

THE ORCHARD PROJECT



Learner Complaints and Appeals Policy

About us

The Orchard Project is a small national charity, established in 2009, dedicated to creating a skilled community of orchardists to plant, care for and harvest fruit trees, connecting urban communities and increasing access to fruit. We work with people from all walks of life, with a specific focus on people living in poorer, inner city areas. We have already made a big impact in London and are being seen as the urban orchard experts. Each year we are engaging approximately 5,000 people in orchard related activities. In 2017 we started offering accredited training in partnership with Crossfields Institute.

Introduction

This policy is aimed at learners who are enrolled on or have taken a Crossfields Institute approved qualification. It sets out the process we will follow when responding to complaints and appeals. It also covers complaints learners, stakeholders, staff, or members of the public may wish to make in relation to the activities of The Orchard Project.

We value all our stakeholders, learners, staff and visitors, and aim to provide excellent service and training in all aspects of what we do.

Therefore, it is important, should you feel you have encountered a level of service that is below what is expected, that you raise any concerns with us immediately so that we may address them and learn lessons. If you are unhappy about the way an assessment was delivered and conducted and you suspect malpractice or maladministration may have occurred, you should send your concern to us in accordance with the arrangements in our Malpractice & Maladministration Policy.

It is also for use by our staff to ensure they deal with all complaints and appeals in a consistent manner.

Centre Responsibility

The Orchard Project should take all responsible steps to ensure that all staff involved in the management, assessment and quality assurance of Crossfields Institute qualifications are aware of the contents of this policy.

As a learner, you should be advised of our Learner Complaints & Appeals Policy during your induction. The Learner Complaints & Appeals Policy should be included in the Learner Handbook or on the centre's website.

Complaints

Making a Complaint

As a student, you are encouraged to raise your concern at an early stage with an appropriate member of staff at the Orchard Project. We would normally expect to receive details of the complaint within one month of the event you are complaining about and it should be addressed to the contact details outlined at the end of this policy.

If your tutor or the Education Skills or Training Manager cannot help you, you may approach the Head of Programmes & Operations.

If this is not possible, or if you are dissatisfied with the help provided by the person concerned, please refer the matter to Crossfields Institute. You may call to speak to a member of the Quality and Development Department staff on 01453 808118. Alternatively, you can email Crossfields Institute at qualityassurance@crossfieldsinstitute.com or you can complete the complaints form on the website (www.crossfieldsinstitute.com).

Complaints Process

The Orchard Project will acknowledge receipt of your complaint within 2 working days, letting you know who is investigating your complaint.

The Education, Skills and Training Manager will be responsible for ensuring the investigation is carried out in a prompt and effective manner and in accordance with the procedures in this policy and will either investigate the matter or allocate a relevant member of staff to lead the investigation and establish whether or not an issue relating to the complaint has occurred.

At all times we will ensure that The Orchard Project personnel assigned to the investigation have the appropriate level of training and competence and that they have had no previous involvement or personal interest in the matter – other than initial contact acknowledging the complaint and explaining our procedures to the complainant. If the Education, Skills and Training Manager has had previous involvement in the complaint matter they will not be responsible for allocating a member of staff to carry out the investigation or for overseeing and managing the investigation, and this will be carried out by the Head of Operations & Programmes instead.

We aim to investigate the complaint within 10 working days. If your complaint is more complex, or involves people who are not available at the time, we may need to extend this. We may contact you within this period to seek further information or clarification (in some instances we may recommend a meeting). At the end of the investigation we shall write/email to inform you of our decision.

Complaining to Crossfields

When you contact Crossfields Institute, please give them your full name, contact details including a daytime telephone number along with:

- a full description of your complaint (including the subject matter and dates and times if known)
- any names of the people you have dealt with so far
- copies of any papers or letters to do with the complaint

Sometimes you may wish to remain anonymous. However, it is always preferable to reveal your identity and contact details to Crossfields Institute, and if you are concerned about possible adverse consequences please inform Crossfields that you do not wish for them to divulge your identity.

While Crossfields Institute are prepared to investigate issues which are reported to them anonymously they will always try to confirm an allegation by means of a separate investigation before taking up the matter with those to whom the complaint/allegation relates.

Complaints brought to our attention by the regulators

Where the Crossfields or OFQUAL notify The Orchard Project about failures that have been discovered in the assessment process or other activities of another awarding organisation, these will be reviewed in the same manner as other external complaints. The review will be in accordance with the procedures below to ascertain if the same issue could affect Crossfields Institute qualifications.

What if I am not happy with the reply?

If you disagree with the decision please refer the matter to Head of Operations & Programmes or take it to appeal.

Appeals

An appeal is a formal request by a learner to undertake an investigation and to arrive at a decision if the procedure has not resolved issues. An appeal may be made by a learner undertaking a Crossfields Institute qualification.

This covers:

- appeals from learners in relation to an assessment decision on the basis that The Orchard Project did not apply procedures consistently or that procedures were not followed properly and fairly; and
- appeals if you believe Crossfields Institute have not applied TOP's procedures consistently or that procedures were not followed properly, consistently and fairly.

Process for raising an appeal

If you wish to appeal against a decision taken by The Orchard Project, you must go through our process before bringing the matter to Crossfields Institute.

You have 20 working days from the date The Orchard Project notified you (of the decision you are appealing against) in which to lodge an appeal against our decision. This includes assessment results so please remember to retain the course evidence until you receive your results.

