

Aspirations Learning Institute Appeals and Complaints Policy

1. Statement of Intent

Aspirations Learning Institute operates as a training and development arm of Aspirations Academies Trust and its policies adhere to those of the trust but include points specific to adult education and training. The objective of this policy is to provide a prompt and fair response to any concern shown by a learner/student or employer.

Aspirations Learning Institute is committed to providing a high level service to all learners/students, employers and partners. We encourage all involved in the course provision to give us feedback and to make constructive suggestions on how to improve our work and the quality of training. We seek to avoid the need for complaints by promoting good relationships and communications at all times, acting on feedback including from our quality assurance procedures. However, we recognise that occasionally a learner or an employer may have concerns. There may also be occasions when a learner/student or employer wishes to appeal against a decision made in relation to training.

2. Objectives

The aim of the policy and procedure is to set out the framework within which complaints and appeals against decisions from learners/students or employers will be dealt with to ensure that they are acted upon consistently, appropriately and in a timely manner.

3. Scope

This policy and procedure relates to appeals against decisions and complaints from learners/students and employers to whom Aspirations Learning Institute provides its services. This procedure does not apply to safeguarding allegations, concerns relating to the prevent duty or whistleblowing complaints, each of which should be raised and dealt with under the relevant policy. Where Aspirations Learning Institute is working on behalf of other providers, their own complaints and appeals policies will normally supersede this policy. For example, some programmes only accept appeals related to perceived procedural failure. See relevant programme guidance for further details.

For university partner students, please note:

Academic Appeal is made directly to the University. For details of grounds for making an appeal, and for procedures, see relevant procedures in the student handbook.

4. Complaints procedure

Informal resolution

A learner/student who has a complaint about the training should initially raise it with their tutor. If the problem cannot be resolved, the learner/student should raise the matter with the programme leader or other senior member of Aspirations Learning Institute staff. Aspirations Learning Institute will find out more about the problem and to seek a solution.

If a complaint concerns a tutor, it should be raised with the programme leader or other senior member of Aspirations Learning Institute staff. If this does not lead to a satisfactory solution, the complainant should contact the Director of Aspirations Learning Institute, who will investigate the matter.

First formal stage

If the complaint is not resolved by discussion between the relevant parties the matter should be reported to the Director of Aspirations Learning Institute who will investigate, and try to resolve the issue.

If the involvement of the Director does not resolve the concern, and/or the Director is implicated in the complaint, the complainant should make a formal complaint, in writing, addressed to the chair of Aspirations Learning Institute Committee.

Second formal stage

The Aspirations Learning Institute Committee will:

- within 5 working days of receipt of the complaint in writing write to the complainant to acknowledge the formal complaint; and
- convene a meeting of a Complaints and Appeals Committee. None of the Committee members will have had first-hand involvement in the needs assessment or training of the learner. The meeting will be convened as soon as reasonably practicable and, in any event, within 28 days of receiving the written complaint.

The Complaints and Appeals Committee will nominate a member of the committee to investigate the complaint (the Investigating Officer). The Investigating Officer will investigate the formal complaint impartially and will seek and consider the views of all relevant parties, together with supporting evidence. The Investigating Officer may speak with the complainant if any clarification is required. If the complaint involves the work of an Aspirations Learning Institute staff member, that person will be fully informed and their views and evidence will be sought as part of the investigation.

The Investigating Officer will send a report of the investigation to the Complaints and Appeals Committee as soon as reasonably practicable.

The Complaints and Appeals Committee will consider the investigation report, and reach a decision on how to resolve the complaint. It will confirm its decision to the complainant, in writing, within 5 working days of the decision.

For university partner students, please note:

A university partner student who is not satisfied with the outcome of their formal complaint to Aspirations may request a final internal review through Stage Two of the University's Complaints Procedures by writing to the University's Complaints Officer.

The request should be made within 10 working days of receiving the outcome from Aspirations of the above Stage 2 Formal Complaint, and clearly outline the reasons for taking matters to the University of Worcester's Stage Two. Requests for review received later than this will not be considered.

The University Complaints Officer will acknowledge receipt of the student's request to review a complaint within three working days. The University will request a full copy of the complaints file from Aspirations to be received within 10 working days. Completion of Stage 2 of the University's procedures forms the final stage of the Student Complaints Procedure and the University will normally issue the student with a Completion of Procedures letter.

5. Making an Appeal against a training decision - apprenticeship and professional programmes.

Please note the following appeals procedure is for learners on apprenticeship and other professional courses. Students on University courses should refer any academic appeal directly to the University. For details of grounds for making an appeal, and for procedures, see relevant procedures in the student handbook.

