

THE GRIEVANCE & COMPLAINTS POLICY



Issued: September 2020

Grievance and Complaints Policy

Purpose

Nottinghamshire Training Group is fully committed to the provision of support and training within a friendly environment. Wherever possible, concerns, complaints or grievances will be dealt with informally within the Nottinghamshire Training Group funded centre. The Grievance or Complaints Policy is to enable all parties that are involved with NTG, the opportunity to lodge a grievance or complaint, in the knowledge they will be treated fairly, and their concerns will not be trivialised.

Nottinghamshire Training Group welcomes feedback whether negative or positive and will, wherever possible, take on board complaints and use them to continuously develop and improve delivery for the benefit of learners, partner organisations and its own personnel.

The Grievance and Complaints Policy has been produced to provide a uniform approach to dealing with grievances or complaints about the Nottinghamshire Training Group and to ensure all matters are dealt with fairly and consistently.

Grievances or Complaints referred to under this policy may be made about Nottinghamshire Training Group centre or its personnel. This complaint could be lodged by employers, learners, parents, or guardians (or under 18-year-old learners), or partner organisations involved in the training, assessment, and support of Nottinghamshire Training Group learners.

The policy of Nottinghamshire Training Group has been written to combat any form of prejudice or discrimination whilst dealing with grievance or complaints and to fulfil its statutory legal obligations under the:

Employment Act 2008 - covering aspects of UK employment law, including dealing with discipline and grievance issues, the enforcement of the national minimum wage, and the employment agency standards enforcement regime.

The Statutory ACAS Code of Practice - providing basic practical guidance on discipline and grievance handling in the workplace. The ACAS Code came into effect on 6 April 2009 and replaced the previous ACAS Code on discipline and grievance handling which was issued in 2004. Employment tribunals will take the code into account when considering relevant cases. <http://www.acas.org.uk/index.aspx?articleid=4183>

Candidate Assessment Appeals Procedure

It should be noted that Candidate Assessment Appeals are dealt with separately under the Candidate Assessment Appeals Procedure – in line with the appropriate Awarding Organisation.

Persons involved.

Director

Responsibility for the detailed implementation of this policy rests with the Director of the Nottinghamshire Training Group. Further responsibilities are outlined within the procedure.

Education Manager

The Education has responsibility to produce the policy and cascade the information to all staff. He/she must uphold the policy and follow procedure as describe below.

Grievance and Complaint Responsibility at Each Stage

Contact Details for the Nottinghamshire Training Group are as follows:

The Nottinghamshire Training Group, The Priorswell Centre, The Old Abbey Infants' School, Cheapside, Worksop, Nottinghamshire S80 2HX. Phone 01909 477 669

Complaint by:	Learner / Parent (Under 18)	Employer	Staff Member
Informal Discussion	Tutor / Staff Member	Curriculum Lead	Curriculum Lead
Stage One	Curriculum Lead	Education Manager	Education Manager
Stage Two	Education Manager	Director	Director
Stage Three	Director	Independent Lead	Independent Lead

The Nottinghamshire Training Group reserve the right to allocate alternative staff to deal with complaint where there are potential conflicts, or it is deemed more appropriate to support the nature of the complaint.

Timescale

The timescale for dealing with complaints or grievances will be outlined within the Grievance and Complaints Procedure, as stated previously. Complaints must be made within 12 months of the incident or occurrence for which the complaint is being made, unless in the view of the Director there is good cause for a delay and clear evidence exists to support the delay in making a complaint.

Further timescales are outlined with the procedure.

Related Documentation

Nottinghamshire Training Group Funded Centres will ensure they maintain records for ...

Record	Purpose to record evidence of ...	Frequency
Grievance and Complaints	Grievance and complaints received, and the actions taken with the resulting outcomes.	When a formal complaint/ grievance is received.
Grievance and Complaint Form	The grievance and/ or complaint an outline of the incident, any witnesses or evidence any actions that have been taken and how the complainant would like the issue to be resolved.	On submitting a complaint at the first stage.
Grievance and Complaints Continuation Form	Why the issue has not been resolved and what further action Consortia need to take to resolve the complaint. Any further evidence to uphold the complaint.	If the complaint has been dealt with at one stage – but unresolved the complainant submits to move to the next stage.
Grievance and Complaints Log	The complaint progression, including outcomes, decisions, and dates.	Logged at each stage of the complaint by Nottinghamshire Training Group Personnel to record the process.
Policy awareness, acceptance, and agreement.	Compliance and agreement to the Grievance and Complaints Policy by funded Centres, funded personnel, employers, and learners (this may be within another document e.g., agreement/ contract).	On commencement of employment/working partnership/programme. With updates as appropriate.

