



**BEST in Horticulture Group**

**B.E.S.T in Horticulture Limited**

**The Academy of Practical Horticulture Limited**

**BEST in Horticulture Education Limited**

## **Complaints Policy and Procedure**

**Valid from 1<sup>st</sup> January 2022 to 31<sup>st</sup> December 2025**

## **POLICY STATEMENT**

**BEST in Horticulture Limited** (hereafter referred to as the Company) is proud of the services it offers to its learners and continually strives to improve in all areas.

Part of this process is looking at the comments and complaints our learners make, in order to enhance the quality of our learning material and the service we provide.

The complaints procedure outlined below is designed to deal with any other type of problem or misunderstanding which may arise. It does **not** cover Academic Appeals against assessment decisions, which are dealt with in separate Policy Documents (Assessment and Internal Verification (I.V.) Appeals.

We will impartially look into any complaint that follows our complaints procedure. And we recognise that complaints may not always be fully resolved to the satisfaction of all parties. In that respect, please note the following:

No abuse (verbal or other) will be tolerated towards a member of BEST's staff. If a complaint has been made after such a member of staff has been abused in any manner the complainant will not be permitted to make representation under this policy. They will have deemed to have lost their rights through unreasonable behaviour. And where appropriate further action may be taken against the abuser.

Furthermore, if an individual makes a complaint which contains reference to the company being compelled to act in a manner dictated by the complainant under threat or duress, howsoever implied, will have been deemed to lose the right to complain or appeal under the terms of this policy.

### **What to do if you change your mind about studying with us**

If you change your mind about studying with us because the methods or materials are not right for you, you are entitled to a full refund under your Statutory Rights during the first 14 days after the commencement of the course. Please note, after 14 days full refunds are at the discretion of the Company. In most circumstances the **maximum refund** will equate to the total fee paid, however if an on-line learner has accessed and downloaded all the materials, they will have deemed to have taken full of advantage of our offer and no refund will be given. Full details will be found in the Refund Policy. In the event of a learner having not paid any fees at that point, an invoice will be raised for the appropriate amount and payment will be requested and be subject to our normal Terms and Conditions of Trading.

### **Before making a complaint**

Before making a complaint, we ask that any issues arising are first discussed with your Course Tutor in private on a one to one basis. Complaints of any nature are very are and we have a reasonable expectation that most issues can be satisfactorily resolved in this informal manner. However, if you don't feel able to do that, or you have already done so, or your feel that the issue is serious enough to warrant a formal complaint, then you must follow the procedure set out below.

## How to make a formal complaint

Complaints will only be accepted in writing (comments made on social media will not be treated as a formal complaint but may initiate communication from a member of BEST's staff where viable and/ or reasonable. Any malicious posts will be deleted and reported), and should be submitted by email or by post no later than six months from the date on which the events giving rise to the complaint occurred. This is to ensure that complaints can be properly investigated before records are deleted and recollections are diminished. This time limit will be extended only in exceptional circumstances.

Complaints are handled by the Directors of the Company. The designated Directors for complaints are:

**Janet Prescott**, contactable by email at [janetprescott@bestinhorticulture.co.uk](mailto:janetprescott@bestinhorticulture.co.uk)

**Tony Davies**, contactable by email at [tonydavies@bestinhorticulture.co.uk](mailto:tonydavies@bestinhorticulture.co.uk)

**(Please note that if a complaint relates to one of the Directors, then another director will impartially investigate that complaint and inform all parties of the progress of the complaint and the eventual outcome)**

or in writing to BEST in Horticulture Ltd, 5 The Chambers, Vineyard, Abingdon-on-Thames, Oxon 14 3PX. (Please note that this is the registered office and there will a slight delay before the letter is forwarded to one of the Directors).

The complaint will be acknowledged (if contact details are included), within **three working days** of receipt.

## What to include in your formal complaint?

In order to review a formal complaint and to achieve a fair outcome the complaint should include the following details:

- 1. The date(s) when the issue arose which has given cause for you making a formal complaint**
- 2. A factual statement detailing the nature of your complaint**
- 3. A statement relating to how you have tried to address your concerns before making a formal complaint** (e.g. perhaps details of a discussion you have already had with your Tutor, if that is appropriate).
- 4. What your desired outcome(s) is/are as a result of making a formal complaint** (This must be reasonable and proportionate to the complaint being made).

## What happens next?

Any complaints revived will be reviewed at the next weekly meeting of the designated Directors (these are held on Friday afternoons) or in the case of a complaint made against a Director, the complaint will be reviewed without discussion with the other Director. If necessary one of the designated Directors may contact, you by email or post to request further information before the process can continue. Please note that further review will not take place until that information has been received. Your complaint will then be reviewed at the next scheduled meeting or opportunity.

