

# Complaints Procedure



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***\*A customer complaint is an expression of dissatisfaction, whether justified or not\****

## 1. Introduction

This procedure is the mechanism for customers to raise concerns or complaints about Eden TS services. The aim is to prevent unnecessary delay whilst ensuring a full and fair assessment of the particular circumstances of an individual complaint.

A formal complaints procedure should be a last resort in the search for a solution to a problem. Before using the Complaints Procedure, the customer should raise the issue with their Eden TS and resolve informally.

The following procedure applies to any of our customers. These can be applicants, learners, employers and parents.

## 2. Operating Principles:

Eden TS acknowledges that there are two sides to every dispute. The procedure intends to provide both parties with the opportunity to provide evidence to substantiate their version of the issue/incident. Full disclosure of any allegations or evidence will be made to both parties.

Where issues cannot be resolved informally, The Line Manager will consider the evidence of the complaint. The Line Manager is from outside the area of the complaint and will have had no previous involvement in the issue or concern.

All information supplied by customers will remain confidential for use within the complaints process. Only staff directly involved with the complaint / investigation / resolution will be given access to the facts of the case. Complaints provide an important source of feedback on the performance of Eden TS services. Eden TS monitors the registration of each complaint and the progress towards reaching a satisfactory resolve.

Complaints will be monitored to ensure they are dealt with promptly and efficiently. Eden TS will not reveal the identification of any complainant.

Anonymous complaints will not be accepted.

Customers will receive a response from Eden TS in writing.

Any party involved in a complaint has the right to be accompanied and represented by a person of his or her choice at every relevant stage of the procedure.

Eden TS staff have the right to be accompanied by their immediate line manager or colleague.

All staff that are dealing with complaints shall where appropriate, seek guidance and advice from internal/external sources in order to resolve a complaint. The identity of all parties will be protected, wherever possible.

## 3. Complaints Process Informal (Stage 1)

All complaints shall be dealt with within a two-week time limit (10 working days) of the alleged incident, matter or concern. To support any allegation that is made the complainant shall provide evidence. Where supportive evidence is not provided, Eden TS reserves the right not to progress with the complaint to the formal stage of the procedure.

Where, in the complainant's opinion, the matter is too sensitive, personal or confidential to discuss with the Learning Consultant or their immediate Line-Manager, the issue(s) can, in the first instance, be presented directly to the Director.

Details of each complaint shall be kept in the personal files especially where repercussions are likely to occur.

All communications relating to a complaint shall be submitted in writing where reasonably practicable.

# Complaints Procedure



Where a matter is not resolved within the two-week period, of the informal discussions the complaint may progress to the formal stage.

## 4. Formal (Stage II) Complaints against Eden TS staff members

Where a customer makes a complaint against an Eden TS staff member, full written details shall be presented to the Director immediately who will submit full details to the appropriate line-manager and track the progress.

The Line Manager in the case of an employer / learner or parent complaint where applicable, may be required to conduct an investigation to consider the facts of a case. Supportive evidence shall be provided along with related documentation to substantiate the allegations. A summary of the complaint and details of any witnesses at the time shall also be submitted to the region for further action to be taken where applicable.

The Line Manager will, as an independent body, interview all parties relevant to the complaint seeking guidance from the Director to ensure that the procedure is being adhered to.

All staff that are interviewed are entitled to be accompanied by a representative of their choice at all stages of the process.

Once all the evidence has been collated and the facts of the case have been identified, the Line Manager will present the necessary recommendations to the Director. The complainant will be notified of the decision.

If the complaint is upheld, the case will then be referred to the Different Director, for possible action under the company's disciplinary procedures. The Line Manager will determine if there is a case against the staff member and where appropriate recommend that the case should proceed to a disciplinary hearing. The Line Manager will present the case to the hearing. The Customer Complaints Procedure does not form any part of the disciplinary procedure. If the complaint is upheld it is the decision of the Director involved to determine the appropriate action.

Customers shall note that the decision whether to initiate disciplinary action against a member of Eden TS staff is a management decision and does not impact upon the outcome of the complaint. The outcome of any disciplinary action will remain confidential and is an Eden TS management decision.

If disciplinary action is taken the complainant may be required to attend a formal disciplinary hearing in the capacity of a witness to substantiate allegations.

If the staff member is disciplined and they wish to challenge this decision, they may do so under the appeals stage of their respective procedure. The complainant is a witness to the case and as such has no right of appeal over any sanction imposed at this stage under these procedures.

## 5 Appeal

If a customer feels that the procedures have not been followed or a decision is unreasonable, they have the right to appeal to a different Director within (21) days of the announcement of the decision.

The grounds for the appeal should be clearly stated and evidenced in writing and sent, in the first instance, to a different Director. Supporting papers should be included with the submission at this stage.

The appeal will not consider new evidence, including witnesses, at this stage. If new evidence, including witnesses have come to light, which was not available at the first hearing, then the first hearing/investigation will be reconvened for the original "Investigating Officer" to consider the implications and effects of the new evidence.

The documentation will be submitted to a Director who will decide if the appeal can be considered on the paper evidence submitted or a hearing is required.

Where an appeal hearing is deemed appropriate, it should normally be held within (21) days of the request being made. Notes, not verbatim minutes, of the hearing will be taken and made available to the complainant.

# Complaints Procedure



The Director decision will be final.

Eden TS key ethics:

- The Line Manager is the appointed person for dealing with complaints.
- Eden TS shall consider its duty to promote equality and diversity throughout this process.
- Eden TS shall endeavour to deal with all complaints informally in the first instance, aiming for a quick and satisfactory resolution.
- All information that you give will be treated fairly and in the strictest confidence in accordance with the provisions of the General Data Protection Regulation 2018. Any information relating to a third party will also be treated in confidence and in accordance with the Act. The information provided will only be used for the purpose of dealing with complaints and for monitoring.
- All complaints that are submitted to Eden TS will be dealt with in accordance with this procedure.

Once your complaint has been received, Eden TS will:

1. Acknowledge receipt of your complaint by telephone or in writing.
2. Tell you who will be dealing with your complaint.
3. Tell you what action will be taken.
4. Tell you when you can expect a resolve.
5. Keep you informed of the advances being made with your case.