apprentices must note that, OFQUAL and OFSTED may establish timeframes within which a Complaint / Appeal must be submitted and learners / apprentices are advised to follow the procedures as set by the Regulators.

At this stage, learners / apprentices are not liable to inform Mediprosects of their reporting or the progress of any OFSTED / OFQUAL Inquiry / Investigation.

Decision(s) issued by Regulator(s) are binding for both parties.

*The prescribed form to be used for making a complaint or appeal is included with this document.

ADDITIONAL GUIDANCE

COMPLAINTS

If you are not satisfied with the way your assessment is progressing or being conducted you should firstly let your assessor know. If there is no improvement discuss it with your assessor/IQC and, if you feel it still necessary, complete the form (just cross the appeal). You should give it to the Centre

Manager. If, after hearing the result of your complaint, you are still dissatisfied you can appeal against the outcome.

APPEAL

After your appeal has been heard you will be informed by the Centre Manager of the outcome. In very rare cases, where you believe we have not dealt appropriately with your appeal, you may bring the matter to the attention of the relevant Awarding Body via your Regional Office. Do however remember that as a matter of policy, we may discuss any ongoing complaints/appeals with the awarding body's representative(s) for advice on this matter.

GRIEVANCES

If you are aggrieved you should first try to resolve the issue informally with the involved individual(s). All written complaints/ appeals are dealt with confidentially. All members of staff are required to complete all three stages of the **Complaints & Appeals Procedures** before 'Whistleblowing'. See **Mediprospects Whistleblowing Policy** for further information.

Also see **Mediprospects Disciplinary Procedure**.

Appendix 1: Examples of written complaints

This table is not exhaustive and response times may be less based on the seriousness and stage of the complaints.

Complainant	Nature of complaint	Referred to	Response time (working days)	Referred to Safeguarding Officer?	Monitored by
Learner / Apprentice	Not satisfied with the assessment decision made by the assessor	Training lead	10	No, unless a safeguarding concern is raised	IQC
Learner / Apprentice	Not satisfied with administrative processes	ELA lead	10	No, unless a safeguarding concern is raised	IQC
Learner / Apprentice	Not satisfied with Assessor / Trainer conduct(s)	Training lead	10	Yes	IQC and Management
Learner / Apprentice	Not satisfied with conduct(s) of other Mediprosects employee(s)	Training lead	10	Yes	Management
Learner / Apprentice	Not satisfied with conduct(s) of other learners / apprentices	IQC	10	Yes	Management
Learner / Apprentice	Complaint against Training lead / IQC / ELA lead / Safeguarding Officer	Board of Directors	10	Yes, if a safeguarding concern is raised	Governors
Learner / Apprentice	Board of Directors	Governors	10	No, unless a safeguarding concern is raised	External Regulator(s)
Learner / Apprentice	Governors	Board of Directors	10	No, unless a safeguarding concern is raised	External Regulator(s)
Employee	Not satisfied with conduct(s) of another Mediprosects employee	Respective team lead	5	No, unless a safeguarding concern is raised	Management
Employee	Bullying and harassment	Safeguarding Officer	5	Yes	Board of Directors / Governors
Employee	Not satisfied with working conditions	Respective team lead	5	Yes	Board of Directors
Manager	Not satisfied with conduct(s) of another Mediprosects employee	Respective team lead	5	No, unless a safeguarding concern is raised	Board of Directors
Director	Not satisfied with conduct(s) of another Mediprosects employee	Respective team lead	5	No, unless a safeguarding concern is raised	Governors
Governors	Not satisfied with conduct(s) of another Mediprosects employee	Respective team lead	5	No, unless a safeguarding concern is raised	Board of Directors
Any stakeholder	Bullying or harassment	Safeguarding Officer	5	Yes	Board of Directors / Governors

Appendix 2:
COMPLAINTS / APPEALS FORM

This form is to be used by learners registered with the centre for an ongoing course. Before making an application, learners should refer to the Centre complaints / appeals procedure that is available in the learner handbook.

Learner / Apprentice Name		RQF Reg. No	
Date of Birth		Course Title	
Contact No.		Complaint or Appeal	
Email			

Please indicate by ticking the relevant box whether your complaint / appeal concern the conduct or the decision of:

- Internal Quality Co-ordinator
- An Assessor or your trainer
- None of these

Have you informed your assessor or trainer that you are making a complaint/ appeal in writing to the centre?

Yes / No

Please provide your reasons for making this complaint / appeal.

(Continue on a separate sheet of paper if necessary)

Learner's / Apprentice's Signature:

Date:

Appendix 3:

EMPLOYEE COMPLAINTS / APPEALS FORM

This form is to be used by members of staff employed by Mediprospects Ltd.

Name			
Position		Complaint or Appeal	
Email			

Please indicate whether your complaint / appeal concern the conduct(s) or the decision(s) of:

Name	
Name	
Name	

Please add additional names if the complaint involves more than 3 colleagues on the reasons section.

Have you informed the above-named individual(s) that you are making a complaint/ appeal in writing to the centre?

Yes / No

Please provide your **reasons** for making this complaint / appeal.

(Continue on a separate sheet of paper if necessary)

Your Signature:

Date: