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## Complaints Procedure – Learners/apprentices and employers

### Introduction

TVS believes that if a service user wishes to make a complaint or register a concern, they should find it easy to do so. It is our policy to welcome complaints and look upon them as an opportunity to learn, adapt, improve and provide better services. This policy is intended to ensure that complaints are dealt with properly and that all complaints or comments by service users and their relatives are taken seriously.

The policy is not designed to apportion blame, to consider the possibility of negligence or to provide compensation. It is NOT part of the TVS s disciplinary policy.

TVS believe that failure to listen to or acknowledge complaints will lead to an aggravation of problems, service user dissatisfaction and possible litigation. TVS supports the concept that most complaints, if dealt with early, openly and honestly, can be sorted out at a local level between just the complainant and TVS .

### Aim

The aim of TVS is to ensure that its complaints procedure is properly and effectively implemented, and that service users feel confident that their complaints and worries are listened to and acted upon promptly and fairly.

### Goals

The goals of TVS are to ensure that:

- Service users, learners and apprentices, users and their representatives are aware of how to complain, and that TVS provides easy to use opportunities for them to register their complaints
- A named person will be responsible for the administration of the procedure
- Every written complaint is acknowledged within two working days
- Investigations into written complaints are held within 28 days
- All complaints are responded to in writing by TVS
- Complaints are dealt with promptly, fairly and sensitively with due regard to the upset and worry that they can cause to both staff and service users

Then TVS believes that, wherever possible, complaints are best dealt with on a local level between the complainant and TVS . If either of the parties is not satisfied by a local process the case should be referred to the relevant individual or organisation.

### **Complaints from Apprentices**

- When an Apprentice has an issue or dispute relating to the provision of the delivery of services undertaken by TVS, the Apprentice shall make the matter known to TVS in writing by email to the operations manager, ensuring the phrase 'Apprentice Complaint' is clearly visible within the title of the email.
- The apprentice should fully document the complaint and provide evidence, if appropriate.
- TVS will thoroughly investigate the complaint(s) raised and notify the apprentice in writing within 10 working days.
- If necessary, an independent investigator will undertake a full review of the complaint and detail its findings to both parties upon the conclusion of the investigation.
- If the Apprentice is dissatisfied with the processing of, or response received, in relation to any complaint submitted, the Apprentice has the right to escalate the complaint to the Education and Skills Funding Agency [ESFA].
- Any complaint, concerns or enquiries regarding the apprenticeship may be escalated to the ESFA via the apprenticeship helpline on 0800 015 0400 or 0247 682 6482, or by email at [nationalhelpdesk@apprenticeship.gov.uk](mailto:nationalhelpdesk@apprenticeship.gov.uk).

### **Complaints from Employers to TVS**

- This policy sets out the process for employers of apprentices to make a complaint about the service provided by TVS. TVS is committed to delivering a high quality service and takes feedback from both students and employers very seriously. It is the aim of TVS to settle complaints promptly, fairly and courteously in the best interest of all parties, and to address areas where improvement is needed. TVS is keen to ensure that the interests and well-being of all those associated with a complaint are properly safeguarded. TVS aims to handle complaints in a manner which:
  - a. encourages informal conciliation nearest to the source of the complaint,
  - b. is efficient and fair,
  - c. treats complaints with appropriate seriousness, sympathy and confidentiality,
  - d. facilitates early resolution,
  - e. where relevant, ensures that Priority Training practice improves as a result.
- For effective oversight of processes and provision, the TVS board will monitor the complaints received to check for evidence of trends in failure of provision or delivery.

## Complaints Procedure

### Verbal Complaints

All verbal complaints, no matter how seemingly unimportant, should be taken seriously. There is nothing to be gained by staff adopting a defensive or aggressive attitude.

- Front line staff who receive an oral complaint should seek to solve the problem immediately if possible
- If staff cannot solve the problem immediately, they should offer to get the manager to deal with the problem
- All contact with the complainant should be polite, courteous and sympathetic
- At all times staff should remain calm and respectful
- Staff should not accept blame, make excuses or blame other staff
- If the complaint is being made on behalf of the service user by an advocate it must first be verified that the person has permission to speak for the service user, especially if confidential information is involved. It is very easy to assume that the advocate has the right or power to act for the service user when they may not. If in doubt it should be assumed that the service user's explicit permission is needed prior to discussing the complaint with the advocate
- After talking the problem through, each manager or the member of staff dealing with the complaint should suggest a course of action to resolve the complaint. If this course of action is acceptable then the member of staff should clarify the agreement with the complainant and agree a way in which the results of the complaint will be communicated to the complainant (i.e. through another meeting or by letter)
- If the suggested plan of action is not acceptable to the complainant then the member of staff or manager, should ask the complainant to put their complaint in writing to the TVS and give them a copy of the complaint's procedure

### Written Complaints

- All complaints will be sent through to a central email address [info@TVS.co.uk](mailto:info@TVS.co.uk)
- If necessary, further details should be obtained from the complainant. If the complaint is not made by the service user but on the service user's behalf, then consent of the service user, preferably in writing, must be obtained from the complainant
- A leaflet detailing the procedure should be forwarded to the complainant
- If the complaint raises potentially serious matters, advice should be sought from a legal advisor to TVS . If legal action is taken at this stage any investigation by TVS under the complaints procedure should cease immediately
- If the complainant is not prepared to have the investigation conducted by TVS he or she should be advised to contact the Skills Funding Agency
- Immediately on receipt of the complaint TVS should launch an investigation and within 28 days should be in a position to provide a full explanation to the complainant, either in writing or by arranging a meeting with the individuals concerned
- If the issues are too complex to complete the investigation within 28 days, the complainant should be informed of any delays
- If a meeting is arranged the complainant should be advised that they may, if they wish, bring a friend or relative or a representative such as an advocate

- At the meeting a detailed explanation of the results of the investigation should be given and also an apology if it is deemed appropriate (apologising for what has happened need not be an admission of liability)
- Such a meeting gives TVS the opportunity to show the complainant that the matter has been taken seriously and has been thoroughly investigated
- After the meeting, or if the complainant does not want a meeting, a written account of the investigation should be sent to the complainant. This should include details of how to approach the Skills Funding Agency if the complainant is not satisfied with the outcome
- The outcomes of the investigation and the meeting should be recorded on appropriate documentation and any shortcomings in TVS 's procedures should be identified and acted upon
- TVS should discuss complaints and their outcome at Senior Management Team meetings and complaints procedure should be audited by the manager every six months

**Confidentiality:**

- Except in exceptional circumstances, every attempt will be made to ensure that both the complainant and TVS 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.