
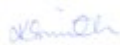
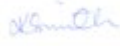

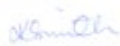





Document Control		
Document Ref: PD/CC	Date Issued: 19 th September 2023	Document Classification: Public
Document Title: Complaints Policy and Procedure	Date of Next Review: See BP23 Compliance Assurance Schedule	
Version: 2.4	Author: K. Smith	
Signature of Owner	Managing Partner	

Change Log (For Changes prior to 2021 see Historic Change Log at the end of this policy)				
Date:	Change Description:	Proposed:	Actioned:	Approved:
02 March 2021	Updated to ensure that the Complaints & Concerns Policy is aligned with the Dispute Resolution Procedure detailed within Schedule 5 of the Apprenticeship Levy – Employer Contract for Levy Payers document	P Tucker Jan 2020	H Lees 02/03/2021	
17 th August 2021	Updated to refer to Apprentices/ Delegates rather than Learners throughout and minor updates proposed by KS	H Lees	H. Lees 17/08/21	
21 st December 2021	Updated following internal review and review by Solvendis prior to submitting RoATP reapplication	K.Smith	H.Lees 19/12/21	
21 st January 2022	Updated following further review by Solvendis prior to submitting RoATP reapplication (including removal of reference to Disputes and addition of an appeal process)	K.Smith	H.Lees 21/01/2022	
26/01/2022	New appendix 3 added to provide ESFA contact details for raising complaints.	S.Baldry 25/01/2022	K.Smith	
27/09/2022	Updated to capture revised contact details for raising complaints with ESFA Updated to include reference to confidentiality and record storage/retention Updated to remove reference to policy being on Freshdesk	H.Lees 22/08/22	H.Lees 22/08/22	
19/08/2023	Updated to detail that a complaint can be made verbally or in writing Updated to remove references to concerns and renamed to become Complaints Policy Minor drafting changes following completion of 2023 Compliance Assurance Review	SLT 28/02/23	H.Lees 19/08/23	

Definitions

Complaints

The term “Complaint” refers to expressions of dissatisfaction, whether justified or not, about any aspect of Capella’s delivery or non-delivery of their training service excluding:

- complaints or concerns regarding malpractice or maladministration relating to assessments, assignments or examinations for vocational qualifications, the procedure for which is detailed within Capella’s Assessment Policy
- low-level complaints or concerns regarding End Point Assessment that have been raised by an employer or apprentice directly with the End Point Assessment Organisation
- any allegations made against a Capella Associate or Advisory Board Member or a Training Delivery Contractor/Sub-Contractor utilised by Capella, the procedure for which is detailed within Appendix 2 of Capella’s Safeguarding and Prevent Policy

A copy of Capella’s Assessment Policy and Capella’s Safeguarding and Prevent Policy are available on Capella’s website:

<https://capellaassociates.com/company/capella-policies>

Complaints may be submitted verbally or in writing to any member of the Capella Team during normal working hours. Complaints received outside normal working hours will be recorded as having been received on the next Working Day.

A record of all Complaints received will be maintained in Capella’s Non-Conformance Register (BP13 – NCR) along with details of all actions taken to address the complaint.

Customers

The term “Customer” includes both internal and external Customers, which may include apprentices/delegates, their employers, or other Providers.

Purpose

The purpose of this policy is to:

- set out the process that a Customer should follow if they wish to raise a Complaint with Capella (see Appendix 1)
- detail the process (including indicative timescales) that will be followed by Capella following receipt of any such Complaints (see Appendix 1)
- set out the process that an apprenticeship Customer should follow if they are not satisfied with the outcome of a Complaint that they have raised with Capella and they wish to escalate their complaint to the ESFA (see Appendix 2)

Owners

All Capella Associates will be aware of and work within this policy. The Managing Partner will take lead responsibility for deployment of this policy.

Intent

Capella aim to:

1. Act promptly and efficiently, and in accordance with Capella's Complaints Resolution Procedure detailed within Appendix 1 of this policy, whenever a verbal or written notice of a complaint is raised.
2. Ensure that all records and correspondence relating to the Complaint are:
 - appropriately classified (eg Highly Confidential if they contain personal and/or sensitive information)
 - stored securely
 - retained in line with Capella's Data Transfer & Storage Policy
3. Ensure that learning is extracted from Complaints and that this learning is shared and, where appropriate, is used to improve Capella processes.
4. Endeavour to avoid repeat Complaints of the same nature through our process of continuous improvement.

