



Complaints Policy

Purpose

The aim of this policy is to ensure that the complaints procedure is properly and effectively applied, and that complainants feel confident that their grievances and concerns are listened to and acted upon promptly and fairly.

Introduction

1. This document explains how students on further education (FE) programmes may raise a complaint about Thrive Skills. It is intended for students who wish to make a complaint and for staff involved in investigating complaints.
2. Students seeking further advice about, or support with, making a complaint should contact the Student Services team.

What is a complaint?

4. A complaint is an expression of dissatisfaction with any action or lack of action by Thrive Skills, or about the standard of service provided by, or on behalf of, Thrive Skills.
5. For example, a student could make a complaint if they regard the teaching they receive as unsatisfactory, or if they think the information we give is misleading. A complaint can also be about a service provided by another organisation on Thrive Skills' behalf.
6. A complaint is not a challenge to a decision, such as the mark given for a piece of assessed work, or the outcome of another procedure (such as an application for mitigating circumstances). We define a challenge to a decision as an appeal. Most appeals should be dealt with under the Student appeals procedure.
7. This complaints procedure should not be used to deal with allegations about the conduct of other students. These should be dealt with under the Student Behaviour Policy.

Who can complain under this Procedure?

8. We will consider complaints under this Procedure from:
 - a student enrolled on a FE programme;
 - someone who was enrolled on a programme with us within the last three months.
9. A student complaint can be made by an individual or group of students. In the case of a group complaint, Thrive Skills will ask the group to nominate a representative and communicate with the group through that representative. We will not accept student complaints from third parties unless they are acting as the complainant's representative.



10. Normally, we will not accept anonymous complaints unless there is a compelling case to investigate it supported by evidence.

11. Complainants may ask for their complaint, or elements of the complaint, to remain confidential to others involved in the procedure. An example might be where a student provides a witness statement from a fellow student about a member of staff and wishes for the identity of that fellow student not to be shown to the member of staff. Thrive Skills will have due regard towards maintaining confidentiality in relation to any complaint but, in order for it to be considered fully, the content may need to be disclosed to members of staff who are involved in putting this procedure into effect, and requests for confidentiality may limit our capacity to investigate the matter. Further guidance will be given to a complainant by the member of staff dealing with the case.

Time limits

12. Complaints should be made as soon as possible after the event or issue is being complained about. Normally, we will not accept a complaint about something which happened more than three months ago unless there is a credible and compelling reason for the delay in raising it.

What happens when a student makes a complaint?

Stage 1: Early Resolution

13. Early resolution is meant to address straightforward concerns quickly, without the need for a formal investigation.

14. Students considering or wishing to make a complaint should raise the issue with the Student Services team. A member of that team will then explore with the complainant the details of the underlying issue, the outcome the complainant wants and the potential for achieving that outcome through early resolution, such as by providing the complainant with further information, an alternative solution or an apology.

15. If the complainant does not feel comfortable raising the issue with the Student Services team (perhaps because the complaint is about a member of that team), they should contact another member of staff, for example one of their tutor.

16. Depending on the nature of the complaint, the Student Services team (or other member of staff) may suggest early resolution using conciliation. Conciliation is a voluntary process where an impartial third party tries to resolve issues confidentially.

17. We aim to complete the early resolution stage within 10 working days of the complainant raising the issue with the Student Services team (or other member of staff). At the end of an attempt at early resolution, the Student Services team (or another member of staff) will write to the complainant explaining the outcome within a further five working days.

Stage 2: Formal Complaint



18. The formal complaint process happens when:

- early resolution was attempted but failed to resolve the complaint to the complainant's satisfaction; or,
- the complainant wishes not to engage in early resolution; or,
- the issues raised in the complaint are complex, serious and/or contentious, and need to be formally investigated.

19. Complainants wishing to make a formal complaint should do so using the Student Complaints Form. This form asks for details about the action or lack of action giving rise to the complaint and how the complainant would like the complaint resolved. It also asks for evidence about the case.

20. If the form submitted does not provide enough information to determine whether the incident can and should be investigated as part of this procedure, we may ask the complainant to add more information and resubmit it. This may extend the time it takes to investigate the complaint.

21. If the completed form describes a matter which cannot be investigated under this procedure, we may refer some or all of it to a different procedure or reject it entirely. If it is rejected, the complainant will be issued with a Completion of Procedures letter explaining the rejection, this letter will also explain how the student may raise their complaint with the awarding body.

22. If the completed form describes a complaint which can be investigated under this procedure, the Head of Student Services team will ask a senior member of staff with no prior knowledge of the case to investigate it. The complainant will be told who that member of staff is, so that they may raise any objections (for example, because of a perception of bias).

23. The member of staff investigating the complaint may talk to the complainant and others and consider documents and other evidence. They will then produce a report of their investigation describing the process they followed, the information they considered, the conclusions they have drawn and any recommendations.

24. The written report will be considered by the Quality Nominee, who will make a decision based on the investigator's report and recommendation(s) then write to the complainant setting out their decision in light of the investigation.

25. Where the Quality Nominee decides the complaint is unfounded, the outcome will be that the complaint is rejected, and the complainant will be issued with a Completion of Procedures letter explaining the rejection, this letter will also explain how the student may raise their complaint with the awarding body.

