



Complaints and Appeals Policy

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© Smart Awards Ltd

Beechwood House | Tanners Lane | Berkswell | Coventry | CV7 7DA

T: 02476 421125

E: info@smartawards.co.uk

W: www.smartawards.co.uk

Company Number 9079735 | VAT Number 216 7632 08

POLICY STATEMENT

1. A complaint is defined as an expression of dissatisfaction with a product or service delivered by Smart Awards whether justified or not. Smart Awards welcomes feedback about its EPA services and seeks to identify opportunities to improve where there is dissatisfaction with any of these. This policy outlines how Smart Awards deals with complaints in relation to end-point assessments.

SCOPE

2. The policy applies to those involved with Smart Awards as an end-point assessment organisation.

OFQUAL GENERAL CONDITIONS

3. C2.3: That agreement must in particular include provisions which – (i) require the centre to operate a complaints handling procedure or appeals process for the benefit of learners.
4. D3.2: An awarding organisation must – (a) have due regard to all information, comments and complaints received from Users of qualifications in relation to the development, delivery and award of qualifications.

SQA ACCREDITATION PRINCIPLES

5. Principle 12. The awarding body and its training providers shall have open and transparent systems to manage complaints.

RESPONSIBILITY

6. This is policy is for end point assessments offered by Smart Awards. This policy is for employers, training providers and apprentices accessing Smart Awards end point assessments and related services and all those involved with the development, delivery and quality assurance of Smart Awards end point assessments. Smart Awards has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it. Smart Awards has the day-to-day responsibility for implementing this policy and for monitoring its use and effectiveness and dealing with any queries on its interpretation.

R	Responsibilities	The person who actually carries out the process or task. The person is responsible for action/implementation. Responsibilities can be shared											
A	Accountabilities	The person who is ultimately accountable for the process or task being completed and who has the authority to make decisions, yes or no authority and veto power. Responsible person (s) are accountable to this person. Only one A can be assigned to a task											
C	Consulted	The person to be consulted prior to a final decision or action (two-way communication). People who are not directly involved with carrying out the task but are consulted with.											
I	Informed	Anyone whose work depends on the process or task and who has to be updated about the progress after a decision or action has been taken (one-way communication).											
POLICIES		BOARD	CEO	MD	OPS DIRECTOR	QUALITY PORTFOLIO MANAGER	STANDARDS COMPLIANCE OFFICER	QUAL ADMIN OFFICER	IT CONSULT	FINANCE AUDITOR	EQA	NOPS BOARD	EMPLOYERS TRAINING PROVIDERS
Complaints and Appeals		A	R	R	R	R	R	C	I	I	R	I	R
ASSOCIATED POLICIES													
Risk management													

Malpractice/maladministration
Employer/ Training provider recognition
Employer/ Training provider monitoring
Adverse effects
Appeals
Holiday/Sickness Cover
The MD, CEO and Operations Director cover holiday/sickness and absenteeism for areas where the person is responsible for action/implementation of a task. The MD, CEO and Operations Director hold company wide experience to be able to carry out these tasks and hold no conflicts of interest.

POLICY AND IMPLEMENTATION

7. Our policy principles are to:

- Provide a fair complaints procedure which is clear and easy to use
- Publicise our complaints procedure so that people know how to contact us
- Make sure everyone at Smart Awards knows what to do if a complaint is received
- Make sure all complaints are investigated fairly and in a timely way
- Ensure complaints are, wherever possible, resolved and that relationships are repaired
- Gather information which helps us to improve what we do
- All complaint information will be handled confidentially.

WHAT THIS POLICY COVERS AND HOW IT WILL BE IMPLEMENTED

8. How to make a complaint

Complaints must be made in writing to Smart Awards – this can be via letter or email – outlining the cause for complaint, any relevant dates and person(s) involved. The identity of the complainant is not disclosed.

9. Smart Awards response to complaints

Smart Awards will ensure that the complaint is fully and independently investigated. This may involve reviewing records and/or contacting others such as the employer or other apprentices. Information gathered relating to the complaint is reviewed by Smart Awards and a decision taken as to whether the complaint is upheld and what actions if any need to be taken.

10. Complaints process

Step 1 - the complaint information will be passed to Smart Awards Quality Manager within 3 days of receiving the complaint

Step 2 - the information will be added to the complaints log

Step 3 - a letter acknowledging receipt of the complaint will be sent within one week of receiving it, enclosing a copy of this policy, a contact name and date of expected reply.