Training and Induction to the Policy

Nottinghamshire Training Group Personnel

All Nottinghamshire Training Group centres will provide personnel delivering to learners privately funded or funded through the Education and Skills Funding Authority. This policy will be displayed on the Nottinghamshire Training Group VLE and on the company server. All staff will be inducted to the Policy, along with thorough training/briefing, during induction to their post by an appropriate person. Further training needs will be assessed on a continued basis at an annual appraisal. Funded personnel will be asked to sign a declaration to register their understanding and agreement with this policy.

Learners

All learners will receive a “user friendly” version of the Nottinghamshire Training Group Grievance and Complaints Policy, during their induction, at the commencement of their training programme. They will be shown where the full policy can be located within the training room or via the VLE. They will be asked to sign a declaration to register their understanding and agreement with this policy.

Employers

All Employers involved in the recruitment or provision of a work environment for learners will receive a thorough training/briefing and a copy of the Nottinghamshire Training Group Grievance and Complaints Policy (or access to the document through a VLE). They will be asked to sign a declaration to register their understanding and agreement with this policy within their Contract and commitment statement.

Procedure

Informal Discussion

Initially a grievance or complaint may be raised to any Nottinghamshire Training Group personnel. At first, it may be unclear whether a person is asking a question or expressing an opinion rather than making a complaint. A possible complainant may wish to have a preliminary discussion about an issue to help decide whether they wish to take it further. The recipient of the complaint will clarify the nature of the concern and reassure them that Nottinghamshire Training Group wants to hear about it. They may explain to the complainant how/why a situation occurred. They will also identify at this point; what sort of outcome is being sought.

If the Nottinghamshire Training Group personnel first contacted cannot deal with the matter, or it is clear it is a formal grievance or complaint s/he will make a clear note of the date, complainant’s name, status, contact address, phone number, and refer to the appropriate person in line with this policy.

If a satisfactory outcome is found, then no further action is taken. Where no satisfactory solution has been found then the complaint must be dealt with in line with this policy.

COMPLAINT PROCEDURE

Each NTG Centre will have this Grievance and Complaints Policy to outline processes and procedures. Before the complaints procedure formally commences an informal discussion will have taken place to ascertain any causes for concern and put into place any agreed interventions.

STAGE ONE

Notification of a Grievance or Complaint

- The complainant will submit a Grievance and Complaint Form to the appropriate person (if unsure contact **01909 477669** or email info@nottstraining.co.uk to ascertain the named contact details for a stage one complaint). If there is a conflict another appointed staff member will be provided. The form can be requested if the complainant cannot access it on the company server or VLE.

Nottinghamshire Training Group Response

- On receiving the form, the appointed person will respond within 10 working days, providing a copy of this policy and record the complaint on the Grievance and Complaint Log.
- Where a response within this time is not possible or investigations are required, the appointed person will inform the complainant of the reason for the delay and state a target date for their response.

Meeting

- The appointed person will provide an opportunity for the complainant to meet him/her (either face-to-face or remotely over a Teams meeting) to supplement information provided previously. It is made clear to the complainant that if s/he wishes, s/he may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or his/her behalf. The Nottinghamshire Training Group will appoint an administrator who will minute the meeting accurately (or agree that the meeting is recorded for future reference and for the purpose of minute taking). The minutes will be checked by the appointed person and signed as a true record.

1st Stage Outcome Feedback

- On concluding investigations, the appointed person will inform their Nottinghamshire Training Group the complainant of the outcome within 10 working days and finalise the Grievance and Complaint Log. The appointed person will keep written records and / a recording of the meetings, telephone conversations and other documentation – within a file.

Outcome Action

Complainant satisfied with the outcome

- If a satisfactory outcome is reached then no further action will be taken, the appointed person will cascade to the Director that a complaint was made, the action/s that were taken and the improvements to be made where necessary to prevent further dissatisfaction.
- Feedback will be collected from the complainant on the way the complaint was dealt with by the appointed person.

