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## Client and Learners Complaints/Feedback Policy and Procedure

<b>Date established:</b>	June 2001
<b>Updated:</b>	August 2020
<b>Reviewed:</b>	Annually
<b>Purpose:</b>	<p>The complaints policy and associated procedure is intended to:</p> <ul style="list-style-type: none"> <li>• provide all clients with a transparent mechanism for raising a complaint</li> <li>• implement improvements to provision as a result of customer feedback</li> </ul>

### Operation

MITSkills is a learner centred private training provider working in the UK delivering training and skills valued by learners, employers, the community and the UK economy.

The MITSkills complaints policy is also available within our skills centres and is also brought to the attention of learners and employers at induction. How to make a complaint is also included in the Learner Charter provided to all learners in the Learner Handbook, and Employer Handbook along with suitable forms.

The ESFA has required the following is added to this Policy and Procedure by all training provider

“The Training Provider’s Feedback and Complaints Procedure Add Clause 39.5 as follows:

39.5. The Training Provider will ensure that it has in place and complies with an effective **whistleblowing procedure, approved by the body responsible for the management of the Training Provider**, whereby staff may raise in confidence concerns about possible malpractice without fear of victimisation, subsequent discrimination or disadvantage. The procedure must be published on the Training Provider’s public-facing website. The Training Provider will regularly review the procedure, including securing approval from the body responsible for the management of the Training Provider of any amended procedure.”

MITSkills notes that we have a separate Whistleblowing procedure and policy this must be read separately and covers this contract point both this document and our Whistleblowing will be published on our website.

### Minor Complaints

It is anticipated that most complaints will be minor in nature and will be dealt with by a member of staff at the time. Records of such complaints are recorded on learner’s



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files. In the event that a complaint is not dealt with to the learner or employers satisfaction they may raise it to a formal complaint

### **Major/Formal Complaints**

Formal Complaints are dealt with in accordance with MITSkills Complaint Procedure and a record of all complaints is maintained as part of our formal log within Quality Assurance at the Company's Head Office.

If a learner, or their employer, wishes to make a formal complaint, they will be requested to complete a Complaints Form found in the Electronic Learner or Employer Handbook, or as provided to the learner in the Learner Handbook or Employer Handbook. If complaints are made verbally or electronically will be transcribed by MITSkills for tracking purposes

MITSkills policy is to record all formal complaints, and to respond to all complaints in writing within 10 full working days (The day the complaint is received will count as day one).

All complaints are taken as serious and will initially be flagged to a member of the Senior Management Team or the Director by the staff receiving the complaint.

### **Complaint that come under Safeguarding**

In the event the complaint is considered a Safeguarding issue it will be flagged to MITSkills Safeguarding Officer, In this event the complainant learner or employer will be informed, and the Safeguarding procedures will be followed.

All other Complaints will be actioned under MITSkills Complaints Procedure (see Sharepoint and our Website)

The complaint will be allocated, investigated and reviewed and a written resolution will be forwarded to the complainant within 10 working days. This process may require contact with the complainant where deemed appropriate, and it is to be expected that the complainant is willing to work with MIT Skills to resolve the complaint. In the event this cooperation is not achievable MIT skills will make a proposed resolution in writing.

The final decision rests with the Director of MITSkills

In the event the complaint cannot be resolved within 10 working days, it is MITSkills policy to refer the issue to the appropriate learner funding body. The complainant will be informed of this in writing by day 10 from registering a formal complaint.

It is MITSkills management policy to review complaints for improvement purposes.

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Records of formal complaints are monitored on a quarterly basis as part of the quarterly review process.

Complaints, where it is agreed as appropriate by the SMT, may be discussed at regular team meetings to identify any recurring themes that may suggest a need for further improvement action.

Complaints from any other sources will also be recorded and acted upon in the same manner as learner complaints and according to the learner complaints procedures.

The complaints policy is designed to support continuous improvement.