Tools

Key tools we will use to ensure Customer Complaints are addressed appropriately include:

1. Building strong and open relationships with all Customers such that they feel comfortable to raise Complaints.
2. Undertaking an annual review of this policy.
3. Communicating this policy to Capella Associates, Advisory Board Members and Training Delivery Contractors/Sub-Contractors upon their appointment and annually thereafter, in order to promote the

- importance of responding to Complaints in line with the procedure detailed in Appendix 1 of this policy.
4. Following the procedure detailed in Appendix 1 of this policy whenever a Complaint is raised.
 5. Capturing details of the Complaint, and action taken to address the Complaint, in Capella's Non-Conformance Register.
 6. Including a regular review of the Capella Non-Conformance Register as a Standard Agenda Item for Capella Leadership Team Meetings
 7. Ensuring that the current live version of the Complaints Policy and Procedure, which includes details regarding how to raise Complaints, is published on our website.
<https://capellaassociates.com/company/capella-policies>
 8. For apprenticeships, ensuring that the 'contract for services with employers' contains a dispute resolution procedure and that apprentices and employers are sent a link to Capella's Complaints Policy (which is available on Capella's website) during the enrolment process (apprentices) and the contracting process (employers).
 9. For apprenticeships, ensuring that apprentices and employers are aware that they may be able to refer a Complaint about a post-16 education and training provider, where the course in question has been funded by the Education and Skills Funding Agency (ESFA), to the ESFA once they have exhausted Capella's Complaints Policy, and to ensure that they are signposted through to the related ESFA guidance which details what complaints the ESFA can investigate and when and how to contact the ESFA. Details are included in Appendix 2.

Information on complaints and appeals appertaining to apprenticeships will be made available to the inspectorate and/or funding bodies upon request.

Review and Updates

This policy will be reviewed at least annually.

Appendix 1

Procedure for handling Complaints relating to any aspect of Capella's delivery of their training service (The Complaints Resolution Procedure) excluding:

- complaints or concerns regarding malpractice or maladministration relating to assessments, assignments or examinations for vocational qualifications, the procedure for which is detailed within Capella's Assessment Policy (see *Capella's website for a copy of the Assessment Policy*)
- low-level complaints or concerns regarding End Point Assessment that have been raised by an employer or apprentice directly with the End Point Assessment Organisation
- any allegations made against a Capella Associate or Advisory Board Member or a Training Delivery Contractor/Sub-Contractor utilised by Capella, the procedure for which is detailed within Appendix 2 of Capella's Safeguarding and Prevent Policy (see *Capella's website for a copy of the Safeguarding & Prevent Policy*)

Key steps:

1. Complaints regarding any aspect of Capella's delivery of their training service (other than those excluded above which will be managed as detailed above) may be submitted verbally or in writing to any member of the Capella Associates team during normal working hours. Complaints received outside normal working hours will be recorded as having been received on the next Working Day. Details of the nature of the complaint and the particulars of the matter should be provided, and wherever possible the complainant should provide supporting evidence.
2. Within 1 Working Day of having received the complaint the Capella Associate who received the complaint must either forward on the written complaint received to the Capella Managing Partner (MANAGING PARTNER) or, where the Complaint was made verbally, make a written record of the complaint and email this to the Capella MANAGING PARTNER (kate.smith@capellaassociates.com). The Capella Associate must copy the complainant into the email to the Capella MANAGING PARTNER in order to ensure that the complainant has visibility of the complaint record.
3. Within 2 working days of having received the record of the Complaint detailed in point 2 above the Capella Managing Partner will:
 - determine next steps for Capella to investigate/validate the Complaint;
 - determine an appropriate acknowledgement response (which should include an indicative timescale for investigation/resolution of the Complaint);