Complainant dissatisfied with the outcome

- The complainant is referred to stage two and informed of the appointed person who deals with stage two.
- The director is informed that a complaint has moved to stage two; however, no information is disclosed as this could prejudice the process.

STAGE TWO

Notification of Continuation to Stage 2

- If the complainant is dissatisfied with the outcome at stage one, within five working days of receiving the outcome they will inform the 2nd stage appointed person, they wish to proceed to stage two.

Nottinghamshire Training Group 2nd Stage Response

- Within 5 working days the 2nd stage the appointed person will provide them with a Grievance Continuation form.

Complainant 2nd Stage Response

- The complainant will complete and submit a Grievance and Complaint Continuation Form to the 2nd stage appointed person within 10 working days.

Nottinghamshire Training Group Response

- On receiving the Grievance and Complaint Continuation Form the 2nd stage appointed person will respond in writing within 10 working days and record details on the Grievance and Complaint Log. Where a response within this time is not possible, or further investigations or evidence is required the Nottinghamshire Training Group 2nd stage appointed person will inform the complainant of the calendar of dates and the reason for any delays.

Meeting

- The Nottinghamshire Training Group 2nd stage appointed person will provide an opportunity for the complainant to meet him/her (either face-to-face or remotely over a Teams meeting) to supplement information provided previously. It is made clear to the complainant that if s/he wishes, s/he may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or his/her behalf. The Nottinghamshire Training Group will appoint an administrator who will minute the meeting accurately (or agree that the meeting is recorded for future reference and for the purpose of minute taking). The minutes will be checked by the appointed person and signed as a true record.

2nd Stage Outcome Feedback

- On concluding investigations Nottinghamshire Training Group 2nd stage appointed person will inform the complainant of the outcome in writing within 10 working days from the date of the meeting and finalise the Grievance and Complaint Log.
- The Nottinghamshire Training Group 2nd stage appointed person dealing with the complaint keeps written records of meetings, telephone conversations and other documentation – within a file.

Outcome Action

Complainant satisfied with the outcome

- If a satisfactory outcome is reached then no further action will be taken, but the 2nd stage appointed person will inform the Director that a complaint was made, the action/s that were taken and the improvements to be made where necessary to prevent further dissatisfaction.
- Feedback will be collected from the complainant on the way the complaint was dealt with by the 2nd stage appointed person.

Complainant dissatisfied with the outcome

- The complainant is referred to stage three and informed of the 3rd stage appointed person contact information is provided.

- The Director is informed that a complaint has moved to stage three, however no information is disclosed as this could prejudice further outcomes.

STAGE THREE

Notification of Continuation to Stage 3

- If the complainant is dissatisfied with the outcome at stage two, within five working days of receiving the outcome they will inform the 3rd stage appointed lead person they wish to proceed to stage three.

Nottinghamshire Training Group 3rd Stage Response

- Within 5 working days the 3rd stage appointed lead person will provide them with the Grievance and Complaint Continuation Form.

Complainant 3rd Stage Response

- The Grievance and Complaint's Form must be submitted to the 3rd stage appointed lead person within 10 working days of receipt.

Nottinghamshire Training Group Response

- On receiving the form, the Nottinghamshire Training Group 3rd stage appointed lead person will respond in writing within 10 working days and log on the Grievance and Complaint Log. Where a response within this time is not possible or further investigations or evidence are required the Nottinghamshire Training Group 3rd stage appointed lead person will inform the complainant of the calendar of dates and the reason for any delays. Nottinghamshire Training Group will inform the complainant in writing of the right to be accompanied to the meeting by a friend/advocate/interpreter, how the meeting will be conducted and the complainant's right to submit further written evidence to the 3rd stage appointed lead person.

Meeting Arrangements

- The 3rd stage lead will not have been involved in the grievance or complaint previously. Where this is not deemed possible by appointing someone internally an external independent will be appointed.
- If deemed appropriate the 3rd stage lead will decide if they wish to appoint other independents to support investigations and ensure a fair and transparent process.
- The two previously appointed persons at stage 1 and stage 2 will be invited to attend the meeting to provide information on the grievance or complaint and their actions to date in attempting to resolve the situation.
- The Nottinghamshire Training Group 3rd stage lead will appoint an administrator who will minute the meeting accurately (or agree that the meeting is recorded for future reference and for the purpose of minute taking). The minutes will be checked by the appointed person and signed as a true record.

