

## COMPLIMENTS, COMMENTS and COMPLAINTS POLICY

### Rationale

- 1.1** The purpose of this procedure is to provide a clear framework within which all feedback from external sources about our services will be recorded and managed appropriately within Halifax Opportunities Trust (HOT). Please note there is a separate procedure for people undertaking an Apprenticeship via HOT and this can be accessed at Appendix B of this policy.
- 1.2** In particular, where a formal complaint is made, this procedure is intended to ensure that it is handled fairly, consistently and wherever possible, resolved to the complainant’s satisfaction in a timely manner.
- 1.3** HOT is committed to providing an exceptional service for its service users and families; its tenants and business users; its visitors and other individuals who access our services and facilities. It seeks to work 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 families, tenants, customers and all other stakeholders so that we may respond positively to complaints and put any mistakes right. All comments help us to learn, improve and provide better services.
- 1.4** We will provide a number of ways to enable users to comment about the service they receive, such as Evaluations, Suggestion Boxes and Comments Books, as well as direct contact with staff members. Comments of any kind are always valued.
- 1.5** In the event of a complaint being received, every attempt will be made to ensure that both the complainant and HOT maintains 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) and should this be the case, the situation will be explained to the complainant.
- 1.6** As a minimum, a record of all complaints is documented, analysed and addressed. These records are made available to appropriate internal functions, regulatory bodies, external agencies and contractors in order to fulfil contract compliance obligations and make improvements.
- 1.7** Complaints will be accepted from representatives (if the complainant has been given written consent or where they cannot complain unaided).
- 1.8** All parents/carers at our Children’s Centres have the right to contact Ofsted about the service at any time should they believe there is a breach in meeting the welfare requirements which are set out in the statutory framework for Early Years Foundation Stage.

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- 1.9** Failure by HOT staff to observe this Policy and Procedure may result in disciplinary action up to and including dismissal.
- 1.10** This policy does not form part of any employee’s contract of employment and may be amended at any time by HOT.

Scope

- 2.1.** This policy and procedure is designed to deal with complaints from an external source. As such, any person wishing to make a complaint will receive a copy of this Policy and Procedure.
- 2.2.** It is good practice to have copies of this document on display so that customers, clients, service users and their families can read it without having to ask a member of staff for a copy.
- 2.3.** Where a member of staff wishes to make a complaint or raise an issue, there are Policies and Procedures appropriate to those situations (such as the Grievance Policy or Whistleblowing Policy). If you have a concern, refer to your line manager in the first instance, and look at relevant procedures on Cezanne.

Our Aims

- 3.1.** We wish to ensure that:
  - ▶ giving us a compliment, providing comments or 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, or an apology where we have got things wrong; or provide information on any action taken
  - ▶ we learn from complaints, using them to improve our service, and regularly review our complaints policy and procedures.
- 3.2.** We recognise that many concerns will be raised informally, and dealt with quickly and this is our ‘first line’ approach so that we can:
  - ▶ resolve informal concerns quickly
  - ▶ keep matters low-key
  - ▶ wherever possible, enable mediation between the complainant and the individual against whom the complaint has been made

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## Roles and Responsibilities

### 4.1. HOT's responsibilities are to:

acknowledge a complaint (this will be done by recording it on our Compliments, Comments and Complaints Form – see Appendix A)

- ▶ respond within a stated period of time; when we receive a complaint, we will let you know how soon you are likely to receive feedback – this will often be determined by appropriate regulatory requirements
- ▶ deal reasonably and sensitively with the complaint
- ▶ take action, including undertaking an investigation if appropriate
- ▶ keep interested parties up-to-date with progress

### 4.2. A complainant's responsibilities are to:

- ▶ initially raise concern(s) promptly and directly with a member of staff, who will inform the relevant manager in the area where the complaint has originated (for example, the Children's Centre Manager)
- ▶ put their complaint in writing using our Compliments, Comments and Complaints Form
- ▶ explain the problem as clearly and as fully as possible, including any action taken to date
- ▶ state how they would like things resolved
- ▶ allow HOT a reasonable time to deal with the matter
- ▶ recognise that some circumstances may be beyond HOT's control

4.3. Responsibility for monitoring and reviewing the operation of this policy and making recommendations for change to minimise risks lies with Senior Management Team.

