

Brighton Swimming Centre/Swim UK



Appeals and Complaints Policy

Policy statement

We define a complaint as any expression of dissatisfaction with our service which calls for a response.

Learners accessing our training from any funding pathway have the right to launch a complaint against their tutor/assessor and/or appeal against an assessment decision if they feel that the decision is unfair. Brighton Swimming Centre(BSC)/Swim UK will treat all complaints fairly and without prejudice. In return we expect that any learner launching a complaint will also treat our staff dealing with the complaint with the same courtesy, respect and fairness.

Complaints

If a learner wishes to make a complaint about a course, a tutor, or a facility then in the first instance BSC/Swim UK Centre Managers should be made aware in writing, either via email or post:

Jade Gurr and Freya Bolingbroke

jade@brightonswimmingschool.com

freya@brightonswimmingschool.com

If the learner requires a reasonable adjustment because they are unable to contact us in writing, please call: 01273 434400.

BSC/Swim UK management will deal with the learners complaint promptly. We will acknowledge receipt of an written complaint within 5 working days where we have a return address and the learner can expect to have a full reply within 20 working days. If we do not have all the details required to deal with the complaint, we may contact the learner to ask for further information. In a few cases we will not be able to send a full reply within 20 working days of receipt, for example if the complaint is very complex or requires us to liaise with an awarding body. If this happens, we will tell the learner the reason why and let them know when we will be able to reply in full, keeping them fully informed of the progress.

We will not treat the learner less favourably than anyone else because of their:

- Sex or legal marital or same-sex partnership status: this includes family status, responsibility for dependants, and gender (including gender reassignment, whether proposed, commenced or completed).
- Sexual orientation.
- Colour or race: this includes ethnic or national origin or nationality.
- Disability.
- Religious or political beliefs, or trade union affiliation.
- Any other unjustifiable factors, for example language difficulties, age, pregnancy or maternity.

If the resolution, we have offered the learner is unsatisfactory, the learner will have the option to go to our Managing Director – Paul Smith and explain in writing their reasons.

If the learner is an apprentice their complaint will not affect their apprenticeship training or funding.

Confidentiality – all complaints received will be dealt with confidentially and in accordance with the requirements of the data protection act 1998, subject to need to disclose any information as required by statutory authorities, and/or because of statutory, legal or parliamentary obligations placed on the commission.

Appeal Procedure

If the learner feels that they have a justified reason to appeal against the assessment made by their course tutor/assessor/internal verifier then the following procedure should be followed:

1. The learner's first line of appeal is to their course tutor. It should be made in writing and clearly explain the nature of the appeal. A copy should also be sent to the centre managers.
2. The course tutor is required to respond to the appeal in writing within 10 working days and a copy will be sent to the centre managers and internal verifier.
3. The course tutor may either confirm the original assessment or revise it.
4. The learner can either accept this assessment or proceed with the second line of appeal.
5. The learner's second line of appeal is their internal verifier. This again should be made in writing including all relevant details and any supporting evidence. A copy should also be sent to the centre managers.
6. A panel made up of the internal verifier and two assessors will meet to judge the evidence.
7. The panel will either confirm the original assessment or support the appeal and reach an agreement with the assessor and learner based on the evidence provided. In the unlikely event of an disagreement between the course tutor and the internal verifier with regard to the assessment the decision of the internal verifier will prevail.
8. Within 7 working days of the appeal being received the learner will be informed in writing the decision reached.
9. If the internal verifier/panel are unable to make a decision or the learner feels that the decision is unfair, then the next line of the appeal is to the external verifier. For the internal verifier this must be done in the form of a report, for the learner this must be done in writing.
10. The external verifier may confirm the original assessment, support the appeal on the evidence provided or obtain further advice from the chief verifier or such higher bodies as relevant.
11. If a satisfactory conclusion for the candidate is not reached by this stage then they may:
12. Appeal directly to the relevant awarding body, a fee for handling such appeals will be chargeable to the learner. This will only be refunded if the appeal is upheld.
13. Be required to be reassessed in a specific assessment area or against the total assessment criteria. In this situation a fee equal to that charged by the awarding body will be made to the learner.

During the RLSS NPLQ courses, learners are assessed by external assessors, not their course tutor. Therefore, for pool lifeguard qualifications in the first instance a complaint needs to be submitted to the approved training centre co-ordinator. If the learner is not happy with the way their appeal has been handled or the outcome of the investigation the grievance can be referred to the RLSS UK compliance Team via email: compliance@rlss.org.uk. In such cases, this must be done within 10 working days of receipt of the original decision.

For STA courses, if an individual wishes to appeal against a decision taken by the centre after following the above appeals procedure, they can be referred to the STA and send their appeal in writing to STA AB, Anchor House, Birch Street, Walsall, West Midlands, WS2 8HZ.