Please give the Education, Skills and Training Manager your full name, contact details including a daytime telephone number along with:

- a full description of your complaint (including the key issues, dates and times if known)
- the qualification you are studying (if appropriate)
- any names of the people you have dealt with so far
- copies of any papers or letters to do with the complaint

If you request an appeal you will be kept notified by Crossfields at each stage of the appeal process. The duration of the appeal process is dependent on the nature and complexity of the appeal and the availability of associated documentation. However, an appeal will normally be decided within a three-month period.

What will happen to the appeal?

The Education, Skills and Training manager will acknowledge receipt of the appeal within 2 working days. The appeal will then be passed to the Head of Operations & Programmes who will make a decision as to the most appropriate person to conduct the initial review – please see table at the end of this policy for information on types of appeal and who may conduct it. The person appointed will aim to respond fully to the initial review within 20 working days. Please note that in some cases the review processes may take longer, for example, if a centre visit is required. In such instances, we will contact everyone concerned to inform them of the likely revised timescale.

Initial assessment of the appeal

The first stage will be for the relevant person appointed to undertake an initial, assessment of the situation to ensure the application is complete and to ascertain if the issue can be resolved before it goes to Higher Appeal. In all instances we will ensure that the person carrying out this initial review does not have a personal interest and was not involved in the decision being appealed (see Appeals table at the end of this document).

Following the initial review, we will write to you with details of our decision to either:

1. amend our original decision in light of the new rationale/evidence being put forward and which has now been reviewed or
2. confirm we stand by our original decision and the rationale for this decision

We will request that you confirm, within 15 days, whether you now accept this decision or if you wish to proceed to our Higher Appeals review process which will be carried out by Crossfields Institute.

Higher Appeals process

If you wish to proceed to the next stage in our appeal process and ask for a higher appeal to Crossfields Institute, please send your request to the Head of Faculty for Environment and Transdisciplinary Studies at Crossfields Institute (isis.brook@crossfieldsinstitute.com). The Head of Faculty will arrange for a Higher Appeal to be carried out. The purpose of the appeal is to revisit decisions and investigate failings in the appeal process.

The Head of Faculty will write or email to inform you of the outcome of the Higher Appeal within 30 working days of the request for a higher appeal.

What if I am not happy with the reply?

If you are unhappy with the outcome you may follow Crossfields Institute's policy and request an independent review.

Fees

Crossfields and The Orchard Project will not charge any fees to cover the administrative and staff costs involved in dealing with appeals.

Both Complaints and Appeals

Successful complaints and/or appeals brought to our attention by the Higher Appeal

In situations where your appeal has been successful the Education, Skills and Training Manager will give due consideration to how we can improve our service in future. This might include:

- Undertaking appropriate staff induction or training as required to prevent the complaint matter from reoccurring
- Considering if the complaint indicates a future risk that may need to be added to our risk logs

- Reviewing our procedures to assess the impact on our qualification development, delivery or awarding arrangements and assessment process
- In extreme circumstances, internal disciplinary procedures may be exercised where the performance or behaviour of our staff is deemed inappropriate.

Where an appeal has been successful which indicates a failure in our processes, we will take appropriate actions such as:

- (a) identifying any other learner and/or centre who has been affected by that failure
- (b) correcting or mitigating as far as possible the effect of the failure
- (c) reviewing and amending our arrangements to reduce the likelihood that the failure will occur again

If any part of your complaint is upheld we will of course respond accordingly and give due consideration to how we can improve our service and arrangements.

All Orchard Project staff will cooperate with any follow-up investigations required by Crossfields Institute and agree any remedial action with them.

Contact details

The Orchard Project: Education, Skills and Training Manager, Jo Homan on 07714 745 408 or email her at jo@theorchardproject.org.uk.

Crossfields Institute: Executive Director, Lou Doliczny, lou.Doliczny@crossfieldsinstitute.com

Review Arrangements

The Orchard Project will review the policy and associated procedures bi-annually as part of our self-assessment arrangements. It will be revised as necessary in response to feedback from our learners, centres, affiliates and regulators.

Policy Last Reviewed: July 2021

Next revision date: July 2023

Reviewed by: Education Skills and Training Manager, Jo Homan

Overview of who will deal with different INITIAL Review of Appeal Types		
Appeal type	Normal day to day responsibility for this area of work	Primary member/staff - who will lead on/contribute to the appeal review not involved in original decision
Appeals from learners regarding an assessment decision (eg procedures inconsistently applied, or not followed properly).	Education Skills and Training Manager	Head of Operations & Programmes
Appeals from learners re a decision to decline a request for reasonable adjustments or special considerations.	Education Skills and Training Manager	Head of Operations & Programmes
Appeals from a learner re the application of a sanction or action on a centre following a quality visit, or an investigation into malpractice or maladministration, or a decision to amend a learner/set of learners results following a malpractice or malpractice investigation.	Education Skills and Training Manager	Head of Operations & Programmes
Appeals if you believe we have not applied our procedures consistently or that procedures were not followed properly, consistently and fairly.	Depends on the area that is the subject of the appeal	A relevant senior staff member who was not involved in the original decision, depending on the nature of the appeal
Appeal related to a decision made by a team leader.	Head of Operations & Programmes	Chief Executive
Appeal related to a decision made by the Project Director	Chief executive	Member of Board of Trustees