

# Complaints Policy



## Crackerjack Training

Last Reviewed: March 2019

Next Review: March 2020



Education & Skills  
Funding Agency



European Union  
European Social Fund  
Investing in jobs and skills



## **Policy Statement.**

Crackerjack Training aim to provide a supportive learning environment to meet individual needs of all apprentices and learners, which will enable them to reach and achieve their individual goals. Crackerjack Training strive to deliver an outstanding inclusive teaching environment and be responsive to concerns or complaints that arise from any of our Apprentices, learners, employers or parents and carers. Both negative and positive feedback is recognised as a valuable resource which enable us to improve the quality of our services.

## **Confidentiality**

Crackerjack Training has a duty of care to protect the rights of all persons in terms of individual grievances. In terms of complaint management, the right to confidentiality is paramount for fair and expeditious resolution. Therefore, it is the responsibility of all parties to ensure that a complaint of grievance (made or intended) is not publicised to other parties outside of the formal complaints process. Making the grievance public, by any party associated with the grievance, may be seen as harassment, victimisation or bullying, and may be deemed as discriminatory, which could lead to disciplinary procedures. This right of protection applies to all persons associated with Crackerjack Training including staff, apprentices, full time learners, employers, parents/carers and visitors.

As far as possible, confidentiality will be observed. However, if a complaint relates to specific individuals, we may seek permission to share such details with them. If permission is not granted, it may not be possible for Crackerjack Training to fully investigate the complaint.

## **Early Resolution Process**

In the first instance, you should discuss any problem with your tutor or assessor or Employer Liaison Officer in the case of employer complaint. Problems can often be sorted out quickly at this stage by the people who know you and are familiar with your situation. It is the expectation of Crackerjack Training that its staff will deal thoughtfully and sympathetically with your problem so that the majority of apprentice/learner concerns are resolved successfully at this stage, minimising the extent to which referrals are made to the formal process, which should always be the last resort.

## **What is a complaint?**

The complaints procedure covers any expression of dissatisfaction or concern about:

- Crackerjack Training's provision which affects apprentices, full time learners and employers working with Crackerjack Training.
- Actions or lack of actions by the Crackerjack Training team.
- Standards of services, courses, content, or facilities provided by Crackerjack Training.

The procedure does not cover nor include:

Matters covered by separate policies or procedures such as:

- Assessment Internal Quality Assurance and Moderation procedure
- Learner disciplinary procedure
- Whistle blowing policy

## **Stage One;**

1. A formal complaint should be put in writing to the Senior Operations Manager; [angela.westwood@crackerjacktraining.com](mailto:angela.westwood@crackerjacktraining.com). You must include your name, address and contact details, full details of the unresolved issue, details of the ways you have tried to resolve the issue informally and your expectations for the outcome. You should at this point also include all supporting evidence and information.
2. The Senior Operations Manager will acknowledge your complaint and may make arrangements to discuss the issue with you (and your representative if nominated). If you have not submitted supporting information at this stage and the Senior Operations Manager requests the disclosure of existing evidence you will have 10 working days to submit all evidence in support of your complaint.
3. You will receive a response to your complaint within a further 10 working days. This will explain the findings of the investigation and any action to be taken if needed. If it is found that the complaint is not justified you will be given an explanation of the reasons for this decision.

## **Stage two;**

1. If you are not satisfied with the outcome of the stage one consideration of your complaint you may request a review of the decision within 10 working days of receiving the outcome. You must submit a written explanation to the Managing Director; [Fiona.baker@crackerjacktraining.com](mailto:Fiona.baker@crackerjacktraining.com), of why you are dissatisfied with the outcome of stage one. If you submit new evidence at this stage you must explain why this was not made available for the Stage One consideration.
2. The Managing Director will acknowledge your request for review and will investigate to ensure the appropriate processes were followed and that the decision was reasonable. If new material is found to be available for example that was not, for valid reasons, disclosed at stage one, the Managing Director may continue the investigation into the complaint. The Managing Director will provide a written response within a further 10 working days.
3. If the outcome of stage two is that your complaint is not justified, you will be issued with a Completion of Procedures Letter which confirms that you have now exhausted the Crackerjack Training Formal Complaints Procedure.

If following this process the complaint has not been addressed, you can raise this issue directly with the Education and Skills Funding Agency, (the ESFA) through;

ESFA at [complaints.esfa@education.gov.uk](mailto:complaints.esfa@education.gov.uk),

Alternatively, you may write to:

Customer Service Team,

Education and Skills Funding Agency

Cheylesmore House

Quinton Road

Coventry CV1 2WT

## **Frivolous or Vexatious Complaints**

Crackerjack Training will terminate consideration of a complaint if it considers it to be frivolous or vexatious. If it becomes apparent that the complaint may fall within this category

at any stage of the process it will be referred to and discussed at management level and the decision may be taken to reject or terminate the complaint. The complainant will be notified of the reasons for the decision.

Examples of such complaints may include:

- Purposely withholding a complaint and accumulating grievance which is then submitted and claimed at a point in the future. This prevents Crackerjack Training from investigating and providing resolution at the appropriate time and makes investigation of a (historic) complaint more difficult.
- Apprentices and learners are expected to submit all relevant and available evidence in support of a complaint at the time of the complaint (or within 10 working days). Evidence should not knowingly be withheld from the investigation with a view to using this to support review to the next stage or to use as a means of trying to unfairly influence the outcome.
- Complaints which demand unrealistic and inappropriate redress or outcomes. For example, the outcome of a complaint cannot change the outcome of an assessment mark or grade for any apprentice or learner.
- Complaints which are designed to cause disruption and/or annoyance.
- Insistence on pursuing a complaint in an unreasonable manner.

Note, that the making of false, frivolous, malicious or vexatious complaints, appeals or allegations including defamation, may lead to disciplinary action being taken under the Learner Disciplinary Procedure against the complainant.