**ESO Education and Training (NW) ltd** (for the rest of the documentation the abbreviation “**ESO**” will be used)

 **Learners Complaints and appeals procedure.**

As an organisation **ESO** recognises and welcomes all feedback, whether it be positive or negative. Feedback is a useful tool to allow us to ensure we are meeting the high expectations of our learners, trainers and staff. When necessary, we will make the relevant changes to enable complete satisfaction throughout the running of our courses and business.

**SCOPE**

Our complaints and policy procedure sets out to cover complaints raised by a learner/trainee or their employer regarding any matter connected to ESO

**AIM**

The aim of our complaints policy and procedure is to ensure that all complaints raised against ESO are fully investigated in a reasonable timeframe and settled in a fair and reasonable way which meets the interests of all parties.

ESO aims to handle all complaints in a manner which:

● Encourages informal resolution wherever possible

● Is prompt and fair

● Is easy and accessible for all apprentices and employers

● Treats complaints seriously, with appropriate sympathy and confidentiality

● Facilitates early resolution

● Helps to improve our apprenticeship provision in the future.

**Grounds for complaint**

A learner/trainee or their employer may make a complaint on the grounds below (this is not an exhaustive list). See also the list after **stage 4: *Escalation***

**Teaching and learning**

* Quality of teaching and learning, for example
	+ Non-subject specialist trainer without adequate training/subject matter expertise utilised on a long-term basis
	+ Trainer lacking knowledge of new specification/incorrect core content studied/taught
	+ Core content not adequately covered
	+ Inadequate feedback for a learner/trainee following assessment(s)
* Pre-release/advance material/set task issued by the awarding body not provided on time to an exam learner/trainee
* The taking of an assessment, which contributes to the final grade of the qualification, not conducted according to the awarding body instructions
* The marking of an internal assessment, which contributes to the final grade of the qualification, not undertaken according to the requirements of the awarding body (complainant should refer to the centre’s internal appeals procedure)
* ESO fails to adhere to its internal appeals procedure
* learner/trainee not informed of his/her centre assessed marks prior to marks being submitted to the awarding body
* learner/trainee not informed of his/her centre assessed marks in sufficient time to request/appeal a review of marking prior to marks being submitted to the awarding body
* learner/trainee not given sufficient time to review materials to make a decision whether to request a review of centre assessed marks

**Access arrangements**

* learner/trainee not assessed by the centre’s appointed assessor
* learner/trainee not involved in decisions made regarding his/her access arrangements
* learner/trainee did not consent to personal data being shared electronically (by the non-acquisition of a signed Data Protection Notice)
* learner/trainee not informed/adequately informed of the arrangements in place and the subjects or components of subjects where the arrangements would not apply
* Exam information not appropriately adapted for a disabled learner/trainee to access it
* Adapted equipment put in place failed during exam/assessment
* Approved access arrangement(s) not put in place at the time of an exam/assessment
* Appropriate arrangements not put in place at the time of an exam/assessment because of a temporary injury or impairment

**Entries**

* Failure to clearly explain a decision of early entry for a qualification to learner/trainee (or parent/carer)
* learner/trainee not entered/entered late (incurring a late entry fee) for a required exam/assessment
* learner/trainee entered for a wrong exam/assessment
* learner/trainee entered for a wrong tier of entry

**Conducting examinations**

* Failure to adequately brief learner/trainee on exam timetable/exam regulations prior to exam/assessment taking place
* Room in which exam held did not provide learner/trainee with appropriate conditions for taking the exam
* Inadequate invigilation in exam room
* Failure to conduct exam according to the regulations
* Online system failed during (online) exam/assessment
* Disruption during exam/assessment
* Alleged, suspected or actual malpractice incident not investigated/reported
* Eligible application for special consideration for a learner/trainee not submitted/not submitted to timescale
* Failure to inform/update learner/trainee on the outcome of a special consideration application

**Results and Post-results**

* Before exams, learner/trainee not made aware of the arrangements for post-results services and the accessibility of senior members of centre staff after the publication of results.
* learner/trainee not having access to a member of senior staff after the publication of results to discuss/make a decision on the submission of an enquiry.
* learner/trainee request for return of work after moderation and work not available/disposed of earlier than allowed in the regulations.
* learner/trainee or manager unhappy with a result (complainant to refer via exams officer to awarding body post-results services)
* learner/trainee or manager unhappy with ESO decision not to support a clerical check, a review of marking, a review of moderation or an appeal (complainant to refer via [insert who] to ESO internal appeals procedure)
* ESO applied for the wrong post-results service/for the wrong exam paper for a learner/trainee.
* ESO missed awarding body deadline to apply for a post-result service.
* ESO applied for a post-results service for learner/trainee without gaining required learner/trainee consent/permission.

