

# Complaints Policy

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## Policy

Blue Sky Assessing & Consultancy Ltd is committed to delivering the best possible learning experience for apprentices/learners, employers, and stakeholders. Feedback from across our colleagues, apprentices/learners, employers and partners helps us to constantly review and act upon opportunities to improve, to share best practice, and to constantly strive to do better.

Blue Sky is dedicated to creating an open and honest environment where apprentices/learners, stakeholders, visitors and employers are encouraged to provide formal and informal feedback when things go well, and to have clarity on what they need to do when they are unhappy with the service being provided and they want to make a complaint.

## Scope

This policy outlines what any apprentice/learner, employer, stakeholder, parent, or visitor needs to do in order to make a complaint to Blue Sky about the service it provides.

Within the scope of this policy, we will review our delivery or performance of:

- The quality, management, or experience on Blue Sky programmes
- Issues with delays in handling or administering learner programmes and/or progress
- How Blue Sky colleagues conduct themselves and/or the approach we take to
- recruitment, training delivery, or assessment/exams and end point assessment
- Equality and Diversity issues

Separate policies are in place and made available to apprentices/learners and employers covering practice in relation to behaviour and conduct (learners), Staff Code of Conduct, and Staff disciplinary. Issues identified or raised relating to these will be handled under the appropriate policy.

This Complaints Policy is published on Blue Sky's website. The policy is shared with all colleagues through induction training. Updates to policies are also communicated through email communications, monthly newsletters, and staff meetings.

This policy is reviewed annually, or in response to updates and changes to any relevant legislation and guidance, whichever is sooner.

We readily accept that there may be an occasion where you do not feel your experience has been as good as we would like it to be, and as such we want to make it easy for you to approach us and make a complaint.

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 by giving you an explanation or an apology where we have got things wrong, and letting you know what action we've taken.

- We learn from complaints and feedback and we use them to improve our service.

If it is not possible to provide a definitive list of examples of complaints, but the following are examples of situations that would constitute a complaint:

- Incorrect invoicing;
- Certificate spelling errors;
- Lack of response to queries;
- Website issues;
- Delay with receipt of certificates;
- Non-compliance with stated Blue Sky Assessing & Consultancy Ltd process e.g. not adhering to published timescales of processes.

## Data Collection, Analysis and Continuous Improvement

Blue Sky understand that continuous improvement is vital to effective practice. We do this by:

- Ensuring that sufficient data is captured to enable identification of best practice
- Gathering learner feedback, including complaints, which enables the identification of best practice and drives decision making relating to our offer and delivery.
- Reviewing any complaints and acting on recommendations

## Confidentiality

Except in exceptional circumstances, we will try to ensure that your complaint remains confidential, but in some cases the circumstances giving rise to the complaint may make it impossible to maintain confidentiality. In these situations we will discuss this with you.

## Investigation and Outcome

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

Blue Sky Assessing & Consultancy Ltd.'s aim is 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.

We'll acknowledge your complaint and let you know who will be dealing with it. We will appoint an appropriate person to investigate the matter on your behalf.

We aim to resolve complaints within 10 working days but if it's going to take longer than that we'll keep you fully informed.

Once we have completed our investigation, we will explain what went wrong and why, apologise when it

is appropriate and take action to remedy the situation as soon as possible.

The three stages to our complaints process are:-

### **Stage 1 (Informal)**

If you have an issue with some aspect of Blue Sky's delivery, please raise this in the first instance with the person you deem to be your main/usual point of contact. In most cases, for example this will be your Development Advisor.

At this stage, your complaint could be raised as part of a discussion or an email exchange.

If you do not have a usual point of contact, or the complaint relates to that person, it should be submitted to Blue Sky Assessing & Consultancy Ltd by emailing [enquiries@blueskyassessing.co.uk](mailto:enquiries@blueskyassessing.co.uk).

The time for responding to complaints at Stage 1 is 5 working days, but should usually be less.

