



# Academy

**SJC Training Academy Trading as:**

**HB Academy**

**LEARNER/COMPLAINANT COMPLAINTS GUIDANCE  
AND PROCEDURE**

**Guidance on how to make a complaint**

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# 1 Introduction

1.1 This document is for the use of:

- Learners and Apprentices
- Parents, guardians and/or carers on behalf of learners under the age of 18 or vulnerable adults
- Clients using our facilities
- Visitors
- Suppliers
- Employers
- Local residents and members of the local community

If you fall into one of these categories and wish to make a complaint, we use the term 'complainant' for you in the rest of this document.

## 1.3 Guiding Principles

HB Academy aims to provide you with the best possible services and to put you first. If you are dissatisfied about anything we have done, or if there is anything you feel we should have done but failed to do, please tell us. Unless you let us know we will not be able to put it right. The information gained as part of this process will be used to inform corrective action or continuous improvement.

HB Academy seeks to minimise complaints by ensuring learners, employers and stakeholders have opportunities to participate in a range of feedback activities, which enable them to be participants in shaping the service provided.

Because we care about you, we aim to investigate any complaint we receive effectively and fairly, ensuring the process is unbiased. We will do our best to put right any mistakes we find, and we will always tell you the result of our investigation. Please let us know as soon as possible so that we can make a difference to your experience.

Please be assured that no complainant will be discriminated against as a result of bringing forward a complaint. An appropriate level of confidentiality will be preserved at all times without prejudice.

If a complaint is received specifically about a senior post holder, it should immediately be passed to the Clerk to the Governors/director (Delete as appropriate) who will refer it to the Chair of Governors/Board (Delete as appropriate) to investigate and action.

#### 1.4 What is not considered to be a complaint?

Academic decisions, grades and marks – these are covered by our Appeals Policy and Procedure for learners

HB Academy will not accept or investigate complaints that are, or are subsequently, found to be:

- Unfounded or trivial in nature
- Malicious, vexatious or repetitive
- Made anonymously
- Designed to cause disruption or annoyance
- Demanding redress which lacks any serious purpose or value
- Relating to incidents which took place over 12 months previously and were not reported at the time

HB Academy has a responsibility to protect its staff against unacceptable behaviour and provide a working environment that is safe, respectful and tolerant. Consequently, it is expected that complainants, their representatives and staff members should act reasonably and fairly towards each other and treat the process with respect.

Behaviour that is unreasonable, aggressive or abusive, either verbal or written, by the complainant, or their representative, will not be tolerated and may result in the complainant's access to the procedure, or staff connected with the complaint, being limited or withdrawn. Any behaviour by a staff member not found to be appropriate will be dealt with under the relevant HR process.

#### 1.5 Complainant's access to the complaint's procedure being limited or withdrawn

In the event that this decision is taken we will provide details in writing, including the reasons why this decision has been taken. The complainant may appeal the decision to limit or withdraw access to the complaint procedure by writing to Stacey Hart. Appeals must be made within 10 working days and the complainant will receive a response within 20 working days notifying the outcome. The complainant will be notified of any delays in response times.

The appeal will be considered by Stacey Hart, together with a second senior manager from a department not involved in the initial complaint.

The decision reached by Stacey Hart, together with a second senior manager from a department not involved in the initial complaint, will be final.

For an appeal in this circumstance to be accepted, the complainant will need to demonstrate one or more of the following grounds and provide supporting evidence:

- Evidence of procedural irregularities
- Evidence of bias

- The decision reached is one that no reasonable body, (properly directing itself and taking into account all relevant factors), should have arrived at

An appeal against the complainant's access to the procedure being withdrawn should be sent to Stacey Hart in the first instance.

If there are allegations of a criminal offence, Stacey Hart may refer the matter to the police and suspend their own proceedings until the outcome of any criminal proceedings are known.

### 1.6 Learners

Before making a complaint, please consider whether you have fulfilled your responsibilities as a learner, (see the learner Charter and Code of Conduct), and if you would like an initial conversation with a manager, (Head of Department), to see whether we can solve your issue quickly and easily.