**Complaints and appeals procedure**

Wherever possible, issues or disputes relating to ESO should be raised informally in the first instance to a member of staff.

An ‘*informal complaint*’ is defined as: any issue or dispute which is raised with a member of staff, outside of the formal

complaints process which is outlined below.

Informal complaints allow us to try and resolve issues as quickly as possible using the appropriate means. It is usually

faster to resolve informal complaints as they are unlikely to require an in-depth investigation.

**Stage 1**: ***Complaint Raised***

* Complaints should be raised with the relevant member of staff at the source of the complaint. ESO will aim to resolve the issue informally at the earliest opportunity.
* The member of staff involved will provide an acknowledgement of the complaint within 2 working days of receiving the complaint. A written outcome to the complainant will be delivered via email within 10 working days.

If the complainant is dissatisfied with the outcome, they may raise a formal complaint, the process for which is documented below.

**Stage 2: *Formal Complaints***

In order to raise a formal complaint, complainants should document the details of their complaint and submit via email/writing to the Quality Manager. The email should set out the details of the complaint in full, what they feel

would be the appropriate resolution and should include any relevant supporting evidence.

* The Quality Manager will log the complaint on our internal complaints database. All complaints will be acknowledged within 2 working days
* The complaint will be forwarded to a manager who has not previously been involved with the complaint. The manager investigating will review all the information submitted, meet with the relevant members of staff and discuss the complaint with the complainant where further information is required.

A written report will be issued by the investigating manager within a maximum of 20 working days from the date of receipt of the original complaint. If the complainant is not satisfied with the action taken, they may proceed to stage 3.

of the complaints process documented below.

**Stage 3: *Review***

If a complainant is dissatisfied with the response provided at stage 2 of the complaint’s procedure, the complaint can be escalated for further consideration by a director.

The Director will not investigate the complaint unless substantial new evidence has been produced. Their role is to ensure that ESO has followed the appropriate procedures and has reached a reasonable conclusion.

**Stage 4: *Escalation***

If the learner/trainee or their manager is dissatisfied with either the processing of the complaint or the response received regarding any

aspect of ESO, they have the right to escalate the complaint to the

Awarding body

**Assessment Appeals and complaints procedure**

The following guidelines cover appeals and complaints against all internal and external assessments. At each stage decisions taken are made after consultation with appropriate bodies and persons, for example, other subject tutors,

course teams, internal verifiers, moderators etc.

A learner/trainee may make an appeal or complaint against the following criteria:

1. Inadequate justification of assessment.

2. Evidence of an inconsistency of standards.

3. Evidence of non-application of stated assessment criteria.

4. Submission deadlines.

5. Evidence of application of criteria not previously stated.

6. Unfair treatment of the tutor/trainer/assessor or internal verifiers

All appeals or complaints must refer to at least one of the above to be considered for reassessment.

**Applications for appeal/complaint:**

Learners have the right to access all documentation relating to assessment, moderation and moderator feedback

pertinent to them.

1. Appeal/complaint to the subject tutor within two weeks of notification of assessment performance. This need not be in writing but represents an informal appeal for re-grading.

2. Formal appeal/complaint made in writing to the tutor within four weeks of the original assessment.

3. Formal appeal to the Director (and internal verifier) in writing. This must be made within two weeks of decision.

made by the tutor/trainer/assessor.

4. In exceptional circumstances, disputes may be referred to the responsible person at Laser.

Responses to the appeal must be given in writing within one week for 1, 2 and one month for 4.

It will be the responsibility of the person or group granting the appeal to arrange for, determine the assessment and

communicate it to the candidate.

**Review:**  This document was reviewed February 2024. It will be reviewed again in 1 year.