

Functional Skills UK Appeals and Complaints Policy

Appeals and Complaints Policy and Procedure

1. Policy statement

Functional Skills UK (FSUK) is committed to handling complaints and appeals fairly, consistently, promptly and without prejudice. We define a complaint as any expression of dissatisfaction about our service, staff, facilities, training delivery, administration or other matter which requires a response.

Candidates, apprentices and learners accessing FSUK training through any funding pathway have the right to make a complaint and, where relevant, to appeal an assessment decision where they believe the decision is unfair, inconsistent or not supported by evidence.

FSUK expects all parties involved in a complaint or appeal to act with courtesy, respect and fairness. Raising a complaint or appeal will not disadvantage a learner, affect their apprenticeship training or funding, or affect future assessment opportunities.

2. Scope

This policy applies to complaints and appeals relating to FSUK services, including courses, tutors, on-programme assessors, assessment decisions, internal quality assurance decisions, facilities, administration, funded provision and partner-delivered provision where FSUK is responsible for delivery or quality assurance.

Where a complaint relates to safeguarding, malpractice, maladministration, whistleblowing, data protection, health and safety or a funding body matter, FSUK may also use the relevant separate policy and may refer the matter to the appropriate external body where required.

3. Complaints procedure

3.1 Informal resolution

Where appropriate, learners are encouraged to raise concerns informally with their tutor, assessor, course contact or Centre Manager as soon as possible. FSUK will try to resolve issues quickly and locally wherever it is reasonable to do so.

3.2 Making a formal complaint

If the matter cannot be resolved informally, or the learner wishes to make a formal complaint, the complaint should be made in writing by email or post to the FSUK Centre Managers:

Charlie Dew and Luke Hardy

Functional Skills UK, Skills House, 2 Gordon Mews, Gordon Close, Portslade, BN41 1HU

charlie@functionalskillsuk.com

luke@functionalskillsuk.com

If a learner needs a reasonable adjustment or alternative format because they are disabled, have additional learning needs, have language or literacy needs, or are otherwise unable to submit the complaint in writing, they can contact FSUK by telephone on 01273 526996 and we will agree a suitable way for the complaint to be made.

3.3 Information to include

To help FSUK investigate, a complaint should include:

- the learner's name, course or programme and contact details
- a clear description of the complaint and relevant dates
- the names of any staff or organisations involved
- copies of relevant evidence, such as emails, feedback, assessment records or correspondence
- the outcome or remedy being sought

3.4 Timescales and investigation

FSUK will acknowledge a written complaint within five working days where contact details are provided. FSUK will normally provide a full written response within 20 working days of receipt. If a complaint is complex, requires evidence from third parties, involves an awarding body or funding body, or cannot reasonably be concluded within 20 working days, FSUK will explain the reason for the delay, provide an updated expected response date and keep the complainant informed of progress.

Complaints will be investigated by a person who is suitably senior and, wherever practicable, has not been directly involved in the matter complained about. FSUK may contact the complainant for further information before reaching a decision.

3.5 Escalation within FSUK

If the complainant is dissatisfied with the response, they may request a review by the Managing Director. The request should be made in writing within 10 working days of the complaint outcome and should explain why the response is considered unsatisfactory.

Managing Director: Paul Smith
paul@functionalskillsuk.com

The Managing Director, or a nominated senior person who has not previously been involved, will review the handling of the complaint and provide a final FSUK response normally within 15 working days.

4. Equality, accessibility and reasonable adjustments

FSUK will not treat anyone less favourably because of protected characteristics or other unjustifiable factors, including:

- sex, marital or civil partnership status, family status, responsibility for dependants, pregnancy or maternity
- gender reassignment, whether proposed, commenced or completed
- sexual orientation
- race, colour, nationality, ethnic or national origin
- disability
- religion or belief
- age
- political belief or trade union affiliation where relevant to fair treatment
- language, literacy or communication difficulties

FSUK will consider reasonable adjustments to this procedure so that learners can access the complaints and appeals process fairly. This may include accepting evidence in alternative formats, allowing support from an advocate or representative, or allowing extra time where appropriate.

5. Confidentiality, data protection and records

All complaints and appeals will be handled confidentially and in accordance with UK data protection legislation, including the UK GDPR and the Data Protection Act 2018. Information will only be shared with staff, awarding bodies, funding bodies, regulators, statutory authorities or other relevant parties where necessary to

investigate, respond, meet legal obligations, protect individuals from harm, or comply with regulatory requirements.

FSUK will keep appropriate records of complaints, appeals, decisions, evidence reviewed, actions taken and any lessons learned. Records will be retained securely in line with FSUK retention arrangements and any awarding body, funding body or legal requirements.