First Stage

A learner who wishes to make an appeal against a decision relating to training made by Aspirations Learning Institute should first discuss the grounds for the appeal with his or her tutor who should advise the learner

on whether there are reasonable grounds for appeal. The learner should then contact the programme leader, in writing, explaining the grounds for appeal and providing supporting evidence. An employer may appeal on behalf of a learner, but should include evidence that the learner supports the appeal e.g. a signed statement. This first stage of the review will be carried out by the programme leader, who will review all available, relevant evidence. If the appeal is upheld, the learner and employer will be notified and appropriate action will be taken.

If the appeal is not upheld, the programme leader will refer the appeal to the Aspirations Learning Institute Committee.

Second Stage

The Aspirations Learning Institute Committee will convene a meeting of the Complaints and Appeals Committee. None of the Committee members will have had any prior connection with the learner and his or her training. The meeting will be convened as soon as reasonably practicable and, in any event, within 28 days of the referral from the Director.

The Complaints and Appeals Committee will review the appeal, and all supporting evidence (seeking further clarification or evidence if required). The Complaints and Appeals Committee will make a decision on the appeal, based on all available relevant evidence, and notify the Director.

The Director will notify the employer and the learner of the decision within 5 working days and ensure that appropriate action is taken.

6. Referral to the OIA

If the learner or employer is not satisfied with the outcome of their complaint or appeal (having exhausted Aspirations Learning Institute's procedure) they may refer the matter to the Office of the Independent Adjudicator (OIA) for independent review. When Aspirations Learning Institute's internal procedure for dealing with complaints and appeals has been exhausted, Aspirations Learning Institute will issue (if requested) a Completion of Procedures Letter. The referral to the OIA must be made within 12 months of the final decision under Aspirations Learning Institute's procedures.

7. Contacts

Chair of Aspirations Learning Institute Committee – Steve Kenning
stevekenning@aspirationsacademies.org

Director of Aspirations Learning Institute – Nick Appleby
nickappleby@aspirationsacademies.org

Deputy Director of Aspirations Learning Institute – Jan Hetherington
janhetherington@aspirationsacademies.org

Aspirations Learning Institute Programme Manager – Amy Willson
amywillson@aspirationsacademies.org

8. Review

Aspirations Learning Institute Committee is responsible for the periodic review of this Policy.

Appendix A: Reporting Discrimination, Harassment or Bullying

All staff are responsible for recognising and dealing informally with any incident of bias, stereotyping or discrimination. Where a learner wishes to report an incident of bias or stereotyping or discrimination the personal tutor or a member of the teaching team will be happy to discuss the matter. Should staff feel that an incident of bias or stereotyping or discrimination has occurred they should report it to their Line Manager and/or through use of the Aspirations Grievance Procedure.

Staff

Please report incidents to your Line Manager, a member of HR or a Union Representative. Formal cases will be dealt with through the bullying policy, Grievance Policy and/or the Disciplinary Policy as appropriate to each individual case.

Learners

Please report incidents to your tutor, your course leader or to a senior member of Aspirations Learning Institute staff.

Reporting Hate Incidents

A hate incident is any type of incident perceived to be racist, homophobic or driven by other prejudice by the victim or any other person. If you experience or witness a hate incident, please report it to your Tutor, your course leader or to a senior member of Aspirations Learning Institute staff.

Appendix B: Legal Framework

This Policy reflects, but is not limited to, legislation from the following Acts:

[Disability Discrimination Act 1995](#), as amended [2003](#), [2005](#)

[Employment Act 2002](#)

[Employment Aspirations Learning Instituteequality \(Sex Discrimination\) Regulations 2005](#)

[Employment Aspirations Learning Instituteequality Age Regulations 2006](#)

[Employment Aspirations Learning Instituteequality Regulations \(Religion or Belief\) 2003](#)

[Employment Aspirations Learning Instituteequality Regulations \(Sexual Orientation\) 2006](#)

[Employment Rights Act 1996](#)

[Aspirations Learning Instituteual Pay Act 1970](#) as amended [1983](#), [2003](#), [2004](#)

[Aspirations Learning Instituteequality Act 2006](#)

[Aspirations Learning Instituteequality Act 2010](#)

[Human Rights Act 1999](#)

[Protection from Harassment Act 1997](#)

[Race Relation Act 1976](#), as amended [2000](#), [2003](#)

[Rehabilitation of Offenders Act 1974](#)

[Sex Discrimination Act 1975](#) and [1986](#), as amended [2003](#), [2008](#)

[Special Educational Needs and Disability Act 2001](#)