4.4. All members of staff are responsible for the success of this policy and you should ensure that you take the time to read and understand it. Questions regarding the content or application of this Complaints Policy should be directed to your line manager in the first instance.

## Procedure

5.1. We are happy to receive all feedback whether orally or in writing. If you wish to speak to us, a member of our staff will write down your comments or suggestions on the Compliments, Comments and Complaints Form (Appendix A). Please see Appendix B for details about the complaints procedure for people undertaking an Apprenticeship with HOT.

Where there is a complaint:

5.2. **Stage 1:** if you feel you have a complaint, speak to the member of staff in charge at the time the situation arises, letting them know what has happened, so that they have a chance to put things right there and then. The staff member will note down your

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comments on our Compliments, Comments and Complaints Form (see Appendix A) and ask you to sign this.

HOT’s aim is to resolve all matters as quickly as possible and we will aim to respond to you **within 10 working days**. Some issues will be more complex and may require longer to be fully investigated. If this is the case, and your issue requires more detailed investigation, you will receive an interim response describing what is being done to deal with the matter and when a full reply might be expected, and from whom. Once the investigation is complete, the matter should be resolved. You will be informed what action has been/will be taken.

**5.3.** If the resulting action arising from your complaint, takes the form of either a disciplinary or capability process regarding a member of our staff, you will not receive details of this; you will be told only that action is being taken.

**5.4. Stage 2 (Appeal):** If you are unsatisfied with the response to your complaint, you may appeal in writing **within 5 working days of receiving the response**, setting out the reasons for your dissatisfaction. Appeals will not be heard after this deadline.

Your appeal will be considered by a more senior member of staff (usually the line manager of the person who considered your initial complaint) and you will receive a response to your appeal **within 10 working days of it being received**.

**5.5.** This response is the final decision of Halifax Opportunities Trust and following this, no further appeals are possible. In some cases, you may be able to appeal to an external body with which HOT holds a contract and they will hear further appeals against the decision taken by the charity. We will inform you if this is the case.

**5.6.** All records of complaints are logged and monitored to identify emerging trends. Analysis of complaints and outcomes is undertaken and the results presented to the Senior Management Team Meeting for review and organisational change to prevent as far as is possible, a reoccurrence.

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## Appendix A

### COMPLIMENTS, COMMENTS AND COMPLAINT FORM

Title		First name		Surname			
Address							
Email							
Contact numbers	mobile				landline		
How shall we respond to your concern?	email	yes	no		phone	yes	no
	post	yes	no		face-to-face	yes	no
Do you . . .	want to give us a compliment?						
	want to make a comment?						
	want some information?						
	have a request?						
	have a query?						
wish to make a complaint?							
<b>Please tick appropriate box below and add your comments</b>							
Compliment	<input type="checkbox"/>						
Comment	<input type="checkbox"/>						
Information	<input type="checkbox"/>						
Request	<input type="checkbox"/>						
Query	<input type="checkbox"/>						
<b>A Complaint – please provide details, if you wish to make a complaint (a continuation sheet is available if necessary) – such as where and when the situation occurred; who you reported it to; who was involved</b>							
How can this be put right for you?							
Signed					Date		

Received by		Role	
Signed		Date	

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## Appendix B

### APPEALS AND COMPLAINTS

#### APPRENTICESHIPS PROGRAMMES PROCEDURE

This document outlines the process that should be followed by candidates, apprentices, tutors, assessors, partners or employers who are involved with apprenticeship training and/or qualifications offered by Halifax Opportunities Trust

Halifax Opportunities Trust aims to provide an excellent, high quality service through the delivery of its Apprenticeship programmes and would hope that relationships with all those involved in the delivery including employers would be open and honest with opportunity to express concerns at any point along the learning journey so that issues can be discussed and resolved as soon as possible.

