

**Davidson Training UK Limited**

# **Complaints Policy and Procedure**

**Policy and Procedure V10 2023-2024**

# Davidson Training UK Limited

## Complaints Policy and Procedure

Davidson Training UK Ltd regards stakeholder feedback as important to improving service delivery. The complaints policy aims to ensure all stakeholders know how to direct their concerns to the appropriate personnel within Davidson Training UK Ltd, and when addressing their complaint to an external agency is warranted.

Davidson Training is committed to providing the best possible service that we can. We recognise that sometimes customers will feel that they have cause to complain about the service they have received.

We encourage all feedback from customers, including complaints, and have developed a Complaints Policy and an associated Complaints Procedure. Our Complaints Policy explains our broad approach to handling all complaints. Our Complaints Procedure provides clear information on how individual complaints will be handled.

Reports relating to complaints will be responded to in accordance with our Policies and Procedures. If you are not satisfied with the way we have handled your complaint, this will be dealt with as a failure of service under the terms of our Complaints Policy.

### Aims

Davidson Training aims to resolve complaints quickly, fairly and effectively. We will:

- Aim to put things right quickly for our customers when they go wrong
- Keep our customers informed of the progress of their complaint and the results of any investigation
- Seek to learn from each complaint to improve future performance
- Set performance targets for responding to complaints and monitor our performance against these targets
- Advise our customers of their right to appeal if they remain dissatisfied after their complaint has been through all stages of the internal Complaints Procedure

### Rationale

The company will use its best endeavours at all times to provide, at the very least, a satisfactory service to all our clients and stakeholders. This policy explains how we document, resolve and record complaints.

Complaints may come from learners, prospective learners, parents, guardians, carers, employers and prospective client companies, and organisations with whom we hold contracts.

In order to suitably investigate and resolve complaints, where such complaints involve Davidson Training UK Ltd personnel the company will need to provide individuals with the name of the person or persons making the complaint and the details that constitute the complaint.

The company will request permission to do this, but not to have such information can obstruct a fair and robust investigation and as such there may be good cause to overturn the complaint.

All stakeholders should be advised of the Davidson Training UK Ltd complaints policy and advised as to where they can locate the policy, which is available on the company website and reference to complaint handling and service recovery will be covered on employer and learner induction and

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information on how to communicate service concerns are noted in the company's learner and employer handbooks'.

It is imperative that Davidson Training UK Ltd personnel are familiar with the complaints policy and procedures and ensure that any complainant is appraised of how to make a complaint.

Stakeholders should be advised of the company phone number; the [info@davidsontraining.com](mailto:info@ davidsontraining.com) e-mail address and Davidson Training UK Ltd, personnel who are the contact for learners, employers and clients should ensure the relevant people have access to their mobile phone number and e-mail address. Stakeholders should also be notified of the company website and the contact us page.

If a stakeholder wishes to take a complaint to an external agency such as the funding agency it is important that the company procedure is fully exhausted before the external agency can get involved.

There is a separate appeals procedure to meet awarding organisation guidelines when learners, employers or delivery staffs wish to appeal against an assessment decision, quality assurance or certification decision. For Davidson Training UK Ltd personnel, the grievance procedure should be used for valid complaints.

### What is a complaint?

A complaint is when a customer tells us that they are not happy with something that we have done or not done, and we have not put things right.

### How can a complaint be made?

Any customer wishing to make a complaint can do so, by phone, e-mail or letter. Please see '*Complaint Handling procedure*'.

### Monitoring

Davidson Training is committed to continuous improvement in service delivery.

Our Service Standards for Complaints are:

- We will make it easy and straightforward for you to make a complaint
- We will endeavour to respond to your complaint within the published timescales and keep you informed
- We will ensure you have a full explanation to your complaint in your preferred format
- We will tell you if changes have been made to services following your complaint
- We will review our Complaints Policy at regular intervals.

### Responsibilities

The Senior Management Team and all those in managerial or supervisory roles are responsible for developing and encouraging good customer care handling practice within their teams.

Compliance with Customer Complaints Policy is the responsibility of all members of the Company who deal with customers.

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### Communication

Our Customer Complaints Policy is available in hard copy. Please contact the administrative team if you wish to access this document in another format.

Training will be provided for staff to ensure awareness is raised and that staff have a clear understanding of customer complaints and their responsibilities.

