



Skills Division Learner Complaints Process

If you have any complaints or grievance whilst on programme with i2i which relates to any aspect of your qualification, including general complaints and appeals against assessment decisions; you can follow the procedure below.

In the first instance you can raise your concern informally:



If your complaint has not been resolved at this stage you can appeal the response by writing to the Senior Team at i2i - Quality & Standards Manager (Skills) and the National Compliance Manager, Business Excellence:

Email: rebecca.garvie@enteri2i.com & tracy.davis@enteri2i.com – SUBJECT: Complaints and Concerns

Or by letter to

Complaints and Concerns – FAO National Performance Manager (Skills),

Inspire 2 Independence Ltd,

Independence House,

Millfield Lane,

York,

YO26 6PH

01904 606000

Your complaint will be reviewed and a formal response will be issued within 14 working days.

You will be issued at induction with the Enquires and Appeals process for the associated awarding body should you wish to appeal against a centre decision which you feel has disadvantaged you. This should occur after the i2i process is exhausted.



If you are still not satisfied with the result you can ask that the complaint is referred to the Awarding Body and/or the SFA.

Skills Funding Agency Process

**Complaints Team,
Skills Funding Agency,
Cheylesmore House,
Quinton Road,
Coventry,
CV1 2WT**

or email complaintsteam@sfa.bis.gov.uk

The Skills Funding Agency will investigate complaints about:

- the quality or management of education and training
- undue delay or non-compliance with published procedures
- poor administration by the provider
- equality and diversity issues (except where there is a more appropriate mechanism for dealing with the matter through the court, tribunals or other organisations)
- health and safety concerns (unless these are matters for the Health and Safety Executive)

The Skills Funding Agency will not investigate complaints about:

- examination results or curriculum content where a more appropriate form of redress would be the examining body or the Office of Qualifications and Examinations Regulation (Ofqual)
- individual employment issues (not in the wider public interest), which are a matter for the employer and the employee where employment law provides appropriate remedies
- contractual disputes which arise from a contractual agreement between a provider and a party providing services to the provider or from someone who is not a consumer of the provider's services
- matters that are the subject of legal action

On receipt of a complaint the appropriate (SFA) officer will check:

- If the matter is one which the SFA can investigate
- If the decision or action complained about occurred more than 12 months ago (if so, the SFA will not normally investigate, unless the complainant has good reason for the delay in making the complaint)
- whether the allegations relate to fraud or irregularity (if so, the appropriate officer shall notify the Strategic Intervention Team to discuss appropriate investigation procedures)
- the appropriate officer will consider whether it is possible to resolve the complaint informally and, if the complainant agrees, will arrange to contact the provider to explore whether they can resolve the complaint

Within five working days of receiving a complaint the appropriate officer will acknowledge receipt and send a copy of their complaints procedure to the complainant. The appropriate officer will inform the complainant whether the complaint is one which the SFA will investigate.

If the SFA is to investigate the matter, they will ask the complainant to provide the following:

- Details of their complaint in writing or by email (if they have not already provided this).
- Confirmation that the provider's complaints procedures have been exhausted, including any appeals procedure, unless the complaint is about potential financial irregularity.
- Permission to disclose details of their complaint to the provider concerned (however, if the complaint is about potential financial irregularity, the SFA will respect anonymity as long as it does not impede an investigation).



Within five working days of receiving the written complaint the appropriate officer will prepare a summary of the complaint and send it to the complainant for approval. The complainant will have five working days to respond to this document.

The appropriate officer will consider any response from the complainant and, if appropriate, amend the summary of complaint before sending this to the provider. The appropriate officer will ask the provider to provide the following within 10 working days:

- Details and copies of the relevant procedures.
- Confirmation that their procedures have been exhausted.
- A response to the summary of complaint, together with relevant documents.
- Confirmation that we can show the information provided to the complainant.

If at any stage the appropriate officer is satisfied that procedures at the provider have not been properly exhausted, they will write to the parties to indicate that they will not investigate the matter further. Where the appropriate officer judges that the provider has unduly delayed resolving the complaint, or that there is no prospect of the provider resolving the complaint within a reasonable timescale, the SFA may continue to investigate.

On receipt of the relevant documents and response from the provider, the appropriate officer shall provide the provider's response to the complainant and seek confirmation within five working days as to whether the complainant remains dissatisfied.

If the matter has not been resolved within 20 working days of agreeing the summary with the complainant, the appropriate officer will consider each aspect of the summary of complaint and determine whether to uphold the complaint, on the balance of probabilities.

If the appropriate officer cannot resolve the position on the information available, they shall arrange to contact the parties to obtain all necessary further information. If necessary, the appropriate officer can arrange to meet with either or both of the parties. Normally, the information received and the notes of any meeting are disclosed to both parties.

Once the appropriate officer has made a provisional decision in relation to the complaint, they will send draft findings to each of the parties, providing them with an opportunity to respond within five working days.

The appropriate officer will consider responses before confirming the findings. The appropriate officer will finalise the findings within five working days and send it to each of the parties. This concludes the investigation.

If at any point during the investigation the appropriate officer encounters a delay in responding to/providing correspondence, the appropriate officer will notify the complainant of the delay and provide details of when to expect a response.

Timescales for investigations into complaints about potential financial irregularity may be significantly longer. The Strategic Intervention Team will make every effort to inform complainants of progress and expected timescales. However, where a case is referred elsewhere (for example to the police), it may be necessary for information to remain confidential until all enquiries are completed.

What action the Skills Funding Agency can take

If a complaint is upheld, the SFA shall consider taking action against the provider in accordance with the key principles. The SFA may take the following action:



- Ask the provider to review its procedure to ensure non-recurrence.
- Ask the provider to review its decision in the individual case.
- Where the complaint is about a course funded by an Advanced Learning Loan, ask the provider to reimburse the complainant and/or the Student Loans Company part or all of the value of the Loan.
- Consider the eligibility of provision for funding.
- Invoke the clauses in the contract between the provider and the SFA relating to the breach.
- Terminate the contract.
- Recommend inspection of the provider to the Secretary of State.
- In cases of financial irregularity, recover funds and refer matters to the police (where there is evidence of a crime) and apply the SFA's policy on Funding Higher Risk Providers and Subcontractors.

If a complainant is dissatisfied with the way the SFA has dealt with their complaint against a provider, they will write to

**Complaints Adjudicator,
Legal and Governance Team,
Skills Funding Agency,
Cheylesmore House,
Quinton Road,
Coventry,
CV1 2WT.**

The Complaints Adjudicator will not investigate the original complaint against the provider but will look at whether the complaint has been handled appropriately. Complainants can also send any queries about this to complaintsteam@sfa.bis.gov.uk

