

Complaints Policy and Procedure 2019-2020

Happy Ltd

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At Happy we want to provide you with an outstanding experience and an excellent service. One of the ways in which we can improve what we do is by listening to you and responding to your views. We value the feedback that apprentices and employers provide, and complaints are monitored, evaluated and reported to the our senior management team. We aim to deal with complaints in a fair, reasonable and timely manner, and in line with our Equality & Diversity Policy. We aim to provide you with any guidance and support you may need to complete our complaints procedure. If you need any help, please email happy@happy.co.uk

Introduction What is a Complaint?

A complaint is an expression of dissatisfaction about an aspect of a service or facility provided by Happy.

Who can make a Complaint?

- Apprentices who are enrolled on an apprenticeship programme at Happy.
- Parents or guardians of apprentices enrolled on an apprenticeship programme at Happy.
- Employers who have employees/apprentices enrolled on an apprenticeship programme at Happy.

We would not normally accept a complaint from:

- Former apprentices, unless the complaint is received by Happy within eight weeks of the end date of the apprenticeship.
- An anonymous source.

It is expected that complaints are made promptly and normally within 3 months.

If a complaint is about a member of staff, they will be notified and given the opportunity to respond. In all other respects Happy will maintain confidentiality regarding complaints and request that apprentices and employers do the same.

Happy has the right not to accept complaints (e.g. where a complaint is judged by the Apprenticeship Director, or her nominee, to be frivolous, vexatious or malicious).

Separate procedures exist for appeals relating to assessment decisions, covered by the Appeals Procedure Policy.

Copies of the above policies are available on the Happy website www.happy.co.uk. Copies are also available from Happy training centre, please contact happy@happy.co.uk.

Complaints Procedure

Stage 1- Informal Complaints Procedure: You should in the first instance raise any concerns with the tutor/facilitator or a manager at Happy. We aim to resolve the issues you raise within 10 working days.

Stage 2 – Formal Complaints Procedure: If your complaint has not been resolved using the informal complaints procedure, or if it is inappropriate to use the informal procedure because the complaint is of a serious nature,

you may make a formal complaint. Your complaint may be referred back to the informal complaints procedure if you skipped that stage without due consideration.

How to make a formal complaint: Formal complaints must be made in writing using either a Complaint Form available from your tutor/facilitator or by email to happy@happy.co.uk or by email to: sheena@happy.co.uk Apprenticeship Director at Happy Ltd.

Your complaint form or email should include clear detailed reasons for your complaint, an indication of the resolution or outcome you seek, and copies of any documents upon which you wish to rely.

The Apprenticeship Director, or their nominee, administers the formal complaints process and will acknowledge, monitor and respond to your complaint.

Happy aims to acknowledge, investigate and report on the outcome of your formal complaint and any resulting action within 20 working days of receipt of your complaint. These timescales may be extended by Happy in certain circumstances e.g. where the issues raised by a complaint are serious ones or to take account of holidays.

You can normally expect:

- **Complaint acknowledgement:** Your complaint to be acknowledged by Happy Director, or her nominee, within 3 working days of receipt.
- **Complaint investigation, outcome and action:** An investigation of your complaint will be undertaken by a manager and Happy aims to complete this stage within 15 working days of receipt of your complaint.

The investigation may involve speaking with relevant individuals and / or looking at relevant documentation. You may be asked to attend a meeting to discuss your complaint. You may not bring legal representation with you to this meeting if it is to occur, but you may bring a friend or relative to accompany you. If you have any particular requirements (e.g. English as a second language, a learning difficulty and / or disability) you may bring a second person with you.

- **Complaint response:** Happy aims to provide a written response to you from The Apprenticeship Director, or her nominee, within 20 working days of receipt of your complaint. If after 10 working days of getting a response you do not request a review, Happy will regard your complaint as closed.

Stage 3 - Review of Formal Complaints: Happy aims to investigate and resolve all complaints in a fair and reasonable manner. If you are not satisfied with the outcome or any action taken relating to your formal complaint you have the right to request a Review on one or more of the following grounds:

- New material evidence has come to light which was not reasonably available at the time of the complaint investigation
- You believe the outcome of the complaint was manifestly unreasonable &/or any resulting action was disproportionate
- The complaints procedure was not followed.

If you wish to request a Review you should email henry@happy.co.uk. This must be sent within 10 working days of the date of Happy's written response to your complaint.

You must clearly explain the reasons for your request for a Review including the grounds upon which it is based and enclose copies of all the documents you wish to rely upon.

You can normally expect:

- **Complaint acknowledgement:** A member of Happy's Senior Management Team will acknowledge your review request within 3 working days of receiving it.
- **Complaint review and action:** A member of Happy's Senior Management Team will consider your request for a Review and determine whether it meets one or more of the grounds stated above.

If your request for a Review does not meet one or more of the grounds for review, the complaint outcome will not be reviewed. A Completion of Procedures notification will be sent to you by a member of Happy's Senior Management Team, or their nominee, to close the matter.

If the member of Happy's Senior Management Team, or their nominee, determines that your case needs to be reviewed, you will be notified who will lead the Review (reviewing manager) and what the Review will involve, including timelines. This may include speaking with relevant individuals and / or looking at relevant documentation. You may be asked to attend a meeting to discuss your complaint. Again, you may not bring legal representation with you to this meeting if it is to occur, but you may bring a friend or relative to accompany you. If you have any particular requirements (e.g. English as a second language, a learning difficulty and / or disability) you may bring a second person with you.

You will receive notification about the Review arrangements or Completion of Procedures within 10 working days of receipt of the Review request.

- **Review outcome:** The outcome of a Review will be either to:
 - Uphold the complaint outcome and/or any action.
 - Substitute an alternative outcome and/or action.

You will be informed of the outcome of the Review normally within 5 working days of it being decided upon by the reviewing manager. The decision of the reviewing manager is final and Happy will not consider your complaint further. The Review outcome will be contained in the Completion of Procedures notification.

External Agencies

Following the conclusion of a Review and the receipt of a Completion of Procedures notification, you may be able to take the matter further with the Education and Skills Funding Agency (ESFA) through the apprenticeship helpdesk on 08000 150400 or email nationalhelpdesk@apprenticeships.gov.uk