If the designated Director(s) has/have all the required information to proceed, the complaint will be investigated, and a response provided within **20 working days**. This response will be by email or letter, depending on how the complaint was received.

## What are the possible outcomes of a formal complaint?

There are **two** possible outcomes of a formal complaint; these are:

- 1. The complaint is not upheld** – in the response to the complainant the reasons for not upholding the complaint will be detailed and the matter will be deemed to be closed. However, following this complaints procedure, a complainant has the right to further appeal to the designated Directors or can complain to the institution validating their award/qualification if it relates to the quality of provision.
- 2. The complaint is upheld** – in the response to the complainant the reasons for upholding the complaint will be detailed and the subsequent actions deemed appropriate in relation to the complaint will be outlined. The actions may include any of the following:
  - **An action plan being put in place to address the issues raised in the original complaint.**
  - **The complainant being offered a place on the same or another course (to the same value) with another tutor (if feasible).**
  - **The complainant's place on the course is terminated by mutual agreement and a full refund given.**
  - **Support and/or training being offered to the member of staff to address the issues identified.**
  - **Replacement of a member of staff.**
  - **Disciplinary action being taken against a member of staff.**
  - **Termination of employment with BEST in Horticulture Ltd in the case of gross misconduct proven against a member of staff.**

Once the response has been sent to the complainant the matter will be deemed to be closed when:

1. **The desired outcome(s) of the complainant making a formal complaint has/have been met.**
2. **The Actions taken by the designated Director(s) as a result of the formal complaint follow those set out in the Complaints Policy** (and any other policies which may be applicable).

The complaint **WILL NOT** be deemed to be closed if:

1. **The Action plan put in place to address the issues raised in the original complaint FAILS to address those specific issues**
2. **The desired outcome of the complainant making a formal complaint has NOT been met** (if they were reasonable and proportionate to the complaint being made).
3. **The Actions taken by the designated Director(s) as a result of the formal complaint DO NOT follow those set out in the Complaints Policy** (and any other policies which may be applicable).

In the above circumstances the complainant has the right to further appeal to the designated Director(s) or can complain to the institution validating their award/qualification **only** if it relates to the quality of provision in respect of the standard of learning materials (be they electronic or hard copy) and **not** the conduct of any representative of the company. In all other matters the nature of the complaint against an individual **remain outside the purview** of an Awarding Body and the rights of an individual are protected by both common law and legislation in that respect.

### **What to do if you want to appeal against a decision?**

In order to review an appeal about a formal complaint and to achieve a fair outcome the complaint should include the following details:

1. **The reason(s) for your appeal.** There are only **three** reasons in which an appeal will be considered:
  - I. The Action Plan put in place to address the issues raised in the original complaint **FAILS** to address those specific issues
  - II. The desired outcome of the complainant making a formal complaint has **NOT** been met (when they were reasonable and proportionate to the complaint being made)
  - III. The Actions taken by the designated Director(s) as a result of the formal complaint **DID NOT** follow those set out in the Complaints Policy (and any other policies which may be applicable).
2. **A statement setting out precisely why you believe there is a case for an appeal.**
3. **What your desired outcome(s) is/are as a result of making an appeal** (This must be reasonable and proportionate and relate to the original complaint made).

## **What are the possible outcomes of an appeal?**

There are **two** possible outcomes of an appeal; these are:

- 1. The appeal is not upheld** – in the response to the complainant the reasons for not upholding the appeal will be detailed and the matter will be deemed to be closed. However, following this complaints procedure, a complainant has the right to further appeal to the institution validating their award/qualification if it relates to the quality of provision.
  
- 2. The complaint is upheld** – in the response to the complainant the reasons for upholding the appeal will be detailed and the subsequent actions deemed appropriate in relation to the appeal will be outlined. The actions may include any of the following:
  - **A further Action Plan being put in place to address the issues raised in the original complaint.**
  - **The complainant being offered a place on same course with another tutor (if feasible).**
  - **The complainant's place on the course being terminated by mutual agreement and a full refund given.**
  - **Support and/or training being offered to the member of staff to address the issues identified.**
  - **Replacement of a member of staff.**
  - **Disciplinary action being taken against a member of staff.**
  - **Termination of employment with BEST in Horticulture Ltd in the case of gross misconduct proven against a member of staff.**

Once the response has been sent to the complainant the matter will be deemed to be finally closed.