

Complaints Policy and Procedure

Policy

Sport Structures is committed to providing a high standard of service to our learners, workforce and partners. Through our company value of 'excellence', we encourage feedback, including complaints to help us improve our service. This policy outlines our approach to handling complaints we receive.

What is a complaint?

A complaint is when an individual tells us that they are not happy with the agreed or expected level of service they have received. In addition, a complaint may concern something we have done or not done and where we have not put things right.

Who can make a complaint?

Any individual can make a complaint if they have requested a service from us or are in receipt of a service from us.

In accordance with Equality Act 2010, we will make reasonable adjustments, if required, to enable the complainant to access and complete the complaints procedure. For example, alternative formats or assistance in raising a formal complaint (for example if the individual is under 18).

Complaints Procedure

We aim to:

- Make it easy for individuals to make a complaint and provide feedback
- Respond to complaints within the specified timescales and keep the complainant informed
- Review the complaints process regularly
- Seek to learn from complaints to improve our performance and service
- Advise complainants of their right to appeal and how this can be done

We acknowledge that individuals may not always agree on the outcome of their complaint. However, this policy aims to provide reassurance that a thorough investigation of the issues raised has been undertaken.

How can a complaint be made?

Any individual wishing to make a complaint can do so, by phone, e-mail, letter, in person or by completing a complaints form. This should be raised with the Senior Manager of the department. Investigations will be conducted by the Senior Manager and supported by another Senior Manager. A resolution will be decided between the two managers.

It is encouraged that the complainant gives us as much information as possible. A complaint can be received by any member of staff who will:

- Deal with the complaint directly (if appropriate)
- Pass the information on to the relevant member of staff in line with this policy.

Responsibilities

All staff have responsibility for ensuring good service is executed across Sport Structures.

- All members of staff and associates are required to comply with this policy

- All members of staff and associates who deal with any complaint should respect data protection policy and confidentiality.
- All members of staff and associates that receive a complaint, must record it and inform the relevant Manager.
- If the receiver of the complaint has any conflicts, they must identify this immediately.
- The HR Manager has overall responsibility for ensuring complaints are managed as per the policy. They are also responsible for identifying patterns and providing recommendations.
- Managers and Directors may deal with complaints and have responsibility for following the process.

Stage 1: Informal complaints

Complaints of a minor / more straightforward nature should be raised quickly with the person responsible with the aim of resolving the problem directly and informally. This could be the Sport Structures' point of contact, a tutor, or an assessor (list not exhaustive). In the first instance, the individual wishing to make a complaint might be asked to speak to a member of staff or a Manager. All informal complaints should be recorded, and the Human Resources Manager should be informed.

Where services are delivered by Sport Structures on behalf of a partner, Sport Structures will notify the relevant partner of receipt of a complaint and may ask for their involvement to help resolve the complaint.

The informal complaint should be discussed with the individual and there should be an attempt to agree on a way forward or a solution that suits both parties.

Individuals should allow Sport Structures sufficient time to investigate. We believe that most complaints at this stage are capable of being resolved within **7 working days**.

If at the end of this stage, the complainant is still unsatisfied with the decision, they should follow stage 2 of the procedure.

Stage 2: Formal complaints

If the complaint cannot be resolved informally to the satisfaction of the complainant, the complaint should be submitted using the Sport Structures Complaints Form. To obtain a copy of our Complaints Form please contact [HR Manager](#). The complaints form will form the basis of an investigation and therefore should be completed accurately and in as much detail as possible. The complaint should be submitted within **10 working days** of the incident occurring.

The complaint will be submitted to the Senior Manager and Human Resources Manager who will log the complaint, keep a copy of the form and where necessary, allocate the complaint to the appropriate person. This may be:

- A Manager
- The Designated or Deputy Designated Safeguarding Lead (where the complaint is a safeguarding issue)
- The Managing Director, where a member of Management, Senior Leadership or the Executive Chair is involved
- The Executive Chair (if the Managing Director is involved)
- The Human Resources Manager, where appropriate

The complaint will be acknowledged in writing within **5 working days** of receipt.

The member of staff handling the complaint will investigate the matter within **20 working days**. This may include speaking with the complainant to clarify their statement if it is unclear.

Where the complaint is found to be valid, the 'Investigator' will recommend any further action thought necessary related to the complaint.

The 'Investigator' will produce a written outcome on the complaint within **3 working days** of the investigation being completed.

