



# **Policies**

## **Railway Competence Group**

# Complaints and Appeals Policy

RCG staff, apprentices, training providers, employers, and stakeholders are subject to this procedure. You must follow the process in this document to lodge a complaint or appeal with RCG.

## Introduction

A high standard of customer service is our priority. We believe that apprentices should have access to fair and reliable assessments.

## Definition of a Complaint

A complaint is a report of RCG's activities that the complainant finds unsatisfactory, but which does not directly affect an assessment or result. For example, results not given within the agreed timeframes.

## Definition of an Appeal

An appeal relates to allegations that RCG or its employees have not performed their duties to the required standard, resulting in the apprentice(s):

- Being unfairly marked
- Having been graded incorrectly
- Having been disadvantaged somehow.

You can appeal:

- Assessment results.
- Special considerations and reasonable adjustments decisions.
- Actions taken against an apprentice following an investigation into malpractice.

Appeals are normally lodged where the appellant considers:

- the correct process has not been applied, or not applied consistently, fairly or properly
- a conflict of interest has occurred and not been managed correctly which has affected their result or outcome
- a decision has been made by someone who does not possess the appropriate competence.

Below are the complaints and appeals processes.

## Complaints process

Any complaints received will be dealt with promptly.

Our complaint procedure involves:

- Complaint submission
- Acknowledgement of the complaint
- Review of the complaint
- Response to the complainant
- Recording of the complaint.
- Learning from the complaint.

**Submitting a complaint:** Complaints about our service should be in writing and sent by email or post. To enable RCG to investigate and review your complaint, please provide as much information as possible.

Send complaints by:

Email to: Compliance Manager [liz.rowlands@rcg.org.uk](mailto:liz.rowlands@rcg.org.uk)

Post to: RCG, Albion Wharf, 19 Albion Street, Manchester, M1 5LN.

**Acknowledgement:** In response to complaints, RCG will contact the complainant within 10 working days.

**Review:** RCG will review the information presented and decide whether it is appropriate to:

- Investigate the complaint directly; the investigation will be carried out by the Compliance Manager.
- Bring the matter to the attention the Board of Directors.

**Response:** Within 28 days of complaint submission, RCG will contact the complainant by email or post with details of the investigations findings and any applicable preventative or corrective actions.

**Record the complaint:** RCG will keep a record of the complaint (for details see data retention policy).

RCG Appeals Procedure may be utilised by complainants dissatisfied with the outcome of investigation.

**Learning from the complaint:** identifying where any service standards, policy or processes need review and improvement.

## Appeals Process

Apprentices should discuss their appeal with their training provider and ask them to lodge the appeal. It is important for employers to agree on filing an appeal.

An appeal can be filed within 28 days of being notified of the assessment decision, or other outcome e.g. malpractice decision.

Apprentices should be aware that appeals are independent reviews of the assessment decisions, and as such may result in grades/results being changed.

ACE360 should be used for appeals. Submit an appeal by clicking actions on the apprentice's record. Afterwards, the system will ask for details of the appeal. Include all relevant information to allow a third party to make a decision.

Full details on using ACE360 can be found in the training guide available [here](#) (see the Appeals process on page 39 onwards).

## Reviewing an Appeal: Stage 1

RCG will acknowledge receipt of an appeal within 10 working days. In the first instance this will be reviewed by the Compliance Manager.

Appeal investigators, including the Compliance Manager, must:

- Have no conflict or personal interest in the appeal decision.
- Not have made the initial assessment decision or have been involved in the assessment process prior to the appeal being made.
- Possess the relevant competence to decide on an appeal.

Competence is defined as possessing an appropriate combination of training, skills, experience and knowledge that enables the person to critically review appeal evidence, apply the policy and procedure, and come to an independent and defensible decision.

Decisions made by the Compliance Manager will go to RCG's Quality Group for scrutiny to ensure the Compliance Manager's decision is appropriate.

The Compliance Manager will write to the appellant with details of the decision to either uphold the original assessment decision or other outcome. Or to amend the original assessment decision or outcome, based on the appeals findings.

Our goal is to respond to the appeal within 28 days. Review processes may take longer in some cases. The Compliance Manager will inform the appellant concerned of the likely timeline in such cases, and reasoning behind the delay.

Apprentices, training providers, and employers may move to stage 2 if they do not accept the findings within stage 1.

## **Reviewing an Appeal: Stage 2**

If the result of stage 1 is not accepted by the apprentice, training provider, or employer, stage 2 will be initiated.

Appeals are escalated to an appeals panel (a written record of the meeting will be obtained/recorded). The panel should be undertaken within 28 days of escalation to stage 2. If this is delayed for any reason the appellant will be informed of this and the panel arranged as soon as possible.

The panel will include the Compliance Manager, the Managing Partner of Delivery, the Quality Assurance Adviser and an independent person who:

- Does not have a personal interest in the decision.
- Has no conflict of interest with RCG, apprentice, training provider, or employer.
- Is not an employee, assessor or regular contractor working with RCG.
- Has the relevant competence to decide on the appeal.

Competence is defined as possessing an appropriate combination of training, skills, experience and knowledge that enables the person to critically review appeal evidence, apply the policy and procedure, and come to an independent and defensible decision.

The panel will review all evidence pertaining to the stage 1 appeal. Following this a decision will be made as to whether RCG made a fair, appropriate, and consistent assessment decision and if any result or outcome should be revised. The appellant will be notified within 28 days of the decision being made.

The panel's decision is final and must be accepted by RCG, the apprentice, training provider and employer.

Findings of all appeals will be evaluated by the Compliance Manager for any lessons which may improve policies/procedures, methods of work. If an appeal identifies any failings within the assessment process of RCG this will be escalated to the Managing Partner Delivery for action to mitigate any failings and ensure no other learners are impacted and the issue does not recur. Appeal findings will be passed on to assessors within standardisation meetings and written correspondence.

## **Policy Review**

Last updated 01/01/2023. The policy will be reviewed annually.



# RCG



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