- determine who will communicate with the complainant going forwards and via what means and notify this individual of this role allocation;
 - update the Capella Non-Conformance Register with the details regarding the Complaint and the action that is being taken.
4. Within 5 Working Days of receipt of the Complaint the Capella Associate nominated to communicate with the complainant in Step 3 above must send an acknowledgement response to the complainant which must include an indicative timescale for providing a formal written response to the Complaint. Capella will endeavour to provide a formal written response within as short a timeframe as possible, although Capella note that the length of time may vary in each individual case depending upon the complexity of the Complaint.
 5. Within 5 working days of concluding the investigation into a Complaint, the Capella Associate nominated to communicate with the complainant in Step 3 will issue a formal written reply to the complainant which explains the outcome of the Complaint investigation. The formal written response will inform the complainant that, if they are not happy with the outcome, they may appeal the outcome to Capella's Advisory Board.
 6. If the complainant wishes to appeal the outcome, they must notify the Clerk to Capella's Advisory Board of this decision in writing (email: advisoryboard@capellaassociates.com) within 5 Working Days of having received the outcome. The Clerk to Capella's Advisory Board will confirm receipt of the appeal within 5 Working Days of having received the appeal notification, and alongside the confirmation will provide the complainant with an indicative timescale for providing a formal written response to the appeal.
 7. The Clerk to Capella's Advisory Board will then convene a meeting of the Independent Members of Capella's Advisory Board to instigate their investigation of the appeal. Once the Independent Members of Capella's Advisory Board have concluded their investigation, they will issue a formal written reply to the complainant which explains the outcome of the complaint investigation and confirms that Capella's Complaints procedure has been exhausted. Where the complaint was made by an apprentice or their employer, Capella will ensure that the formal written response to the apprentice or their employer (as applicable) also informs the complainant that they may be able to refer their Complaint to the ESFA and will signpost the complainant to the ESFA's guidance on making a complaint about a post-16 education and training provider funded by the ESFA (see Appendix 2 for further details).

8. Once the investigation into the Complaint has concluded Capella will review any additional actions arising to ensure all learning from the Complaint is captured and will update Capella's Non-Conformance Register as required. Capella may share anonymised findings from the complaint investigation with the Capella Advisory Board at this stage.

Appendix 2: Escalation of a complaint relating to an Apprenticeship to the Education and Skills Funding Agency (ESFA).

If, after exhausting the Capella Complaints process, the apprentice or their employer complainant is still not satisfied, they can escalate their Complaint to the Education and Skills Funding Agency (ESFA) by:

- completing the form contained on the following webpage:
[Complaints procedure - Education and Skills Funding Agency - GOV.UK
\(www.gov.uk\)](https://www.gov.uk/guidance/complaints-procedure-education-and-skills-funding-agency)

Or

- writing to: Complaints Team
Education and Skills Funding Agency
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

Please note that the ESFA will not usually investigate complaints more than 12 months after the original decision or action has been taken. For further information on how ESFA handle complaints please see:

[Complaints about post 16 education and training provision funded by ESFA - GOV.UK
\(www.gov.uk\)](https://www.gov.uk/guidance/complaints-about-post-16-education-and-training-provision-funded-by-esfa)

Historic Change Log (For Changes from 2021 onwards see Change Log at the start of this policy)				
Date:	Change Description:	Proposed:	Actioned:	Approved:
13 Jan 2017	Added Changes and Opportunities Register to list of tools		KS	<i>KSmith</i>
21 Mar 2017	“Complaint” replaced by “Concern” to broaden the scope	AD	KS	<i>KSmith</i>
09 Oct 2017	Added complaint procedure within Learner Handbook to tools, and updated Appendix 1 to reflect this	KS	CH	<i>KSmith</i>
18 Dec 2017	Additions and edits to list of tools including reference to NCR	K. Smith 18/12/17	K. Smith 18/12/17	<i>KSmith</i>
28 Nov 2018	Additional tools and clarification of ‘customer’	K. Smith 28/11/18	C.Hughes 28/11/18	<i>KSmith</i>
08 July 19	Change of title. Additions to meet requirements for RoATP re-application	S. Baldry 03/07/19	C.Hughes 08/07/19	<i>KSmith</i>
17 April 2020	Updated to include reference to complaints/concerns relating to Malpractice/Maladministration. Augmented the Appendix 1 Procedure to include additional details and timescales	H.Lees 16/04/2020	H.Lees 16/04/2020	<i>KSmith</i>
24 November 2020	Minor changes to the Complaints & Concerns Policy following 2020 Internal Audit review	H.Lees 24/11/2020	H.Lees 24/11/2020	<i>KSmith</i>