A copy of the outcome will be sent to the complainant, to the person about whom the complaint was made (where applicable) and to the Director and Human Resources Manager (where they have not been the 'Investigator').

Where the complaint was found to be of a safeguarding nature, the Designated Safeguarding Lead will keep a record in the safeguarding folder. The Human Resources Manager will be notified of this so that the complaint log may be updated with the outcome.

Stage 3

If the complaint cannot be resolved to the satisfaction of the complainant at stage 2, they may appeal in writing within **5 working days**, stating the reasons for their appeal. The complainant will be informed of the person to whom they are required to appeal. This will be either:

- Kath Percival (Managing Director)
- Simon Kirkland (Executive Director)

They will review the original complaint, the investigation findings and the outcome and may choose to carry out further investigations, where necessary within **20 working days** of the appeal being received.

They will then produce a written judgement on the complaint within **3 working days** of the review and investigations being completed. The decision is final except where individuals (learners) have accessed training through funded or non-funded provisions. They have the right to take their complaint to the awarding organisation (if applicable) within **20 working days** of the decision being communicated to them by the recognised centre as appropriate.

- *1st4Sport Qualifications, Coachwise Limited, Chelsea Close, Off Amberley Road, Armley, Leeds. LS12 4HP. Contact number: 0113 290 7610.*
- *City & Guilds, 1 Giltspur Street, London, UK, EC1A 9DD. Contact number: +44 (0) 207 294 2468.*
- *British Computer Society (BCS), 3 Newbridge Square, Swindon, SN1 1BY. Contact number: 01793 417417.*
- *Active IQ, Dryden House, St John's Street, Huntingdon, PE29 3NU. Contact number: 01480 467950.*
- *Chartered Management Institute (CMI), Management House, Cottingham Road, Corby, NN17 1TT. Contact number: 01536 207360.*
- *Highfield Qualifications, Highfield House, Heavens Walk, Doncaster, DN4 5HZ. Contact number: 01302 363277.*
- *Swim England Qualifications: qualityassurance@swimenglandqualifications.com*

In the unlikely event that learners exhaust this procedure and remain dissatisfied with the outcome, they have a right to take the matter to the appropriate regulator (if applicable). If the matter relates to apprenticeship provision, they can contact the ESFA:

- Customer Service Team, Education and Skills Funding Agency, Cheylesmore House, Quinton Road, Coventry, CV1 2WT or by e-mail to complaints.esfa@education.gov.uk (In respect of further education provision within 12 months of getting a decision from us)

The ESFA will appoint an officer with appropriate knowledge and expertise to investigate the complaint. If they agree to investigate, they will e-mail a summary of the complaint to you and may ask for agreement to the summary. Where this happens, you will have 5 days to respond. Within 10 working days of agreeing with the summary, they will send the information that you have provided along with the summary of the complaint to Sport Structures. They will ask us to share with them the following:

- Details and copies of the relevant procedure.
- Confirmation that the procedure has been exhausted.
- A response to the summary of the complaint, together with relevant documents.
- Confirmation that they can share the information provided by us with the complainant.

The ESFA will aim to finalise the findings within 25 days of the complaint summary being agreed and they will notify you of the outcome and findings, and that will conclude the investigation. If you are not satisfied with the way the ESFA have handled your complaint you can complete a complaint form to issue a formal complaint about the ESFA.

Vexatious and Persistent Correspondence

- We offer a transparent complaints procedure and will keep complainants informed throughout any investigation. However, complainants must allow sufficient time to carry out a thorough investigation.
- We will not engage in abusive or persistent correspondence from complainants once a decision has been reached.
- Repeated contact with no new evidence and /or abusive correspondence from a complainant will be considered vexatious correspondence.
- Where correspondence and /or behaviour are deemed to be vexatious, we will refer the complainant to this policy, explaining that if the communication continues in this manner all correspondence will cease.
- Individuals who remain dissatisfied with an outcome of a complaint may take their complaint to our Regulators (Ofqual and/or Qualification Wales).

Timescales

The timescales within this policy are provided as a guide only and it may not always be possible to work within them due to several variable factors such as the complexity, availability of individuals, etc. Where timescales cannot be met, the complainant will be notified of the reasons for the delay and an estimated timescale for response.

Personal data

Documentation relating to formal complaints will be retained securely for a maximum of 5 years unless stated otherwise in the relevant Privacy Policy.

All complaints will be logged and reviewed by the Human Resources Manager to support a culture of continuous improvement.