6. Appeals procedure

An appeal is a request for a review of an assessment or internal quality assurance decision. Appeals must be based on clear reasons, such as evidence that procedures were not followed, evidence was not considered, the decision was inconsistent, or the assessment decision was not fair or valid.

6.1 Stage 1 - appeal to the tutor or on-programme assessor

1. The learner should submit the appeal in writing to their Tutor or Assessor, clearly explaining the decision being appealed, the reason for the appeal and any supporting evidence. A copy should also be sent to the Centre Managers.
2. The Tutor or Assessor will respond in writing within 10 working days. A copy of the response will be sent to the Centre Coordinator and Internal Verifier/Internal Quality Assurer as appropriate.
3. The Tutor or On-Programme Tutor/Assessor may confirm the original assessment decision or revise it where the evidence supports a change.
4. The learner may accept the outcome or progress to Stage 2 if they remain dissatisfied.

6.2 Stage 2 - internal verification / internal quality assurance review

5. The learner should submit a Stage 2 appeal in writing to the Internal Verifier/Internal Quality Assurer, including all relevant details and supporting evidence. A copy should also be sent to the Centre Managers.
6. A panel consisting of the Internal Verifier/Internal Quality Assurer and two suitably competent assessors or quality assurance staff will review the evidence. Panel members should not have a conflict of interest wherever practicable.
7. The learner will be informed in writing of the decision normally within seven working days of the Stage 2 appeal being received. Where more time is required, FSUK will explain why and provide a revised response date.
8. The panel may confirm the original assessment, uphold the appeal, require further assessment evidence, recommend reassessment, or take other appropriate action. If there is disagreement between the assessor and Internal Verifier/Internal Quality Assurer, the Internal Verifier/Internal Quality Assurer decision will normally prevail unless awarding body rules require otherwise.

6.3 Stage 3 - external quality assurance / awarding body

9. If FSUK cannot resolve the appeal internally, or the learner remains dissatisfied after Stage 2, the matter may be escalated to the relevant awarding body in line with the awarding body's appeals procedure.
10. Where required, FSUK will provide relevant assessment records, internal quality assurance records and correspondence to the awarding body or External Quality Assurer.
11. Any awarding body appeal fee, refund arrangement, evidence requirement or deadline will be applied in line with the awarding body's current appeals policy. FSUK will make learners aware of any known fee or deadline before escalation where possible.
12. If reassessment is required, any applicable fee will be limited to the fee charged by the awarding body or the published FSUK reassessment charge, unless FSUK or the awarding body determines that no charge should apply.

7. Awarding body and qualification-specific escalation

For Highfield, Gateway, Pearson and NCFE qualifications, a learner who wishes to appeal against a decision taken by FSUK must first use the FSUK appeals process before escalating the matter to Awarding Body in line with their requirements. FSUK will keep the current Awarding Bodies appeals policy available for reference.

For regulated qualifications, learners may also be able to escalate relevant concerns to the qualification regulator, for example Ofqual, after the centre and awarding body procedures have been followed. Ofqual generally considers concerns about awarding organisations and qualifications it regulates, including how an awarding organisation handled a complaint or carried out responsibilities for registration, certification or assessment.

8. Learners enrolled on behalf of prime further education providers

Learners enrolled through a funded learning programme on behalf of a prime learning provider may also raise issues directly with that provider. Current providers include:

- Brighton and Hove City Council - Brighton & Hove City Council
- West Sussex County Council - Contact us - West Sussex County Council
- Various Functional Skills partners - see Functional Skills Manager

Where a complaint relates to further education and remains unresolved after the organisation's published complaints procedure, learners may be able to complain to the Department for Education. GOV.UK states that learners must follow the organisation's published complaints procedure first and that complaints to DfE must normally be made within 12 months of the issue happening.

9. Unreasonable, abusive or persistent behaviour

FSUK will treat complainants fairly and will not restrict access to this procedure simply because a complaint is challenging or the complainant is dissatisfied. However, FSUK may take proportionate action where behaviour becomes abusive, threatening, discriminatory, unreasonably persistent, or where repeated complaints have already been fully considered and no new evidence is provided. Any restriction will be reasonable, time-limited where appropriate, and confirmed in writing.

10. Monitoring, review and continuous improvement

The Managing Director is responsible for ensuring this policy is implemented, kept up to date, fit for purpose, relevant and compliant with legislation, awarding body requirements and regulator guidance. FSUK will review complaint and appeal records to identify trends, corrective actions, staff training needs and opportunities to improve services.

This policy applies to staff employed by Functional Skills UK Ltd.

Approval

Signed

Name and position
Date
Review date



Paul Smith, Managing Director
December 2025
December 2026