

# FUTURE TALENT<sup>\*</sup> LEARNING

## COMPLAINTS POLICY AND PROCEDURE



### Purpose

Future Talent Learning aims to provide all learners and other customers of our services with the right to complain and to have access to an appeals procedure against any decision that the management may make about a received complaint.

### Scope

The aims of the policy are to ensure that the complaints process is flexible and responsive to the needs of individual complainants. In addition, it emphasises the need to communicate effectively with complainants and involve them in the decisions concerning the handling of their complaint. The policy seeks to ensure that:

- The definition of a complaint is clearly outlined
- Users who complain are listened to and treated with courtesy and empathy
- Users who complain are not disadvantaged because of making a complaint
- Complaints are investigated promptly, thoroughly, honestly, and openly
- Complainants are kept informed of the progress and outcome of the investigation
- Apologies are given as appropriate
- Action to rectify the cause of the complaint is identified, implemented, and evaluated
- Learning from complaints informs service development and improvement
- Complaints handling complies with confidentiality and data protection policies and is transparent
- Staff involved in complaints are given support

All staff must be familiar with complaints handling processes. This includes details of how users can make complaints, and to whom. Complaints may also include requests for information under the Freedom of Information Act (2000), Data Protection Act (2018) or other relevant legislation.

For the sake of clarity, the scope of this policy does not deal with complaints about employment issues (for example, where a learner may wish to make a formal complaint about their employer or vice versa. In this circumstance, the learner and/or the employer should follow their internal policies in this regard.)

We will always aim to resolve all complaints without the need to execute this policy but such policy is in place to be used if needed.

### Definitions

**Complaint:** a statement that an element of the service Future Talent Learning has provided in relation to your programme of learning has been unsatisfactory. This would include instances where you have been unsatisfied by the training and assessment provided in your programme of learning. For the sake of clarity, our service does not include the End Point Assessment. Should you wish to make a complaint about the End Point Assessment Organisation (EPAO), please let us know and we will direct you to the relevant complaints procedure for your EPAO.

**Staff:** includes all Future Talent employees and those acting on behalf of Future Talent Learning such as contractors.

**Users:** includes learners, employers and anyone using the services of Future Talent Learning.

### Confidentiality

Maintaining user confidentiality is essential and security of data relating to individuals must be protected in accordance with the Data Protection Act (2018). No confidential information relating to complaints will be disclosed to any third party unless Future Talent Learning has consent or some other lawful authority to do so.

Anonymised information arising from complaints may be shared with other authorised agencies, including (but not limited to) Prime Contractors, Awarding Bodies, End Point Assessment Organisations, the Education and Skills Funding Agency and Ofsted.

## THE COMPLAINTS PROCESS

### Informal Resolution of Concerns

All staff are responsible for working to resolve concerns raised by users.

Prompt action to resolve concerns can prevent them escalating into more serious complaints. Where a complainant is reporting a genuinely poor experience of Future Talent Learning, it is appropriate for the person receiving the complaint to apologise on behalf of Future Talent Learning. Apologies and explanations of adverse events do not alone constitute an admission of liability.

Concerns and issues are problems that are raised at the time and staff can resolve them by the end of the next working day or earlier.

#### Staff must:

- Ensure that they take time to listen and ensure they fully understand the concerns, this may mean asking for clarification where elements are unclear.
- Reassure the user that complaints are welcome as a means of enabling the service to improve.
- Respond to the issues raised or refer the complainant to someone who can assist them further within 24 hours of the initial issue being raised.
- Contact their line manager if any issue is serious or cannot be resolved by the end of the next working day.
- The manner used to respond to concerns must never be perfunctory, curt or negative. Care must be taken over the messages sent out in the first interaction as this will set the tone and often influence the likelihood of dealing with the issue and looking to repair the relationship.

The member of staff to whom the complaint is made is responsible for ensuring it is registered with the Director of Learning within 24 hours of the initial issue being raised.

Line managers must ensure that staff have the necessary skills and knowledge to deal with complaints they receive and know how to access support from more senior staff.

When a concern/enquiry is made, staff must ensure that their line manager is informed. It is the responsibility of line managers to ensure that staff record details of issues and concerns that are raised and resolved locally and provide these to be discussed in team meetings (if appropriate). The record must include details of how the concern/enquiry has been resolved. The record to be used can be found in Appendix 1.

### **Formal Resolution of Complaints**

A complaint can be made in writing, electronically, or verbally. Any member of staff receiving a complaint in person should document the details and pass them to the Director of Learning without delay for official logging on the Complaints Form detailed in Appendix 2.

Complaints must be registered from the date they are first received at Future Talent Learning. It is essential that staff send all complaints to the Director of Learning immediately upon receipt.

The Director of Learning, or another designated nominee in their absence (typically this will be the Managing Director or a Lead Development Coach/IQA), must contact the complainant within 48 hours to acknowledge receipt of the complaint. All communication with the complainant must be documented on the Complaints Tracker which is maintained by the Director of Learning.