Step 4 – the complaint will then be investigated

Step 5 - we will write within 28 days of receiving a complaint, confirming our final position - Whether the complaint is justified or not, the reply to the complainant will describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

11. If the complainant feels that the problem has not been satisfactorily resolved at this stage, they can request that the complaint is reviewed by a different person at and the following process applies:
12. Step 6 - a letter acknowledging receipt of the complaint will be sent within one week of receiving it
13. Step 7 – the complaint will then be investigated
14. Step 8 - write within 28 days of receiving the complaint confirming our final position - Whether the complaint is justified or not, the reply to the complainant will describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint
15. Step 9 - The decision taken at this stage is final, unless it is appropriate to seek external assistance with resolution.
16. Any opportunities to improve are recorded and Smart Awards aims to implement any improvements arising which are monitored by the Smart Awards Management Team.
17. Due regard is given regarding the outcome of any complaint in relation to Smart Awards processes around the end-point assessment, the assessment tools and personnel involved. Appropriate preventative and/or corrective action will be taken. Where a complaint relates to a potential 'adverse effect' for example by identifying a failure in an assessment process, Smart Awards will ensure that:
 - Any other apprentice who has been affected is identified
 - Any effect is corrected or mitigated as far as possible
 - Action is taken to avoid a re-occurrence

MONITORING

18. Management Reviews. Smart Awards management team will review customer issues/complaints at all meetings.
 - To review all complaints
 - To ensure necessary improvement plans are put in place to mitigate any major issues that may be identified
 - To report at Management Review Monthly complaints exceeding KPI within the month
 - To ensure that Smart Awards is proactive in relation to all customer issues
 - To ensure that all complaints are dealt with efficiently and effectively
 - To ensure that all responses are complete and within time
19. Monitoring: Complaints are regularly reviewed to identify any trends which may indicate a need to take further action. All records of complaints will be held for 7 years. This policy is reviewed regularly and updated annually or as and when required.
20. Smart Awards will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in dealing with complaints.

VALIDITY

21. Validity and the principles of equity, fairness and practicability will be reviewed with any reported complaint. This will include checking that the end point assessment is still valid and appropriate for its purpose. That it still effectively tests the knowledge, skills and behaviour as prescribed within the assessment strategy. Enable results to be trusted as a measure of what a apprentice knows and can do. Has a purpose and content that meets the needs of the apprentice and is graded in line with clear and defensible prescriptions contained in the assessment plan.

APPEALS

22. Smart Awards is committed to providing a fair and transparent appeals service.

POLICY STATEMENT

23. This policy outlines how Smart Awards deals with appeals against the outcome of end-point assessments (EPA).

SCOPE

24. The policy applies to apprentices appealing against the outcome of the end-point assessment.

RESPONSIBILITY

25. Smart Awards MD has overall responsibility for ensuring that this policy is implemented

POLICY AND IMPLEMENTATION

26. When to appeal: An appeal can be made where Smart Awards is perceived as not applying procedures consistently or following procedures properly and fairly. Appeals may be made about the outcome of the end-point assessment, and/ or factors on the part of the Smart Awards, it's appointed independent assessors/ lead assessor that may have impacted upon this.

27. How to appeal: Appeals must be made in writing within 20 working days of the date of issue of the results of the end-point assessment. As much detail as possible should be submitted along with any supporting evidence available.

28. Appeals process: An initial response to appeals will normally be made within 5 working days, and we aim to communicate the outcome in writing within 20 working days from the date that the appeal was submitted. All appeals are referred for review to the Lead Independent Assessor who will review the documentation relating to the results. The Lead Independent Assessor will not be informed of the decision of the first assessor and may conduct a telephone interview with the appellant as part of this process. The decision of the Lead Independent Assessor is final. If the appeal is against this person, another independent assessor will review the documentation.

29. All appeals must be sent to info@smartawards.co.uk

30. Where an appeal against assessment brings the outcome of other results into serious question this would be considered a potential 'adverse effect' as other apprentices may be affected.

31. In such cases Smart Awards will ensure that:

- Any other apprentice who has been affected is identified;
- Effects are corrected or mitigated as far as possible; this may involve adjusting the outcome of assessments (fails, passes and grades) and re-issuing results;
- Appropriate action is taken to avoid a re-occurrence; this may involve for example taking action against independent assessors and can be as severe as removing approval if this is deemed necessary.

MONITORING

32. All appeals are monitored by Smart Awards Management team to identify any trends which may indicate a need to take further action. All records of appeals will be held for 7 years.

33. Smart Awards will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in dealing with appeals.

REVIEW OF THIS POLICY

34. This policy is reviewed and revised annually in response to feedback, changes in legislation and guidance from the regulators, SQA Accreditation or Ofqual.