### Equality & Diversity

Customers have a right to express dissatisfaction with the services they receive from Davidson Training. Customers using this policy can expect to be treated fairly and without discrimination. The Company has an Equality & Diversity Policy that covers all aspects of equality.

### Complaint handing procedure

If you are unhappy with the service provided by Davidson Training - whether it is the learning experience, assessment, the support you are receiving or about staff or the organisation itself - we promise to take your complaint seriously and treat it as confidential. We also aim to resolve your complaint as speedily as possible.

If you have a complaint about any decision that we have made that affects you, for example, if you feel that you have received the wrong grade for an assessment, or you disagree with an examination result, you should use the relevant awarding organisation's appeals procedures, which we can advise you on. For all other issues and grievances, use this Complaints Procedure.

We are always pleased to receive compliments and complaints because they help us improve the service we provide, both for you and other learners. We're also interested in your ideas for improving our services. We use the information you give only to improve things. Passing on personal information about you is protected by the Data Protection Act.

### ***If you want to complain, here's what you can do:***

It helps if you complain straight away to the people involved, as they may be able to put things right immediately. You should make your complaint within 3 months of the event or problem occurring. At any stage, you can register a formal complaint by telephone, letter or email. Give as much information as you can, including times, dates, places and names. Contact Davidson Training on Tel: 01375 480088, email: [info@davidsontraining.com](mailto:info@davidsontraining.com) or write to the Training Operations Manager at Davidson Training UK Limited, Unit 1 Ascension Business Park, Fleming Road, Chafford Hundred, Essex/. RM16 6HH.

You will get a first response within one week of receipt of your complaint, and a further response within four weeks.

If you are not satisfied with the outcome of your complaint you can appeal the outcome to the Managing Director whose email address is [lorrainebunyard@davidsontraining.com](mailto:lorrainebunyard@davidsontraining.com).

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Verbal complaints or complaints received from any learner, client or stakeholder must be forwarded to the respective line manager (if the complaint is about an area team member) with a note on how it has been resolved, whether it is on-going and what remedial action has or needs to be taken to resolve the complaint.

The line manager will monitor the progress of the complaint until conclusion. They will also decide whether local operating procedures need to be amended or whether the complaint requires a review and changes. The service resolution should be communicated to the management team for the purpose of prevention of re-occurring service, failures and continuous improvement.

Please note that a complaint pertaining to qualification achievement should use the appeals and disputes procedure and the Quality Assurance Team should be advised.

A complaint pertaining to the safety and/or wellbeing of a learner should be referred to the Training Operations Manager who will liaise with the Managing Director - to establish if there is a safeguarding concern.

If the complaint pertains to senior management, the information should be directed to the Managing Director and company policies and procedures should be applied to secure a suitable resolution and actions taken noted.

Complaints from employers should be directed to the Training Operations Manager, who will in turn inform the Managing Director.

Complaints arising from a supplier, shareholders and the external funding agency or other public or professional bodies or awarding organisations should be directed to Managing Director. The same timescales as above will be followed here.

If there is a reason the complaint cannot be communicated in a written fashion the company will consider alternatives to recording your complaint.

A full investigation of the complaint must be independently carried out by the appropriate manager or director and a report written and agreed with a Director then the manager will present findings and solutions to the complainant. Where possible this should be completed within 30 working days of the complaint being received.

Where a complaint has been resolved, the outcome should be noted and as required the original person receiving the complaint will check that the complainant is satisfied with the outcome and that the corrective action has been implemented.

The company reserves the right to not uphold a complaint, where the findings of the investigation find Davidson Training UK Ltd compliant with their own policies and procedures and in no contravention with external regulations or rules. In these circumstances the company will advise the complainant of their decision and the reasons for this.

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In the case of malicious or unfounded complaints the company will seek advice and take any action necessary to protect the company's reputation and assets.

If a complaint cannot be resolved to the satisfaction of the complainant then this will be passed to the Managing Director for all matters who will seek to resolve the matter directly or involve any third party or legal advisor.

All complaint documentation should be filed electronically.

Information relevant to the complaint and the resolution should be communicated as appropriate to prevent the re-occurrence of such events and to facilitate continuous improvement.

Where a complaint is made in connection to a government funded programme the complainant has the right to involve the funding body, however there are requirements that all complainants need to be advised of, before they make an approach to the agency.