The acknowledgement of a complaint must include confirmation of the issues raised, to ensure accuracy and confirmation of the complainant's expectations. The complainant must be consulted on how they wish their complaint to be managed whenever possible. This may include offering:

- A telephone call from a senior member of staff
- A letter from a senior member of staff
- A written response from the Managing Director

In line with current standard response times, response to complaints should be within 20 working days as an absolute maximum but Future Talent Learning seek for responses to be as soon as possible without compromising the quality of the response.

### **Complaints Involving Other Organisations**

When a complaint is made to Future Talent Learning that includes issues about other providers, (e.g. ESFA, Prime Contractors and so on) the complaint must be acknowledged and a way forward agreed with the user. The user's permission must be sought before forwarding the complaint to the other organisation(s) for investigation. Please also see the Policy Scope and Definition sections.

### **Complaint Investigations**

The level of the investigation into a complaint will reflect the complexity of the complaint and may be undertaken by a single manager/named investigator or by a small, nominated investigatory team.

If a complainant alleges discrimination of any kind, a copy should be sent to the Managing Director or nominated representative for review and comment.

Responses will be required by a specified date, in line with the response times as detailed above.

A single point of contact should be identified for all complainants.

Complete and accurate records must be kept and be available. These must include:

- The original complaint and other relevant information
- The issues considered
- Decisions or actions taken
- Discussions/correspondence with the complainant
- Copies of staff responses and other information collected during the investigation
- Legal advice taken and details of the advisors
- National or local policy or guidance consulted

All complaint investigations should address the underlying causes of complaints and provide clear action plans to prevent them happening again.

### **If unhappy with how the complaint was handled**

If the procedure as outlined in this policy has been exhausted and the complainant is unhappy with how the complaint was handled, the complaint can be escalated to the Education and Skills Funding Agency (ESFA) by using the following details:

Email or post your complaint to the ESFA complaints team:

#### **ESFA complaints team**

complaints.ESFA@education.gov.uk

#### **Complaints team**

Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

The ESFA will reply to let you know what will happen next.

N.B. You must contact the ESFA within 12 months after the issue happened.

Further details can be found by following this link: <https://www.gov.uk/complain-further-education-apprenticeship>.

### **All staff**

It is the responsibility of all staff to:

- Work to resolve any concerns expressed by users
- Escalate to their manager any concerns which cannot be resolved locally or where the complainant indicates that they wish to make a complaint



Signed:

**Director of Learning**

4<sup>th</sup> August 2021

# Appendix A

## Informal Complaint Form

We encourage all complaints to be dealt with informally, but we still need to record these to identify any recurring issues or common trends.

In your role, in the first instance you will follow the Future Talent Learning Complaints Policy. You will need to complete this form and forward on to the Director of Learning for tracking within 24 hours of the concern being raised.

Your Name: \_\_\_\_\_ Date of Initial Concern Raised: \_\_\_\_\_

Initial Concern Resolved: Yes / No      Date Resolved: \_\_\_\_\_

Line Manager Informed: Yes / No

Name of Complainant:	Programme of learning (if applicable):	Workplace (if applicable):
Contact Address:		Phone Number:
		Mobile Number:
		E-mail Address:

What was the individual dissatisfied about? (Use an additional sheet if required. State clearly the issue you are concerned about, including dates, names of other people where appropriate)

What action (if any) has been taken so far?

Does the individual seem satisfied the issue has been resolved?

Your Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Line Manager Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix B

### Formal Complaint Form

We encourage all complaints to be dealt with informally, however in situations when the complaint cannot be resolved this way we will follow the Future Talent Learning Formal Complaints Procedure.

If the complaint/concern can be dealt with informally please discuss with your Future Talent Learning direct contact (this is usually your Coach), in the first instance.

If you are not satisfied with the response or if the complaint concerns these staff, then you can complete the Formal Complaint Form which will allow you to take your complaint further and in a more formal way. This can then be sent to the Director of Learning via email ([Ewen.Haldane@futuretalentlearning.com](mailto:Ewen.Haldane@futuretalentlearning.com)).

Alternatively, you can register your complaint verbally, in person or by phone, on 020 8675 8851

<b>Name:</b>	<b>Programme of learning (if applicable):</b>	<b>Workplace (if applicable):</b>
<b>Contact Address:</b>		<b>Mobile Number:</b>
		<b>E-mail Address:</b>

Please tick or complete one of the following to indicate who you are: **Learner**  **Employer**  **Other**

<b>What are you dissatisfied about? (Use an additional sheet if required. State clearly the issue you are concerned about, including dates, names of other people where appropriate)</b>
<b>What action (if any) has been taken so far?</b>
<b>What would you like Future Talent Learning to do?</b>

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

We will contact to you within 48 hours of receipt of the complaint to acknowledge the concern. Full response will be sent within 20 working days of receipt of the complaint.