COMPLAINTS PROCESS

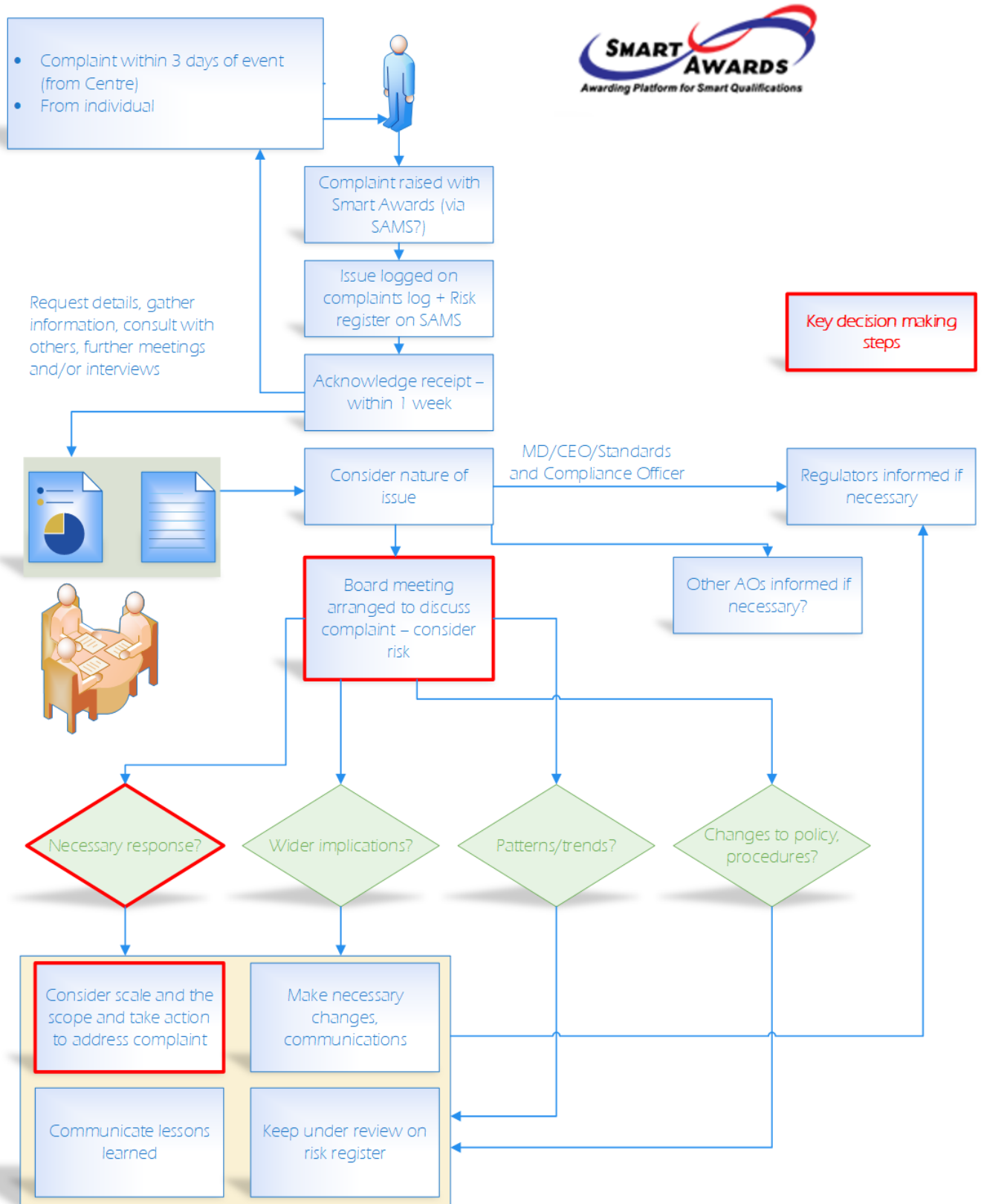
Process Step Description	Process	Person Responsibility	Organisation Responsibility
Complaint raised within 3 days of the event	Process	Employer/ Training provider Manager	Employer / Training provider
Complaint added to the complaints log on SAMS and risk log	Process	MD	Smart Awards
A letter acknowledging receipt of the complaint will be sent within one week	Process	MD	Smart Awards
The complaint will then be investigated	Process	MD/CEO/Standards and Compliance Officer	Smart Awards
Board review complaint and risk	Process	Board	Smart Awards
Mitigate risk	Decision	Board - holds responsibility and experience to make decisions and measured risks	Smart Awards

Action and confirm outcome	Decision	Board - holds responsibility and experience to make decisions and apply suitable actions.	Smart Awards
Report to regulators if adverse effect	Process	MD	Smart Awards
Confirming final position in writing within 28 days	Process	MD	Smart Awards
Lessons learned	Process	MD	Smart Awards
Keep under review on risk register	Process	Board	Smart Awards
Stop	End	MD	Smart Awards

APPEALS PROCESS

Process Step Description	Process	Person Responsibility	Organisation Responsibility
Appeal raised within 5 working days of the event	Process	Lead Training provider/ Apprentice	Lead Training provider
All appeals are referred for review	Process	Lead Independent Assessor	Smart Awards
The assessment decision is finalised by the lead independent assessor	Process	Lead Independent Assessor	Smart Awards
The apprentice/ Lead Training provider is notified in writing within 20 days of submission	Process	MD/CEO/Standards and Compliance Officer	Smart Awards
If the outcome brings others into question, this raises an adverse effect	Process	Board	Smart Awards
Mitigate risk	Decision	Board - holds responsibility and experience to make decisions and measured risks	Smart Awards
Action and confirm outcome	Decision	Board - holds responsibility and experience to make decisions and apply suitable actions.	Smart Awards
Report to regulators if adverse effect	Process	MD	Smart Awards
Confirming final position in writing within 28 days	Process	MD	Smart Awards
Lessons learned	Process	MD	Smart Awards
Keep under review on risk register	Process	Board	Smart Awards
Stop	End	MD	Smart Awards

COMPLAINTS FLOWCHART



APPEALS FLOWCHART