However, should it be necessary to make a more formal complaint Halifax Opportunities Trust has set out the following procedure.

#### Apprentices /Learners

All apprentices are informed that an appeals procedure relating to the internal teaching and assessment process exists within the Centre. A copy of this procedure is made available to all learners in their induction pack and is published on our website. Learners may only appeal on the grounds that they do not agree with the assessment decision made by the Assessor or that the assessment procedures have not been carried out properly. The Centre Manager will manage any internal appeals, including the dissemination of information about the procedures. A written record of all appeals is maintained by the Centre. The written record includes the outcome of an appeal and reasons for that outcome. Full details of any appeal will be made available to the awarding body on request. A copy of the outcome will be sent to the apprentice.

Complaints from learners may be relating to:

- Information, Advice and Guidance provided by Halifax Opportunities Trust;
- Access to assessment;
- Process of assessment;
- Access to internal quality assurance;
- The handling of an appeal;
- Administrative issues, e.g. failure to register/apply for certification;
- Assessors/tutors.
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Assessors/tutors could complain to the centre about the following areas:

- Access to support and guidance;
- Access to internal quality assurance;

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- Administrative issues;
- Insufficient time to undertake the function.

### The Learner Appeals Process

All appeals are dealt with in line with the regulations set out by the relevant awarding body (Contact details below). If a candidate considers that they have grounds for appeal they should:

- ▶ Contact their Assessor expressing their concerns and the reasons why they wish to appeal;
- ▶ A meeting will be arranged within 14 working days with the candidate, Assessor, Internal Quality Assurer and Centre Manager;
- ▶ The candidate is entitled to be accompanied by a supporter at this meeting;
- ▶ Minutes will be taken at the meeting and signed and dated by all parties.

If the concerns cannot be resolved at this meeting and the candidate still considers they have a legitimate case for appeal, the Centre Manager must be notified in writing. The Centre Manager shall seek the support of the External Advisor for the awarding body ensuring that all procedures conform to the published requirements of the awarding body and the Code of Practice.

### If the appeal is upheld:

The Assessor shall be invited to reconsider the original assessment process. Provision shall be made for the candidate to be assessed again. If, once the Assessment Appeals procedure has been completed, the candidate continues to be dissatisfied, they have the right to contact the awarding body directly.

All candidates will have access to:

- ▶ The decisions made by the centre during assessment;
- ▶ All comments recorded by the centre relating to their internally assessed work;
- ▶ Any correspondence between the centre and awarding body relating to their internally assessed work;
- ▶ Information, if available at the time of the appeal, as to whether their work was sampled by the awarding body;
- ▶ The relevant awarding body procedures for the conduct of internal assessments.

The Centre undertakes to inform the awarding body of any outcome from an appeal which has implications for the assessment process within the centre

### Employers / Partners

Employers could complain to the centre about the following areas:

- ▶ Information, Advice and Guidance provided by Halifax Opportunities Trust;
- ▶ access to assessment;
- ▶ administrative issues;
- ▶ assessment issues;

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- ▶ Where an appeal/complaint is to be made, this should be lodged with the apprenticeship programme manager.

The programme manager will:

- ▶ Attempt to find a solution with the candidate, assessor/tutor and internal quality assurer, for example through another assessment or re-consideration of the evidence/work.

Where this does not resolve the situation, the programme manager will:

- ▶ Set a date for the appeal/complaint to be considered by an appeals panel;
- ▶ Notify the EQA that an appeal/complaint has been lodged and give details of how it will be heard, including the composition of 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 constituted so as to be objective and independent;
- ▶ 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.

Appeals and complaints can be made directly to the awarding organisation (see below) or to the ESFA if having pursued the complaints procedure of Halifax Opportunities Trust you feel that your concerns have not been resolved.

**OCR**

<https://www.ocr.org.uk/Images/16274-complaints-policy.pdf>

**NCFE CACHE**

<https://www.ncfe.org.uk/media/1175/complaints-policy.pdf>

**ESFA Contact details**

<https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>

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