



## Appeals and Complaints Policy

Person responsible for ensuring that this policy is implemented and reviewed in line the review dates below: <b>Pam Wallace</b>	Job Role: <b>Director of Operations</b>
Changes made: Policy reviewed : <b>Sept 2023</b>	Date: Next Review date: <b>Sept 2024</b>
Logo changed 5/9/23	

## **Aim**

It is the London Learning Consortium's (LLC) policy to provide the opportunity to learners, service users and members to complain about the level and quality of service(s) they have received. This is whether they are a learner on a Consortium funded programme, on a programme/activity delivered by Consortium staff, a Provider contracted by the LLC, or any external organisation that has entered into a service agreement with LLC.

It is the Organisation's policy to provide the opportunity to learners, service users and members to appeal against decisions made as part of our quality assurance procedures.

It is our policy to deal with appeals and complaints in a fair and transparent and effective way. The operational application of this policy is outlined in the Complaints Procedure.

## **Definition of Terms**

**Appeals** apply to the **outcomes** of any of the Consortium's Quality Assurance procedures e.g. IAG, Moderator's decision about assessment, teaching and learning observations.

**Complaints** apply to the quality assurance procedures themselves, Consortium services, eg contract auditing, workshops/events or courses, compliance to service agreements, or to the actions of Consortium staff including External Moderators and consultants employed by the Consortium.

The Appeals and Complaints **Committee** is formed of three individuals; two members of LLC's Board and one member of LLC's senior management team. The Committee is chaired by a member of the Board. All three members of the Committee are not to be the subject of the complaint or appeal. The Chair may co-opt up to two additional representatives from member organisations as s/he deems necessary in order to secure appropriate additional expertise.

## **Appeals and Complaints Procedures**

### **Appeals and complaints within Sub Contracted provision**

Any appeals or complaints brought by learners, groups of learners or their representatives regarding the delivery of services by sub contractors should be dealt with in the first instance by that Organisation's own internal appeals/complaints procedures. If the matter is not resolved by these processes learners have the right to complain to the Consortium using any of the appropriate LLC procedures.

### **First Stage - Informal Review**

In the event of an appeal or complaint LLC would always hope to deal with issues informally, swiftly and sympathetically either directly through LLC staff responsible for that area of work or through the Chief Executive. The member of staff concerned will always brief the Chief Executive who in turn will brief LLC's Board. If the issue cannot be resolved by this informal route, then a formal appeal or complaint will need to be made in writing to the Chief Executive or if the issue directly relates to the Chief Executive then the Chair of the Consortium's Board. Following the receipt of a formal complaint, the procedures as set out below will apply.

## **Appeals against the outcomes of Quality Assurance Processes.**

Organisations have the right to appeal to a LLC Appeals Committee against the outcomes of a quality assurance activities / reports on the following grounds:

- LLC procedures were not applied consistently.
- That the outcomes contravened LLC established procedures which were not adhered to.
- There is inaccurate, unsubstantiated and/or inappropriate reporting by the Consortium regarding a member's quality and /or performance.

Appeals should be made to the Chair of Appeals and Complaints Committee in writing no more than 6 weeks after the receipt of a report, setting out in full the grounds for, and the nature of, the appeal.

The Organisation/individual will be given, in writing, at least one week's notice of the meeting and will have the right either to present their case to the Committee in person or to have the case decided on the basis of the written submission.

The Appeals Committee will meet within 6 weeks. The Committee will consider all relevant documentation and reports during their deliberations. The decision of the Committee will be final and notified in writing within ten working days.

### **Appeals against the outcome of the Moderation Process**

Organisations have the right to appeal to a LLC Appeals Committee against the outcomes of Moderation on the following grounds:

- That LLC procedures were not applied consistently
- That the outcome(s) contravened LLC policy or that LLC established procedures were not adhered to

If a Tutor or Manager is dissatisfied with the outcome of moderation, an appeal should be made in writing to the Chief Executive within 4 weeks of receiving the Moderator's Report. The Chief Executive will respond to the complainant in writing within 2 weeks of receiving the appeal. If the complainant is not satisfied with the response then they are entitled to appeal in writing within 2 weeks to the Appeals and Complaints committee setting out in full the grounds for, and the nature of, the appeal.