Meeting Aim

- The aim of the meeting is to resolve the complaint and achieve reconciliation between the complainant and Nottinghamshire Training Group. The 3rd stage lead will try to ensure the meeting is as informal as possible to prevent the complainant from feeling inhibited when speaking to the panel.
- If either side wishes to introduce previously undisclosed evidence or witnesses, it is essential that it is submitted to the 3rd stage lead no later than the day of the meeting. Evidence submitted after the panel meeting will not be considered.

The Meeting will allow for...

- The complainant to explain their complaint.
- The Nottinghamshire Training Group appointed persons at stage 1 and stage 2 to explain their interpretation and actions to date.

- Nottinghamshire Training Group to question the complainant and the complainant to question the Nottinghamshire Training Group appointed persons at stage 1 and stage 2 about the response.
- 3rd stage / other independents to question the complainant.
- Any party to call any witnesses (subject to the approval of the 3rd stage lead)
- All parties to question all witnesses.
- Final statements from both the complainant and the Nottinghamshire Training Group
- The 3rd Stage lead appointed person will explain to the complainant that he/she will now consider his/her verdict, and a written decision will be sent to the complainant within 10 working days. The complainant and witnesses will then leave.

The 3rd appointed lead and other independent members will then consider the complaint and all the evidence presented and....

- a. Reach a unanimous, or at least a majority decision on the outcome.
- b. Decide upon the appropriate action to be taken to resolve the complaint.
- c. Where appropriate, suggest recommended changes to the Nottinghamshire Training Group systems or procedures to ensure problems of a similar nature do not happen again.

Nottinghamshire Training Group Outcome Feedback

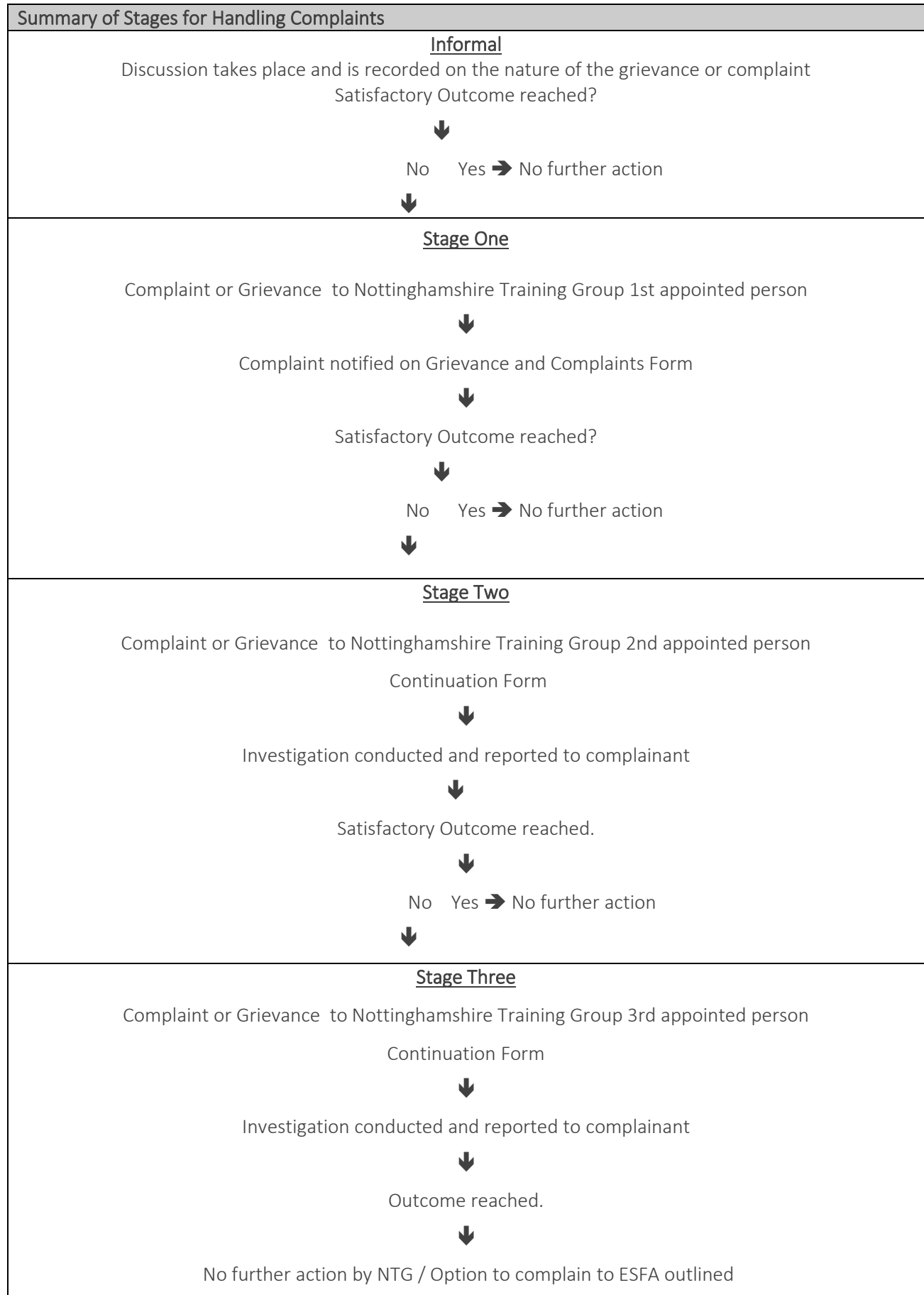
- A written statement describing the final decision of the panel will be sent to the complainant.
- The 3rd appointed lead summarises onto Grievance and Complaint Log the outcome and ensures the form is fully completed.
- The Nottinghamshire Training Group 3rd appointed lead dealing with the complaint submits to the Director written records of meetings, telephone conversations and other documentation – within a file.

