

# Complaints Policy and Procedure

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## 1. Objectives

The purpose of this policy is to ensure that all stakeholders and participants are able to log a formal or informal complaint should they have a need to, and that all complaints are dealt with in an appropriate, fair, consistent and timely manner.

## 2. Background and Legal/Regulatory Framework

Ambition Institute is committed to providing the best service possible and to strive for excellence. It is therefore important that we use complaints as an opportunity to re-examine systems and services and, through feedback to the complainant, show that we are responsive to their concerns. In addition our complaints procedure aligns to the requirements outlined within the guidance provided by regulatory and quality assurance bodies overseeing qualifications awarded by Ambition. This includes:

- > For apprenticeships: ESFA and OFSTED
- > For NPQs: Tribal

## 3. Responsibilities

- > Responsible for ensuring this process complies with regulations and guidelines relating to qualifications awarded by Ambition (including ESFA Funding Rules), reviewed annually or as and when regulations and guidelines are revised: Associate Director, Accreditation
- > Accountable for overseeing the management of the process and stakeholders involved: Director, Marketing and Communications
- > Supporting the effective implementation of this policy: Programme Leaders, School Partnerships Area Teams

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## 4. Policy and Procedures

### Raising complaints

1. This Complaints Policy is accessible to all, and is published on our website. All participants, schools and local partners will be made aware of this policy by a number of means including in participant T&Cs. In the case of apprenticeship training delivered by Ambition, it will be embedded in our apprentice induction and within employer contracting to ensure all apprentices, employers, parents and local partners are made aware of this policy.
2. A complaint is defined as an oral or written expression of dissatisfaction.
3. Complaints can be received in a number of ways (e.g. face to face, by email, or phone) and can be received by any staff member. It is therefore important to know the correct way to deal with a complaint to ensure satisfactory resolution.
4. Complaints can be raised informally (e.g. in day-to-day conversation with staff), which should be dealt with immediately to prevent any escalation of dissatisfaction. However, where this is not always possible, our escalation process will look to resolve complaints to a satisfactory outcome.
5. A complaint becomes formal when it is described as a formal complaint by the complainant. Complainants are strongly encouraged not to pursue a formal complaint until they have exhausted efforts to have their concerns addressed through informal channels.
6. Where a formal complaint is received it should be documented according to the usual processes of the team who received the complaint and forwarded to somebody at manager level or above in the team that the complaint most directly relates to. In the case of complaints relating to qualifications awarded by Ambition this will be the Accreditation team.
7. If the complaint relates to suspected or actual plagiarism or other malpractice or maladministration, this should be dealt with according to Ambition's Plagiarism Policy or Malpractice and Maladministration Policy respectively. Complaints relating to data protection should be dealt with in line with our Data Protection Policy. Otherwise, the complaint is then formally recorded in a central complaints log and allocated by the Director responsible for the team in question to a manager to investigate. The Director will apply their judgement to whether the nature of the complaint makes it appropriate to appoint a manager without personal involvement or interest in the case.
8. In the instance where a participant on one of our partner programmes wants to make a complaint in regards to the running of a partner programme, we would expect in the first instance that this is resolved between the participant and partner. If an informal or formal complaint is raised directly with us that relates to a partner, we will therefore advise the participant to take this complaint directly to the partner in question. If there is suspected malpractice, participants should contact the relevant Ambition Institute Management team and the 'Malpractice and Maladministration Policy' will be applied.

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## **Handling formal complaints**

1. All complaints will be dealt with appropriate discretion, confidentiality and sensitivity.
2. The complaint will be formally acknowledged within 2 working days of receiving it by the person who received the complaint.
3. The allocated manager will investigate the complaint. Where a complaint is made against a specific member of staff the investigating manager will ensure that the complaint is handled in line with our internal HR policies and procedures. The HR Director will take over the investigation if required by the nature of the complaint.
4. On completion of the investigation the manager responsible will send a formal response to the complainant within 2 working days of the conclusion of the investigation. The response will detail the findings from the investigation, and any resolution offered to the complainant, if applicable.
5. All stages and decisions will be recorded centrally on the complaints log and electronic records will be retained of the complaint investigation. For programmes with qualifications attached the accreditation team will also be informed so they can quality assure/follow up with the relevant awarding, regulatory and quality assurance bodies as necessary.

## **Appeals**

1. Every complainant has the right to appeal against a decision made under this procedure, if they are not satisfied with the outcome or the resolution offered. Details of how to appeal will be provided as part of the response to the original complaint. The appeal must be made within 5 working days of the complainant being informed of the decision and must be in writing. The complainant may approach any member of staff for help in formulating their appeal. The complaint will then be passed to the relevant department director to review. In the case of complaints relating to qualifications awarded by Ambition this will be the Director, Programme Operations, who will ensure that all regulatory or quality assurance bodies overseeing the award of the qualification in question are informed immediately of the appeal.
2. The Director of the department considering the appeal will review the original complaint and response and conduct another investigation which will be undertaken within 5 working days of the appeal.
3. The Director of the department considering the appeal will inform all parties of their decision within 2 working days of it being reached.
4. Where a complaint cannot be resolved to the complainant's satisfaction through the internal procedure, in some cases where the complaint relates to services funded by a third party or qualifications awarded by Ambition under external regulatory oversight, the complainant may have the option to submit a complaint to a funder or regulatory body. Complaints will not normally be investigated externally until our internal complaint procedure has been exhausted. At this stage the relevant department director will redirect the complaint to the relevant external body and their complaints procedure will be followed. In the case of apprenticeships, the ESFA complaints team can be contacted by email at

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complaints.esfa@education.gov.uk or in writing to Customer Service Team, Education and Skills Funding Agency, Cheylesmore House, Quinton Road, Coventry, CV1 2WT.

### **Reporting**

1. Each manager taking responsibility for a complaint must log the complaint information on the central complaints log.
2. Programme Leaders and leaders of individual teams will regularly produce a report of complaints relating to their programme or team, reviewing the number of complaints, root cause of complaints and resolutions which will be provided to the senior management team. The Programme Leader/ Associate Director is then responsible for identifying actions to prevent any future complaints relating to the complaint trends. In the case of apprenticeships these will be added to the Quality Improvement Plan (QIP).
3. In the case of an unsatisfactory outcome in regards to a complaint received on a partner programme leading to qualifications being awarded by Ambition, the accreditation team will be made aware and external regulatory and quality assurance bodies will be informed as required.

### **Confidentiality**

1. It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if the investigation results in disciplinary action against an Ambition staff member, details retained on the member of staff's personal and confidential file. Only staff directly involved with the complaint / investigation / resolution will be given access to the facts of the case.
2. All complaints will be treated fairly and in the strictest confidence in accordance with the provisions of the Data Protection Act 2018 and the General Data Protection Regulation. Any information relating to a third party will also be treated in confidence and in accordance with the Act. The information provided will only be used for the purpose of dealing with complaints and for monitoring.
3. In the case that it is absolutely necessary that someone needs to know about the complaint, then it will be considered carefully how much detail that individual needs to know in order to fulfil their role in the process (e.g. if they are being interviewed regarding a specific point of the complaint). It will not always be necessary to reveal the name of the complainant or of any individuals being investigated.