26. Where the Quality Nominee determines the complaint is wholly or partly substantiated, the outcome will be:

- to suggest a resolution of the complaint through conciliation (where conciliation has not been tried before); or,



- an explanation or offer of remedial action or redress by Thrive Skills. This might be an apology to the complainant, a description of the changes we are making to make sure the action does not happen again and/or an offer of compensation; or,
- the convening of a formal hearing to consider the complaint in more detail. This may happen where the issues or events giving rise to the complaint are contested and/or involve several other people; or,
- to refer the matter for resolution under a different procedure (for example, where the complaint concerns a member of staff, to the staff disciplinary procedure).

27. Where the Quality Nominee decides to refer the matter to a different procedure, this may limit the information which Thrive Skills is then able to share with the complainant. However, once that other procedure has been completed, the complaint will be informed of the outcome and issued with a Completion of Procedures letter including details of how they may apply to awarding body.

28. The complainant should receive the written decision following the investigation within one month of lodging the formal complaint.

Formal Hearing

29. Where the outcome of the investigation is to convene a formal hearing, the hearing will be organised and serviced by a member of the Student Services team. Its membership shall be two members of senior staff (at Programme Leader level or above), or one member of senior staff and one student representative, none of whom should have any prior involvement in the case. One of the members shall be designated the Chair.

30. A complainant whose complaint is to be considered in a formal hearing will be notified in writing, a minimum of 10 working days prior to the date of the hearing, of the following:

- the date and time of the hearing, and the arrangements for attending (in person, or by videoconference)
- the membership of the Panel and their right to object to a Panel member;
- their right to be accompanied/represented at the hearing by a friend or representative (but normally not a legal representative);
- the names of any witnesses called by Thrive Skills;
- their right to call witnesses and the arrangements for doing that;
- their right to submit questions to any witnesses through the Chair;
- their right to submit documentary evidence prior to the hearing and the time limits for doing that;
- the content of any documentation intended to be used or referred to in the meeting or as part of the meeting.

31. Should the complainant (and/or any witnesses they wish to call) not be available to attend the hearing at the time and date proposed by us, they will have the right to request an alternative date, not before the date proposed and not more than 10 working days afterwards. Thrive Skills will endeavour to rearrange the hearing to the time and date requested by the complainant.



32. The complainant will have the right to object to a Panel member, for example on the grounds of bias. If an objection is made, it must be done no later than five days prior to the Panel hearing, with supporting information as to why the Panel member is considered by the complainant to be unsuitable. The Quality Nominee will consider whether the complainant's representation is valid, whether an alternative panel member can be allocated in sufficient time for the meeting to continue as scheduled, or whether the meeting may need to be postponed pending further consideration.

33. The complainant will have the right to submit documentary evidence to the Panel. This must be done no later than five days prior to the hearing.

34. The complainant will have the right to call witnesses to appear at the hearing. The complainant must inform the Panel about any witnesses they are calling no later than five days prior to the Panel hearing. It is the complainant's responsibility to inform any witnesses they are calling about the time and venue of the Panel hearing. Should any witnesses called by the complainant not appear at the hearing, the panel may proceed to hear the case.

35. If further evidence comes to light, prior to or at the Panel meeting, which the complainant or Thrive Skills has not already had access to, the evidence will be provided to both parties and the Chair will consider how or whether to proceed with the Panel meeting.

36. If the complainant does not appear before the panel, the panel may proceed to hear the case if it is satisfied that proper notice of the hearing has been given to the complainant, and there are no grounds for believing that the complainant might have good and proper reasons for not attending. Otherwise, the hearing may be adjourned, usually on one occasion only, to give further notice to the complainant. If it is decided to deal with the case in the absence of the complainant, no matter shall be introduced which is not contained or referred to in the particulars notified to the complainant.

37. Witnesses may be called to give evidence either by the complainant or by the Panel. Witnesses may be questioned. All questions will be put through the Panel Chair. Students who appear as witnesses have the right to be accompanied by a friend or representative.

38. A member of the Student Services team will attend the hearing to advise on regulatory and procedural matters and will be responsible for the official record, a copy of which shall be sent to the complainant and Chair of the Panel. The record will set out who attended, provide a brief outline of what took place, and the reasons for the decisions taken. Hearings will not be recorded, unless this is a reasonable adjustment for an attendee.

39. The outcomes available to the panel are those described in paragraph 25 and the first two bullets in paragraph 26, i.e. to reject the complaint, suggest a resolution through conciliation or direct Thrive Skills to take remedial action.

40. The outcome determined by the Panel must be sent to the complainant in a written report normally within seven days of the panel meeting.



41. We aim to complete the formal complaint process within 60 days of receiving the Students Complaints Form from the complainant. Completion is defined as sending the complainant written confirmation of the outcome of the complaint, including where a formal hearing is held.

Stage 3: Appeals

42. Complainants who are dissatisfied with the outcome of a formal complaint may appeal within 10 working days of receiving the outcome using the Student Appeals Procedure.

43. Students at this stage will also be able to contact the awarding body to review the complaint. Please note that you must have gone through Thrive-skills internal complaints process before escalating to the awarding body

Records of Complaints:

Records of complaints and documentation linked to such complaints will be retained for up to 6 years.

All complaints are stored securely and in line with GDPR regulations.

Improvements

Thrive Skills will review any comments or complaints that are made at management meetings.

Where it is felt that the company can make improvements to their working model, they will endeavour to do so.

To be reviewed annually.
Review Date: August 2027