### **Stage 2 (Formal)**

If the complaint is unresolved through following the steps at Stage 1, then a formal complaint should be submitted by email to: [enquiries@blueskyassessing.co.uk](mailto:enquiries@blueskyassessing.co.uk)

Please include details of:

- Your full name
- Apprentice/learner number (where known)
- Contact details
- What the complaint is about
- Details of how you have raised the complaint informally (to whom, in what format, and what response you got)
- What solution to the issue do you see
- Any documentary evidence

Your complaint will be allocated to an appropriate manager depending on the nature of your complaint.

Your complaint at this stage should be acknowledged within 2 working days and investigated and responded to in writing within 10 working days. If the handling manager requires further time to fully investigate your complaint, they will write to you to advise you of this prior to the end of the 10-working day period.

### **Stage 3 (Appeal)**

If you are not satisfied with the response you receive to your complaint at Stage 1 and/or 2, and wish to appeal, you should contact the Director of Blue Sky Assessing & Consultancy Ltd within 10 working days of the issue of the Stage 1/2 response by emailing [Jane@blueskyassessing.co.uk](mailto:Jane@blueskyassessing.co.uk).

The appeal request must clearly explain the reason(s) for appeal and will only be considered if the complainant can evidence one or more of the following:

- Any aspect of the original complaint was not investigated
- The investigation findings do not match the outcome
- There is new evidence which was not reasonably available at the time of the original complaint investigation
- Blue Sky's complaints process was not followed

The Director of Blue Sky Assessing & Consultancy Ltd will undertake a full review of the original complaint, the evidence collected by the person who investigated the matter on your behalf and their response. Consultation with all parties will take place to provide you with Blue Sky Assessing & Consultancy Ltd.'s response and any further actions that may need to be taken.

Your complaint at this stage should be acknowledged within 2 working days and investigated and responded to in writing within 10 working days. If the Director requires further time to fully investigate your complaint, they will ensure that you are written to you to advise you of this and a new deadline prior to the end of the 10-working day period.

For learners wishing to appeal assessment decisions please refer to the Appeals & Complaints Procedure for Frameworks or the Appeals and Enquiries Procedure for Standards. If there is an allegation of malpractice please refer to the Malpractice and Maladministration Policy.

## Education & Skills Funding Agency

If you are unhappy with an apprenticeship and have not been satisfied with the outcome of following Blue Sky's complaints procedure above, then you can contact the Education and Skills Funding Agency (ESFA) directly and raise your concerns with them.

Please contact the ESFA on the details below:

Email: [complaints.esfa@education.gov.uk](mailto:complaints.esfa@education.gov.uk)

In writing:

Customer Service Team,  
Education and Skills Funding Agency,  
Cheylesmore House,  
Quinton Road,  
Coventry,  
CV1 2WT

Please see the link below for more information:

<https://www.gov.uk/government/publications/complaints-about-post-16-education-and-training-provision-funded-by-esfa/complaints-about-post-16-education-and-training-provision-funded-by-esfa>

If you are still unsatisfied after the ESFA have responded, then you can write to the complaints adjudicator to decide on the case.

## Complaint Conduct

Complaints should be raised within twelve months of the original issue so that evidence is available for the investigation.

Any complaint received after this period will not be investigated.

Learners should be aware that malicious complaints received in any form will result in disciplinary action (i.e. complaints that are not true, use of foul language in any communication that are sent to colleagues).

All complainants should be aware that colleagues have the right to work in a pleasant and safe environment and any violent or abusive behaviour towards colleagues will not be tolerated.

## Associated Policies

This policy should be read alongside the following policies

- Appeals & Complaints Procedure for Frameworks
- Appeals and Enquiries Procedure (for EPA/Standards)
- Malpractice & Maladministration Policy
- Disciplinary Policy
- Plagiarism & Cheating Policy
- Conflict of Interest Policy
- Reasonable Adj. & Special Considerations Policy
- Whistleblowing Policy