## 2. Complaint Procedure Guidance

When you are following this procedure, you can ask someone to give you support. You can contact the learner Services Office, where the staff will be able to offer advice and support as required.

Keep a note of discussions you have at each stage and the dates on which they take place. Also, keep copies of relevant documents.

### 2.1 Verbal complaint

It is always best to resolve and conclude matters as quickly as possible and staffs are keen to respond by discussing the complaint with a view to finding an early resolution. Complainants are encouraged to resolve any issues verbally with the relevant member of staff.

If the complainant is a learner or the parent, guardian and/or carer of either a learner under the age of 18 or a vulnerable adult, please discuss the matter with one of the following:

- The person directly involved
- The learner's Tutor/Assessor
- The learner's Course Leader
- The Manager with responsibility for the service concerned
- The Head of Department with responsibility for the service concerned

If the complainant is an employer, please discuss the matter with one of the following:

- The apprentice's/learner's Tutor/ Assessor
- The apprentice's/learner's Course Leader or team Leader
- The apprentice's/learner's Curriculum Manager
- The Head of Department with responsibility for the service concerned

For all other complainants, please discuss the matter with one of the following:

- The person directly involved
- The Head of Department with responsibility for the service concerned

## 2.2 Written complaint

If you are not satisfied with the outcome of your verbal complaint you can proceed to a written complaint.

In your written communication outlining your complaint, please clearly state the details of your complaint, the details of any previous discussions you have had with members of staff and what actions you would like HB Academy to take to resolve the situation.

You can contact HB Academy – Sarah Chidley in one of the following ways:

By email to **hb\_academy@outlook.com**

By filling out the complaints form on the HB Academy website

By filling out a form available from Reception

All written complaints will be forwarded to Sarah Chidley.

## 3. HB Academy's Procedure

3.1 Sarah Chidley will acknowledge a complaint within 3 working days of receipt.

3.2 Sarah Chidley will forward the complaint to the relevant senior manager, who will appoint an Investigating Officer to investigate your concerns and provide you with a response within 20 working days of receipt of your complaint.

3.3 If the investigation will take longer than 20 working days, the Stacey Hart will inform you of the revised response date. This may occur in complex cases or during HB Academy holiday periods.

If you are not satisfied with the outcome of your complaint you can refer to the review guidance below.

## 4. Review Procedure Guidance

4.1 If your written complaint has not been resolved in a way that is satisfactory to you, you can request your complaint be reviewed by writing to the Head of, or Director of the relevant area, clearly stating the grounds for your review request.

4.2 A review request needs to be submitted within 10 working days of receipt of the initial outcome of your complaint. A review will only be considered on the following grounds:

- Information is now available which was not originally available to the complainant or the Investigating Officer at the time of the original written complaint
- The complainant feels that a fair and just decision has not been reached by the Investigating Officer.

You can contact the Head of/Director of the relevant area either by e-mail via **hb\_academy@outlook.com** or directly in writing to the Head of/Director of the relevant area, **HB Academy, 228 Blackfen Road, Sidcup, Kent, DA15**. Your review request will then be forwarded to and reviewed by an independent Director or Head of Department, who was not involved with the original investigation into your complaint. They will review all previous and new evidence and will instigate a further investigation if required.

You can expect a written reply within 20 working days of receipt of your review request, which will provide the outcome decision in relation to the review. This will be the final outcome. No further correspondence will be entered into and the review response letter will conclude the HB Academy complaints procedure.

4.3 We hope that once all stages of the HB Academy's complaint process have been exhausted, we will have satisfactorily resolved any complaints. On some occasions this may not be the case and if the complainant is still not satisfied with the resolution offered; they may correspond with an external agency, a government funding agency or an awarding organisation.

In some cases complainants may wish to escalate their complaint and alert external agencies to their concerns in parallel with the HB Academy review procedure; but in general, external agencies would look to HB Academy to complete internal processes and seek a satisfactory resolution to the issue in the first instance.

Key Agencies:

OFSTED Responsible for inspecting Further Education: [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

Education and Skills Funding Agency (ESFA): [www.gov.uk/government/organisations/education-and-skills-funding-agency](http://www.gov.uk/government/organisations/education-and-skills-funding-agency)