### **Customer Employers and learner Complaints Procedure**

#### **1. Aims**

**a) To reassure the customer that their complaint is being dealt with efficiently and fairly.**

**b) To provide a straightforward and consistent way to make representation to MITSkills and to offer prompt action and a speedy resolution of any complaints.**

c) MITSkills encourages learner and employer to resolve issues at an informal level

If you are dissatisfied with any aspect of your course; in the first instance you should raise your complaint with your Tutor / Work based trainer.

d) If this is not appropriate, or the Tutor/Work based trainer is unable to provide a satisfactory response, you should then put your complaint in writing, using the MIT Skills Complaints Form. If a learner, or their employer, wishes to make a formal complaint, they will be requested to complete the Complaints Form found in the Electronic Learner or Employer Handbook, or as provided on our website.

This should be sent to your Departmental Manager who will co-ordinate an investigation. In the event that the Departmental Manager is not appropriate please Address your complaint to Hani Zubeidi Operations Director.

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If complaints are made verbally or electronically will be transcribed by MITSkills for tracking purposes . (A complaint any form i.e. by letter; telephone, fax; e-mail; or in person you will be given assistance given in making the complaint to ensure the complaint is understood and recorded on to Complaints Forms)

MITSkills aim is to use complaints positively and take action to maintain and improve services.

## **2. Availability**

This complaints procedure is available on our website, at our offices to all MITSkills customers and learners and covers all services provided by MITSkills.

## **3. What is a Complaint?**

MITSkills defines a complaint as “an expression of dissatisfaction about the MITSkills actions or lack of action or about the standard of a service provided by MITSkills itself or a person or body acting on behalf of MITSkills”.

## **4. Types of Complaint and what is excluded?**

- a) The following list indicates in general terms the range of complaints which fall within the procedure and, additionally, what type of complaints are excluded.
- b) Where a matter is excluded from the procedure every effort will still be made to help to resolve the problem.
- c) The excluded categories should still be recorded and monitored as a separate category.
- d) Assistance will be provided where necessary when a complaint is made.

## **5. Complaints**

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- a) Dissatisfaction with the way MITSkills's policies are carried out (as opposed to dissatisfaction with the policies themselves).
- b) Failure to consider relevant matters in coming to a decision.
- c) Failure to implement a decision.
- d) Complaints regarding the behaviour or perceived behaviour of individual employees.
- e) Delays in responding to complaints about the administrative process.
- f) Failure to provide a service that should be provided.
- g) Failure to fulfil statutory responsibilities.
- h) Discrimination, Harassment or Bullying.
  
- i) Where a complaint is deemed to be a Safeguarding issue it will be referred to the safeguarding officer for further investigation or action

#### 6. Matters that are not considered complaints

The following will not follow the complaints procedure; but every attempt will be made to resolve them.

- a) Criticisms of or disagreements with MITSkills's policies or decisions themselves rather than the way they have been carried out except where they are in breach of statutory rights.
- b) Complaints against individual employees where no other basis for criticism exists other than the employee was implementing MITSkills's policy/decisions.
- c) A matter where there is an alternative means of solving the criticism, for example:
  - 
  - Appeal within the remit of an Awarding Body.
  - Appeal to the Crown, Magistrates or County Court.



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- A matter which has or could reasonably be expected to be the subject of Court or tribunal proceedings or which is or could be placed in the hands of the MITSkills's insurers.
- Criticisms which constitute a disagreement with or a refusal to accept a rule of Law which the MITSkills is applying.
- Criticisms over statutory duties administered.

### 7. How to make a Complaint

The complaints procedure will be followed whenever a complaint is being dealt with.

The Formal procedure contains three stages: –

#### Stage 1 (first contact)

Tell us about your complaint. You can:

- Complete, Complaints Form from your copy of the learner employer handbook or from the website form to us (the Address is on the form)
- Write to us at MITSKILLS Training, and address the letter to your Departmental Head or Hani Zubeidi Operations director as Appropriate. They will review the complaint and allocate it to Stage 1 to be dealt with by appropriate departmental personnel or if appropriate refer it to Stage 2 or safeguarding officer,

If you need support to complete the form

- Ask a member of staff to help you
- Ask any member of staff to advise you or take details

You should receive a response within 10 working days. (if you complaint is b

#### Stage 2

The intention of stage 1 is to allow the service concerned to give a satisfactory explanation of its action or to put matters right. If that does not satisfy your complaint

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or your complaint is of a nature requiring the departmental head to investigate, then complaint will progress to stage 2 with the relevant head of department carrying out a formal investigation and a written reply will be sent within 10- days from date of receipt.

