

Complaints and Dispute Resolution

Version: 4.2; effective from August 2024

Policy Summary: This Complaints and Dispute Resolution policy document is a summary of the Cheynes Training approach to the handling of complaints and disputes raised by any party who is not an apprentice about any aspect of the services delivered by Cheynes Training.

1. Introduction

Cheyne Training works with many hundreds of learners by delivering apprenticeship standards for apprentices registered with the Education and Skills Funding Agency (ESFA). We also work with learners on other types of programmes, for example, Advanced Learner Loans and private learners.

The environment within which training providers operate and the systems they must follow are extremely complex. Although we make every effort to make things run as effectively as possible, every so often someone may become unhappy about something. This could be for a number of reasons, for example, a lack of information, the wrong resources were sent out or someone feels let down in some other way.

We recognise that, no matter how effective our systems are, things still may go wrong and for this reason we have developed a Complaints and Dispute Resolution Policy to explain the procedure to follow if anyone feels they need to raise a concern or make a formal complaint.

2. Scope of the Policy

The Complaints and Dispute Resolution Policy is designed to be used by anyone who is not an apprentice on the programme. Concerns or complaints from apprentices are covered by or separate 'Candidate at Risk' system.

A complaint made, or dispute raised, could be about any aspect of the services delivered by Cheynes Training.

All team members employed by Cheynes Training are required to provide correct and straightforward information, guidance and advice. This includes an obligation not to disclose any confidential information or act in a manner that will undermine the mutual trust and confidence on which any commercial relationship is based.

This policy is designed to deal with any complaint made or dispute raised that may include:

- Failure to deliver resources
- Failure to respond to communication
- Providing incorrect information or advice
- Delays in taking appropriate action
- Improper conduct or unethical behaviour
- Any other area of complaint or concern
- Attempts to suppress or conceal any information

Please note this list is not exhaustive.

3. What do I do if I am dissatisfied?

Misunderstandings are often quickly sorted out on an informal basis. Please contact the person at Cheynes Training who is responsible for the area about which you are making a complaint or raising a dispute – we may be able to quickly address any issues you may have, entirely to your satisfaction.

The main areas of responsibility within Cheynes Training are as follows:

melanie@cheynestraining.com Managing director so ultimately responsible for all activity within Cheynes Training, also leads on teaching, learning, assessment, quality systems
william@cheynestraining.com Finance and accounting lead, plus all related issues
melissa@cheynestraining.com Safeguarding, the Prevent Duty, learner support
pam@cheynestraining.com City & Guilds registration, certification, early leavers
shona@cheynestraining.com New starts, ESFA funding, AGE and incentive grants
emma@cheynestraining.com Employer queries and resources, safeguarding issues
jenni@cheynestraining.com Learner teaching, learning and assessment resources
tricia@cheynestraining.com IT issues, due diligence, queries not covered by the above

If you contact a person listed above but are not satisfied with their response, please contact William Howarth – telephone 0131 476 7100, or by email. *See also section 5. below.*

If after contacting the Cheynes Training team member concerned you feel the problem needs to be put on to a more formal basis, please follow our complaints and dispute resolution procedure detailed below.

4. Your right to complain

Sometimes we can put things right immediately; at other times, it may take a little longer. We also want to learn from our mistakes so please share any concerns you have. What you tell us will help to improve our service to you and to others.

We promise to treat your concern or complaint confidentially and seriously. Cheynes Training will ensure that anyone who makes a complaint or raises a dispute will not be penalised or suffer adverse treatment for doing so. We should add, however, that anyone who does not act in good faith and makes a complaint maliciously or without having reasonable grounds for believing it to be true, or for purposes of personal gain, may be subject to legal action.

5. Making a formal complaint or raising a dispute

If you feel you need to make a complaint or raise a dispute, please write a letter, or fill in a Record of Complaint form and send this to William Howarth (address above). Alternatively, if the complaint or dispute directly involves William Howarth, please write or send a Record of Complaint to the managing director of Cheynes Training; contact details are also shown above. A blank copy of a Record of Complaint form may be downloaded from the Employer Zone and from the Assessor Zone on the Cheynes Training website.

The person to whom the complaint or dispute is reported will decide if the matter should be dealt with under the Complaints and Dispute Resolution Policy. If it is decided that the matter should be dealt with under a different procedure, the person making the complaint or raising the dispute will be notified as speedily as possible.

6. Investigation procedure

Once a letter of complaint or a Record of Complaint form is received, an investigation will be made by the person receiving the letter of complaint or the Record of Complaint who will then become the investigating officer.

- a. The investigating officer will gather written evidence from the person or persons making the complaint or raising the dispute. Evidence may take any appropriate form including statements from the person making the complaint or raising the dispute and from any witnesses.
- b. The investigating officer will also gather written evidence from the person or persons against whom a complaint is made, or a dispute is raised and from any witnesses.
- c. All parties involved will be provided with copies of all written evidence.
- d. The investigating officer will then set a timetable for the investigation and will inform all parties of the timetable.
- e. The investigating officer will then study the evidence and decide if there is a case to answer and, after due consideration, will report their ruling to the person who made the complaint or raised the dispute and to the person or persons against whom a complaint is made or a dispute is raised.
- f. At this point, should the investigating officer conclude there has been a breach of Cheynes Training's disciplinary proceedings, the person or persons responsible may be subject to disciplinary action.

7. Ruling process

Once all evidence is obtained, the investigating officer who is ruling on the complaint made or the dispute raised will make a judgement on the validity of the concern or complaint and record the reasons for the judgement. This will be done as speedily as possible.

The available judgements are:

- The concern or complaint is upheld
- The concern or complaint is not upheld
- There is insufficient evidence to make a judgement

This record will be signed and dated by the investigating officer and will be copied to the person making a complaint or raising the dispute and to the person or persons against whom the complaint has been made or the dispute raised.

8. Records

The investigating officer will keep a written record of each stage of the procedure which shall be copied to the main parties involved and in all cases a record of the outcome will be made available to the board of directors of Cheynes Training Ltd.

9. Complaints of retaliation as a result of disclosure

Cheyne Training will ensure that anyone who makes a complaint or raises a dispute in good faith is protected, regardless of whether the concern or complaint is upheld. Anyone who has made a complaint or raised a dispute and who feels that as a result, he or she has suffered adverse treatment should submit an additional formal complaint detailing what has been done to him or her.

9. Additional formal complaint

Where it is determined that there is a case where a person raising a concern or making a complaint has suffered adverse treatment, harassment or victimisation because of them making a complaint or raising a concern, a further investigation will take place which could lead to disciplinary action being taken against any person responsible for the adverse treatment.

10. External action

If, having exhausted the Cheynes Training complaints and dispute procedure, the person making a complaint or raising a dispute is not satisfied with the response of Cheynes Training he or she has the option of taking the matter further by raising it with:

- The board of directors of Cheynes Training Limited
- The Apprenticeship Helpline
- A legal advisor of their choosing

The board of directors of Cheynes Training Limited may be contacted by writing to:

Mr William Howarth
Cheynes Training Limited
16 Rutland Square
Edinburgh
EH1 2BB

The Apprenticeship Helpline may be accessed at:

nationalhelpdesk@apprenticeships.gov.uk

Telephone: 0800 015 0400

8am to 10pm, 7 days a week

Melanie Mitchell, Managing Director, July 2024