Outcome Action

- The 3rd appointed lead informs the Nottinghamshire Training Group Director regarding the complaint that was made, and informs them, where appropriate, of any changes to the Nottinghamshire Training Group systems or procedures to ensure problems of a similar nature do not happen again.
- The decision of the 3rd appointed lead /panel is final. There is no appeals process - the complainant will be informed of their right to contact external sources where appropriate including the Education and Skills Funding Agency who funds some of the Nottinghamshire Training Group programmes and other possible alternative organisations that may advise the complaint (see the end of this policy).
- The decision of the panel is final. There is no appeals process. The complainant will be informed of their right to escalate the complaint to an external source - the Education and Skills Funding Agency who funds Nottinghamshire Training Groups programmes. They can be contacted through the National Apprenticeship Helpdesk, by email helpdesk@manage-apprenticeships.service.gov.uk or via phone **08000150600**.
- Other possible alternative organisations that may advise the complaint (see the end of this policy)

Additional Information when Dealing with Complaints

- If the complainant fails to respond to communications within ten working days or fails to attend agreed meetings the Nottinghamshire Training Group reserve the right to end the complaint process, as it will be deemed the complainant no longer actively wishes to pursue the complaint.



Monitoring, Review and Evaluation

Monitoring of Process and Information

The Nottinghamshire Training Group Director and Education Manager will monitor the Grievance and Complaints Procedure. In the case of a Grievance or Complaint about either of the aforementioned, another person will monitor the process.

Impact Assessment

This policy will be impact assessed for equality and diversity and records will be maintained.

Safeguarding

This policy will be reviewed to ensure it fully safeguards learners, personnel, and other partners in relation to their levels of safety, health, achievement, enjoyment, contribution, and wellbeing.

Monitoring of Documentation and Policy

The Nottinghamshire Training Group Education Manager will review this policy and documentation annually. Updates and communications will be notified to employers of all relevant reviews and any specific outcomes from the reviews, where appropriate). The updated policy will be submitted to the Nottinghamshire Training Group Director for approval/ratification. The completed policy will then be displayed for learner access and made available to all employers and Nottinghamshire Training Group personnel, if amendments have been made. It will also be available to access through the company VLE and company server.

A complainant who are not satisfied with the action taken by Nottinghamshire Training Group and feel he/she have the right to question the matter further, s/he may consider the following possible contact points:

- Education and Skills Funding Agency
- ACAS
- The Equality and Human Rights Commission
- The employee's Trade Union
- The Citizens Advice Bureau and/or law centre/firm
- Relevant professional bodies or regulatory organisations

Contact Information

Education and Skills Funding Agency

Apprenticeship Helpdesk | helpdesk@manage-apprenticeships.service.gov.uk | 08000150600

Approved by the Director of Nottinghamshire Training Group on 26th September 2021.

Signed:



A. Lilley