**Complaints & Appeals**

**Policy & Procedure**

1. **Introduction**
2. We are an equal opportunities employer, working in line with the Equality Act 2010. We are committed to equality of opportunity and to providing a service and following practices which are free from unfair and unlawful discrimination. The aim of this policy is to ensure that if a learner, employer or staff member disagrees with an assessment decision, then the complaint is investigated effectively to meet internal and external requirements of the service and standards / qualifications undertaken which is free from prejudice.
3. We value people as individuals with diverse opinions... All employees are covered by this policy and it applies to all areas of employment including recruitment, selection, training, career development, and promotion. These areas are monitored and policies and practices are amended if necessary to ensure that no unfair assessment and service is carried out at all times...
4. The Quality Manager has particular responsibility for implementing and monitoring the Complaints and Appeals Policy within the employment environment and as part of this process, all personnel policies and procedures are administered with the objective of promoting quality assessments and eliminating unfair assessments.
5. All employees, workers or self-employed contractors whether part time, full time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training, or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of Momentum Ltd.
6. Complaints and Appeals are fully compliant with the law and external and internal requirements which is to the benefit of all individuals in Momentum Ltd as it seeks to develop the skills and abilities of its people. While specific responsibility for eliminating unfair assessments lies with external bodies, managers and IQAs as well as individuals at all levels who also have a responsibility to treat others with fairly and equally. The personal commitment of every employee to this policy and application of its principles are essential to eliminate unfair assessment and provide a quality service and assessments throughout Momentum Limited.

If during your programme / apprenticeship you feel that you have been unfairly treated or do not agree with an assessment decision, then please follow the procedure set out below.

1. **Procedure**

**Stage 1**

Where you feel comfortable, you can approach the tutor/assessor, and then highlight your concerns with the delivery that you are receiving from them.

You may at this stage be able to resolve the problem.

**Stage 2**

If you are not satisfied with the outcome of this discussion you can contact Momentum Ltd to discuss the issue further.

The contact details are:

F.A.O. Quality Manager

10 Royal Scott Rd

Pride Park Derby

Tel. 01332 343515

Bev.miles@momentumgroup.org.uk

Momentum Ltd will ask you to express your concern in writing and will respond within 14 days of receipt of the complaint, with an additional 10 working days if required. Momentum Ltd might ask the Lead IQA to issue an independent opinion or assessment decision.

At this point the Lead IQA may contact you to request further information as well as the External Quality Assurer for further advice and information. Momentum Ltd is committed to fair assessment and treatment of all learners, staff and customers and will investigate the matter thoroughly. The response will be then be given in writing.

**Stage 3**

If still dissatisfied, you may appeal the decision to the Managing Director who will re-visit your complaint and respond in writing within 14 days of receipt of the appeal, with an additional 10 working days if required.

**Stage 4**

If still dissatisfied, you may ask for your appeal to be referred to the awarding organisation or appropriate external regulatory bodies, whose response and decision will be final.

**Appeal Against an Examination Decision**

A learner can appeal against an examination decision for written/paper based exams. The appeal must be submitted within 60 working days of the date on which you were notified of your examination result and comply with the awarding body’s complaints and appeals procedure.

**General Advice**

Before making an appeal, speak to someone in a senior position, such as your supervisor or work coach, and ask them to talk to your assessor. Make clear your complaint and be prepared to back it up with evidence of your performance.

1. **Complaints Procedure Flowchart**

A Learner may log a complaint if he/she believes that the decision is unfair or unreasonable.

**Learner Decides**

**To Log Complaint**

**Complaint Registered with Quality Manager/ Lead IQA/ EQA**

Formal Investigation

**Complaint Not Resolved**

**Informal Problem Solving**

Attempts to resolve issues

Response within 14 working days of being registered with an additional 10 working days if required

**Complaint Not Resolved**

**Complaint Review Panel / MD**

Consider Complaint

Response within 14 working days of receiving request, with an additional 10 working days if required

**STAGE 1**

**Complaint Not Resolved**

Learner is to be informed that they have taken up a complaint through the centres complaints procedure and if still in disagreement, the learner can then raise their complaint with the qualification awarding body or appropriate external regulators, where the response and decision will be **FINAL**

**STAGE 2**

**STAGE 3**

**STAGE 4**

**Complaint**

**Resolved**

Response within 14 working days of receipt of complaint with additional 10 working days if required

**Learning Skills Coach/Internal Quality Assurer/ Training Manager**

**Letter / Telephone / Email**