### ***The following guidance, protocols should be adhered to:***

- First try to resolve it with the provider in this case Davidson Training UK Ltd; the external agency will need to confirm that the company's complaint procedure has been fully exhausted before responding to a complaint (unless the complaint is an allegation relating to irregularity and/or fraudulent practice, in this situation the agency may see it as acceptable for the complaint to go direct to them).

A complaint will be investigated in accordance with the Agency's procedure for investigating Complaints about Providers, a copy of which can be found at:

<https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>

The complaint will be investigated by the ESFA based in the area in which the provider is located. Where a complaint concerns Apprenticeship provision, the appropriate officer will liaise with the National Apprenticeship Service (NAS).

The Agency's role is primarily to ensure that the provider's procedures are working effectively.

The Agency reviews the processes the provider has gone through when dealing with your complaint and the decisions that have been made. The Agency will not substitute its decision for the provider's where the provider has followed its procedures and the decision is reasonable.

### **Types of complaint**

The types of complaint that the Agency can consider are:

- the quality or management of learning provision
- undue delay or non-compliance with published procedures
- poor administration by the provider
- equality and diversity issues (except where there is a more appropriate mechanism for dealing with the matter through the courts, tribunals or other organisations)
- health and safety concerns (unless these are matters for the Health and Safety Executive)

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The types of complaint the Agency cannot consider are:

- Examination results or curriculum content or quality assurance decisions and certification where a more appropriate form of redress would be the examining body, awarding organisation or the Office of Qualifications and Examinations Regulation (Ofqual) (the company appeals, and disputes procedure should be utilised here).
- Individual employment issues (not in the wider public interest) which are a matter for the employer and the employee, where employment law provides appropriate remedies.
- Contractual disputes such as those arising from a contractual agreement between the complainant and the provider.
- Matters that are the subject of legal action, or where legal proceedings are the most appropriate way of resolving the dispute.
- In all cases where there is a valid case for the complaint being referred to the funding agency the Area Relationship Team representing the funding agency will try to point you in the right direction if they are not able to deal with your complaint.

Safeguarding issues may be referred to the ESFA where the provider has a case to answer in terms of procedural non-compliance otherwise it would be expected that all safeguarding concerns would be reported via the appropriate bodies.

### **Procedure**

Firstly, the complainant must exhaust the provider's complaints procedure. If the complainant is unhappy with the outcome of an investigation and the resolution made, they should contact the Education Skills Funding Agency.

The complaint should be referred to the Agency within three months of the provider's decision. This is normally three months from when the provider's complaints procedure has been exhausted and the provider cannot investigate further.

The reason for this is that it can be difficult to investigate complaints fairly where a long period has passed since the events complained about took place.

### ***What the Agency will do?***

The Agency will typically ask the complainant to put the complaint in writing, an email or fax. If the complainant has difficulty providing details in writing, the Agency will consider alternative ways of receiving the information.

In most cases, the Agency will need to identify the complainant to the provider. This will help greatly in investigating an individual complaint. They will check with the complainant before doing so, but it can be difficult to investigate a personal complaint without revealing the person's name.

The Agency will encourage the complainant and the provider to reach an agreement on the complaint. If this is not possible, they will investigate the way in which the provider has dealt with the complaint and whether their conclusions are reasonable and justified.

If the complaint is justified, the Agency may make recommendations to the provider to remedy any difficulties the complainant has suffered or to prevent the situation happening again. These recommendations will be followed up.

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### **Allegations of irregularity or suspected fraud**

The Chief Executive of the Agency has a team investigating allegations of irregularities or suspected fraud by providers. Unlike complaints, it may not be possible for allegations of irregularity to have been raised with the provider before contacting the Chief Executive, and the agency does not expect anyone with these concerns to have done so.

The Special Investigations Unit will investigate allegations such as fraud, financial irregularity, and other malpractice where there is a public interest in the allegation being made.

### **External Dispute Resolution - Escalation**

The final complaints route is via the Office of Qualification and Examinations Regulator (Ofqual), at [www.ofqual.gov.uk](http://www.ofqual.gov.uk). They will consider the case and their decision is final.

If you have gone through all the stages of Davidson Training UK Ltd complaints procedure and remain dissatisfied with the outcome or the way in which we handled your complaint you can appeal to Ofqual if you feel that the centre, NVQ (awarding body) or the ESFA (Agency) has not dealt with your complaint appropriately.

Ofqual cannot overturn assessment decisions or academic judgements but may investigate the effectiveness of the centre and/or NVQ's complaints process and require corrective action.