

## Complaints Policy and Process

### Policy Summary

Linden Management (UK) Ltd.'s Complaints Policy provides the framework within which anyone who is dissatisfied with the organisation can raise their concerns. The framework also assists staff to effectively deal with complaints from learners, parents, customers, employers, contractors, visitors and other interested parties.

### Informal Stage

It is recognised that some concerns are raised informally and these can and should be dealt with immediately. An informal complaint should be raised directly with the relevant Tutor or Mentor.

Any such concerns should then be raised promptly and directly with the individual against whom there is a concern where relevant.

We aim to resolve informal concerns quickly and effectively.

If concerns are not satisfactorily resolved in this way complainants should follow Linden Management (UK) Ltd.'s formal Complaints process as outlined below.

### Formal Stage

The formal procedure is intended to ensure that all complaints are handled fairly, consistently and wherever possible resolved to the complainant's satisfaction.

### Responsibility of the Complainant

If the complaint is not resolved at the informal stage, or the complainant does not wish to follow the informal complaint process, they should:

- Communicate their complaint in writing to Lead Trainer, Barbara Hill, [barbara@lindenmanagement.org.uk](mailto:barbara@lindenmanagement.org.uk) or Client Relationship Manager, Rebecca Smith, [rebecca@lindenmanagement.org.uk](mailto:rebecca@lindenmanagement.org.uk). To speak to someone in person about a complaint please contact Head Office on 01777870887
- Bring their complaint to the attention of Linden Management (UK) Ltd. within 12 weeks of the incident occurring.
- Explain the concern as clearly and as fully as possible, including any action taken to date.

### Responsibility of Linden Management (UK) Ltd

Linden Management (UK) Ltd. welcomes feedback to enable us to improve our services. We will respond to any dissatisfaction with our services fairly and promptly;

- You will receive an initial response within 48 hours of receipt of your formal complaint
- Your complaint will be looked into and a response sent to you within 10 working days detailing our findings.
- A further, more detailed response will be sent on conclusion of a full investigation if
- relevant.
- You may be offered a meeting with the parties involved if appropriate.
- all informal and formal complaints will be logged on our central log.
- These will be retained for a period of 2 years following resolution and closure of the complaint at which point all information relating to the complaint will be deleted.

### Appeals and Escalation Process

You may appeal to Ryan Bell, the Training Director, if you are dissatisfied with the outcome of your complaint. Your appeal must be submitted within 20 working days from receipt of the complaint response. Your appeal should be sent, in writing, to Ryan Bell, [ryan@lindenmanagement.org.uk](mailto:ryan@lindenmanagement.org.uk) or via telephone on 01777 870887.

If you have fully exhausted our complaints procedure, have evidence of this and remain dissatisfied, you can contact ESFA.

You can also contact ESFA if you are being prevented from exhausting our complaints procedure, or if you are no longer able to contact them because they are no longer trading.

### How to complain to ESFA

The ESFA only accept complaints in writing, by email or letter, except where they are required to make reasonable adjustments. Please let them know if this applies to you, either through a third party or by [calling them](#) on 0370 0002285 and they will arrange for someone to handle your complaint accordingly.

If you have difficulties in providing details in writing or if you are under 18, they will consider complaints made on your behalf by a third party. You will need to confirm that they can communicate with that third party on your behalf. If the complaint is on behalf of more than one person, they will need written permission from everyone.

You should email complaints to [complaints.esfa@education.gov.uk](mailto:complaints.esfa@education.gov.uk), or put them in a letter to:

Customer Service Team,  
Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry CV1 2WT

When you contact them about your complaint, you will need to provide them with the following:

- the name of our organisation
- details of what your complaint is, together with the relevant documents
- evidence that you have fully exhausted our complaints procedure, including any appeals process (for example, written correspondence confirming the outcome)
- permission to disclose details of your complaint to us
- if you are acting on behalf of a learner, evidence that you have their permission to do so

The ESFA can only investigate on behalf of learners whose courses they fund or employers that they fund. They may ask you for further information to help them confirm this.

### **What happens next**

On receipt of your complaint, they will check:

- if they fund the course/organisation
- if it falls into one of the [categories they can investigate](#)
- if the original decision or action complained about occurred more than 12 months ago (unless it is about an Advanced Learner Loan)
- whether you have exhausted our complaints procedure including any appeals process

The ESFA will acknowledge receipt and send a copy of this procedure. They will also inform you of whether the complaint is one that they can investigate. If the ESFA cannot investigate your complaint, they may also signpost you to another organisation that may be able to help you.

The ESFA will appoint an officer with appropriate knowledge and expertise to investigate your complaint.

If they can investigate, they will email a summary of the complaint to you. In some complex cases, they will request that you agree to the summary. Where this happens, you will have 5 working days to respond.

Within 10 working days of agreeing a summary, the ESFA will send the information that you have provided along with a summary of the complaint to us. They will then ask us to share with them:

- details and copies of the relevant procedure
- confirmation that our procedures have been exhausted
- a response to the summary of complaint, together with relevant documents
- confirmation that they can share the information provided with you

If our procedures have not been exhausted, the ESFA will let you know that they will not investigate the matter further until that has happened. If they decide we have unduly delayed resolving the complaint or will not resolve the complaint within a reasonable timescale, they may continue to investigate. If the ESFA determine that you are self-funded, they will write to you to say that they cannot investigate the matter further.

If the ESFA need more information, they may contact those involved to get further information or evidence.

The ESFA aim to finalise the findings within 25 working days of your complaint summary being agreed. They will notify you of the outcome and their findings, and that will conclude the investigation.

If at any point during the investigation, they encounter a delay in responding to or providing correspondence, they will notify you of the delay and provide details of when you can expect a response.

### **What action ESFA will take**

The organisations we fund are independent bodies and ESFA has limited power to intervene in their day-to-day running. ESFA's role is to ensure we have acted according to their complaints procedures.

If your complaint is upheld, they may consider action against us, such as:

- asking us to review their complaints procedure to ensure non-recurrence
- asking us to review our handling of your case

Working with other ESFA teams and/or intelligence, they may consider:

- whether they continue to fund us
- invoking clauses from the funding agreements, financial memoranda and/or contracts between ESFA and ourselves

### **What to do if you are not satisfied**

If you are not happy with the way the ESFA handled your complaint against a provider, you can fill in the [complaint form](#) to issue a formal complaint about ESFA.

**Confidentiality**

Linden Management (UK) Ltd. will keep you informed of progress with your complaint and how we are handling the information provided under this Complaints Procedure. Where an investigation is required, your information may be shared with other Linden Management (UK) Ltd. staff members or external third parties. Before sharing your information, we would inform you of this, unless there were exceptional circumstances, for example, where doing so could pose a risk of harm to you or others.

In the case of young people under the age of 18 raising a complaint, depending on the nature of the complaint, we may be obliged to inform their parent/guardian.

**Complaints Process**

The Training Director is the owner of this document and has approved its publication. The document owner is responsible for ensuring that this procedure is reviewed annually.

This document is issued on a version-controlled basis and is available to all colleagues in the Quality Manual/e-portfolio and learner handbook.

Document Management:

| Reviewed By: | Date: | Reason: | Next review by: |
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