An Appeals Committee will be convened to hear the appeal. The Organisation/individual will be given, in writing, at least one week's notice of the meeting and will have the right either, to present their case to the Committee in person, or to have the case decided on the basis of the written submission.

The Appeals Committee will meet within 6 weeks. All evidence shall be in writing and circulated a week before the meeting. If an Organisation opts to present its case in person, then the Moderator should also be present.

The Appeals Committee may agree:

- to endorse the decision of the Moderator
- to amend the decision of the Moderator

- to review the decision of the Moderator

The decisions of the Appeals Committee are final.

### **Complaints concerning services provided by LLC**

(e.g. *workshops, events*), service agreements with LLC or the actions of LLC staff or external professionals employed by the Consortium (e.g. *External Moderators, consultants*)

#### **First Stage - Informal Review**

In the event of a complaint LLC would always hope to deal with issues informally, swiftly and sympathetically either directly through LLC staff responsible for that area of work or through the Chief Executive. The member of staff concerned will always brief the Chief Executive who in turn will brief the Consortium's Board. If the issue cannot be resolved by this informal route, then a formal appeal or complaint will need to be made in writing to the Chief Executive or if the issue directly relates to the Chief Executive then the Chair of the Consortium's Board. Following the receipt of a formal complaint, the procedures as set out below will apply.

If an Organisation / service recipient is dissatisfied with the level or quality of service they have received a complaint should be made in writing to the Chief Executive within 4 weeks of the incident. The Chief Executive will respond to the complainant in writing within 2 weeks of receiving the appeal. If the complainant is not satisfied with the response then they are entitled to complain in writing within 2 weeks to the Appeals and Complaints Committee setting out in full the grounds for, and the nature of, the complaint.

A Complaints Committee will be convened within 21 days. The LLC staff member concerned will be invited to the meeting. S/he may bring a representative to that meeting. The Organisation/Complainant may also choose to attend the meeting. All evidence should be made in writing, including a written response from the LLC staff member. All written evidence will be circulated a week before the meeting.

The Committee can either reject or uphold the complaint. If the complaint is upheld, the Committee will decide on the appropriate action to be taken.

The decision of the Complaints Committee is final.

### **Complaints or Appeals by learners, groups of learners or their representatives.**

Learners who have complaints or appeals which can not be dealt with under one of the preceding headings, and they have exhausted the complaints and appeals procedures of the providing organisation, may approach LLC in writing.

A Complaints Committee will be convened within 21 days. All evidence should be made in writing, including a written response from the Organisation if appropriate. All written evidence will be circulated a week before the meeting.

The Committee can either reject or uphold the complaint. If the complaint is upheld, the Committee will decide on the appropriate action to be taken.

If the learner, group of learners or their representative is dissatisfied with the outcomes of a complaint or appeal with respect to an Awarding Body and if the complainant is in respect of:

- Unreasonable behaviour or a default in the duties or activities outside the terms of a licence or contracted agreement.
- failure to follow procedure which affects assessment and award decisions

If a complaint is unresolved, the issue can be escalated to the relevant Awarding Body's complaints procedures. All awarding bodies have their Appeals Policies available on their website.

**NCFE:**

Quality Assurance team Q6, Quorum Business Park Benton Lane Newcastle upon Tyne  
NE12 8BT 0191 239 8000\* Appeals@ncfe.org.uk

**City & Guilds:**

[www.cityandguilds.com](http://www.cityandguilds.com)

**Chartered Institute of Housing:**

Head office Suites 5 and 6,  
Rowan House,  
Westwood Way,  
Coventry,  
CV4 8HS  
T:024 7685 1700  
E:customer@cih.org

**Highfield Qualifications:**

UK Headquarters  
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First Point  
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Doncaster  
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