

## Complaints Procedure Employees and Learners

July 2014	Version 1
May 2016	Version 2
May 2017	Version 3
July 2018	Version 4
December 2018	Version 5 – employee complaints procedure added

Next review date: December 2019

# Employee complaints

The Company aims to be responsive to concerns raised by employees and if you are unhappy with something affecting you at work you are encouraged to raise this with your line manager. If that is not possible then you should speak to a member of the management team who will try to assist you in resolving any issue you may have. The following procedure is designed to be used when these informal attempts to resolve any dispute have not been successful.

## **Raising a Grievance**

If you feel that the matter needs to be raised formally you should raise a grievance by making a written complaint, stating that it is being made under this procedure. You should give as much information about your grievance, including any relevant dates and times, as you can, so as to allow for any investigation into your concerns to take place.

A grievance will normally be dealt with by your line manager and should be addressed to them directly. Where the grievance is directly concerned with your line manager's behaviour, however, you should submit your grievance to another member of the management team who will arrange for somebody who is not directly involved in the issue to deal with it.

## **Grievance Hearing**

A grievance hearing will then be arranged so that you can explain the issue and suggest how it can be resolved. You will have the right to be accompanied by a fellow employee or trade union official. The manager conducting the hearing will consider what you have said and may either deal with the matter immediately or decide to carry out further investigations. In that case the hearing will be adjourned until the investigation has been completed.

Once the investigations are concluded, if new information comes to light, if it is considered appropriate, you may be invited in to a reconvened meeting, to have the opportunity to consider and respond to the findings of the investigation. Following this a decision on the outcome of your grievance will be made.

## **Allegations of Misconduct**

Where an employee is making allegations of misconduct on the part of other employees then the Company may need to carry out an investigation into the allegations and pursue the matter through the disciplinary procedure. Where this happens, the grievance will be held over until the disciplinary process has been concluded.

## **Relationship with Other Procedures**

Where your grievance relates to the conduct of other procedures such as the disciplinary or performance management procedures then the Company may choose to either delay the consideration of the grievance until that procedure has been completed or to deal with the grievance in the course of that procedure or by way of appeal if that appears to be a fairer or more straightforward way of dealing with the issue.

## **Appeals**

If you are dissatisfied with the outcome of a grievance, then you may appeal. You should submit your appeal in writing within one week of being informed of the outcome of your grievance. Your appeal should be directed to the person named in the grievance outcome letter. An appeal hearing will then be convened and conducted by an appropriate member of

the senior management team. You will have the right to be accompanied at the appeal by a fellow employee or trade union official. The outcome of any appeal will be final.

## Learner Complaints

What can be complained about?

The nature of the complaint might be that a apprentice has an unresolved problem, they maybe dissatisfied with decision(s) and/or the implementation of a decision (excluding assessment decisions which are subject to the appeals procedure), or they are not satisfied with the quality or appropriateness of the service provided by the centre.

### Procedure

Kicksart2employment have a complaints procedure that is included in the learner handbook and also within the learners commitment statement. The process is summarised below:

**Stage 1** - Discussion with the quality team and a resolution obtained. If the apprentice/learner is not satisfied with the explanation/ outcome move to Stage 2

**Stage 2** - An objective named person is appointed by the Quality Manager to investigate the complaint and carry out a full and fair investigation. The Complaint is investigated and recommendations are made to the Management Board. If the complaint is still not resolved to the satisfaction of the complainant, move to Stage 3

**Stage 3** - All information is forwarded to the Quality Manager who will send a letter of acknowledgement to the apprentice/employer, set a date for the complaint to be considered by the Complaints Panel within 20 days.

**Stage 4** - The complaints panel will formally hear the evidence from the complainant and investigate the full nature of the complaint and all parties involved. The Members of the Complaint Panel will be:

- Quality Manager
- A member of the Management Board
- Quality Lead
- An independent Assessor

**Stage 5** - The panel will evaluate the complaint and make recommendations as appropriate. The formal decision will be passed to the Management Board. The complainant will be notified in writing within 7 working days.

**Stage 6** - This will be the final route of escalation within our company. If after exhausting this process the employer/apprentice 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](mailto: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.