Help and advice on Stage 2 is available from the Department dealing with your complaint.

### Stage 3

If you are still dissatisfied then at stage 3 you can have the matter reviewed by two members of the SMT. A written reply will be sent within 10-working days from the date of receipt.

The complaint will be allocated, investigated and reviewed and a written resolution will be forwarded to the complainant within 10 working days. This process may require contact with the complainant where deemed appropriate, and it is to be expected that the complainant is willing to work with MITSkills to resolve the complaint. In the event this cooperation is not achievable MITSkills will make a proposed resolution in writing.

The final decision rests with the Director of MITSkills

In the event the complaint cannot be resolved within 10 working days, it is MITSkills policy to refer the issue to the appropriate learner funding body. The complainant will be informed of this in writing by day 10 from registering a formal complaint.

## **8. Responsibility for Dealing with Complaints and Administering the Procedure**

a) Any complaint will be recorded, and monitored, by the SMT liaising with the Safeguarding Manager Departmental Manager, Operations Director, and Managing Director as Appropriate. (Where a complaint is deemed to be a safeguarding issue the complaint will be dealt with by the safeguarding officer)

**b) A complaint will be dealt with by the following personnel.**

Stage 1 – An employee dealing with the service being complained about (Training Advisor/Instructor/Manager)

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Stage 2 – Head of Department from the service being complained about.

(Senior Instructor/ HR Manager)

Stage 3 – Managing Director or Director .

## 9. Time Limits

The time limit for dealing with a complaint is 10-working days.

However for matters involving detailed investigation the time limit is 28 days. An acknowledgement will be sent within 3 working days. These time scales apply at each stage. If these time limits to respond or to rectify the complaint cannot be achieved the customer will be advised why and given an expected period and the complaint will be moved to the next stage of the process.

## 10. Your Rights

You are entitled to: –

- a) A full and impartial investigation of the complaint.
- b) Response within the laid down time limits.
- c) A full written response to the complaint or subsequent appeal within stages 2 and 3.
- d) If the complaint is justified, then one of the following remedies will be recommended.
- e) The opportunity to indicate whether your complaint has been dealt with satisfactorily. This can be via a telephone call, letter or email

## 11. Remedies

- a) An apology.
- b) The provision of the service you want.



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- c) Repayment of any nominal out of pocket expenses.
  
- d) Where it is considered an ex-gratia payment would be appropriate the matter should be referred to the Managing Director.

## 12. Complaint Monitoring

- a) A complaints record will be kept by the Quality Manager of the number, nature and outcome of complaints; (including date received; acknowledged; responded).
  
- b) The Quality Manager will prepare annual monitoring reports setting out numbers, categories of complaint and results of stage 3 appeals and report the findings. The Senior Management Team will also monitor reports on a monthly basis to assess trends and what actions should be taken.
  
- c) Annually the Managing Director and the Senior Management Team will review the operation of the complaints procedure.

## 13. Suspension of Procedure

In exceptional circumstances the Managing Director can suspend this complaints procedure to enable wider investigation or where the complaint requires investigation by other external bodies such as the police.

MITSKILLS's Customer care promise

- All customers are entitled to a prompt, courteous and efficient service
- All customers can expect a full and fair investigation of their complaint
- However it is possible that customers will not always like the outcome of their complaint, but be reassured that it is investigated thoroughly
- MITSKILLS will explain rules and procedures if they are not clear
- Customer confidentiality will be respected
- Customers will be informed of the progress and the outcome of their complaint



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**If you're unhappy with the outcome**

You can complain to the Education and Skills Funding Agency (ESFA) about how your complaint was handled in relation to ESFA funded delivery.

The ESFA does not deal with complaints about employment issues (for example, a problem with your contract if you're working as an apprentice).

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

Email or post your complaint to the ESFA complaints team.

**ESFA complaints team**

[complaints.ESFA@education.gov.uk](mailto: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.

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