

Reflect On Academy Policies

1. Equal Opportunities
2. Disciplinary & Grievance Policy
3. Concerns & Complaints Procedures

1. Equal Opportunities Policy

Statement of Intent

Reflect On Academy recognises that in society certain groups and individuals are oppressed and disadvantaged by institutional and individual discrimination and prejudice.

Reflect On Academy is positively committed to opposing discrimination against people on the grounds of gender, race, colour, nationality, religion, marital status, sexual orientation, class, age, disability, having dependants, HIV status or perceived lifestyle. We welcome the enrichment and cultural diversity that would follow as a natural result of this policy. Reflect On Academy recognises that passive policies will not in themselves provide equality of opportunity, and specific and positive programs of action are needed.

Reflect On Academy acknowledges that we have a duty, both moral and legal, to ensure that we do not discriminate unfairly in our employment and management practices, in the work we undertake and in the services and training we provide.

Code of Practice

1. Reflect On Academy is committed to actively oppose oppression and discrimination in all areas of our work, and in relation to trainees, staff, committee members, outside trainers/facilitators and other organisations with whom we work.
2. We will take seriously our duty not to discriminate against anyone on the grounds of gender, race, colour, nationality, religion, marital status, sexual orientation, class, age, disability, having dependants, HIV status or perceived lifestyle.
3. All policies and practices associated with Reflect On Academy role as an employer and provider of training must be applied with strict observance of (2) above.
4. Reflect On Academy criteria and procedures for selection of trainees, trainers and staff will be monitored and reviewed at least annually. In offering training or employment or in its general dealings, Reflect On Academy will ensure that all individuals are treated with fairness and in line with equal opportunities policy and practice.
5. We will seek to ensure that any outside trainer/facilitator used by Reflect On Academy works within equal opportunities guidelines and we will take seriously any accusation of discrimination by them towards trainees.

Reflect On Academy Policies

6. Discriminatory acts or breaches of the equal opportunities policy by staff will be taken seriously and may lead to disciplinary action.
7. Trainees, applicants, members and staff who feel they have been discriminated against should use the complaints procedure, complaining directly to the Standards & Ethics Committee.
8. Responsibility for the implementation of the equal opportunities policy lies with the Human resource/Admin Office. The College will monitor and review its policy and practice on equal opportunities annually. S/he will report annually to the Head of College and relevant sub-committees and make suggestions for changes as necessary to continue promotion of equal opportunities in all areas of Reflect On Academy work.

Reflect On Academy Policies

2. Disciplinary & Grievance Policy

Scope of Procedure

The Disciplinary and Grievance Procedure outlined below ("the Procedure") applies to all employees of staff of Reflect On Academy.

Statement of Intent

It is the Employer's intent to create a good working relationship between Employees and management, to promote effective and open communication and to ensure that the required standards of performance attendance and conduct are maintained. The Employer aims to provide a safe forum where Employees may raise problems concerns or grievances.

In some cases, the Employer may need to take formal disciplinary action to address problems such as poor performance, poor attendance or misconduct. At times, Employees may wish to bring to the Employer's attention concerns or complaints in relation to their employment.

It is the Employer's intention to implement just and effective arrangements for handling disciplinary and grievance matters to ensure fair and consistent treatment of all Employees. Disciplinary Procedure

General Principles

This Disciplinary Procedure applies where an Employee's level of conduct attendance or performance has fallen below the standard expected of him / her ("Misconduct"). Examples of Misconduct in respect of which disciplinary action will be taken include (but are not limited to) unauthorised or persistent absence; poor timekeeping; failure to comply with the Employer's rules on notification and evidence of sickness absence; failure to meet required performance standards.

Before taking formal disciplinary action in relation to an Employee, the line manager will consider whether the matter can be resolved effectively through informal action (eg training coaching or counselling), taking into account the nature of the Misconduct and the Employer's size and administrative resources.

No disciplinary action will be taken until a matter has been fully investigated and considered by the Employee's line manager.

Employees will normally receive advance written notice of any disciplinary hearing interview or meeting. In addition, Employees will normally be told in advance (and receive written confirmation) of:

- ⇒ The nature of the complaint / allegation against them; and
- ⇒ Any witness who is called to support such complaint / allegation and what s/he might say; and

Reflect On Academy Policies

- ⇒ Where appropriate, Employees will receive a copy of any written evidence which will be used to support the complaint / allegation against them; and
- ⇒ The possible outcome of any disciplinary hearing interview or meeting.

At all formal stages of the Disciplinary Procedure, Employees will be given full opportunity to present their case and to put forward evidence in their defence. Provided an Employee makes a prior written request within 5 days of the relevant hearing meeting or interview, s/he may be represented by a fellow Employee or a trade union official during any formal stage of the Disciplinary Procedure.

All warnings will remain on the Employee's personal file indefinitely. Warnings will be disregarded for disciplinary purposes after a period of 12 months, except in the case of a final written warning where the period will be 18 months. Time shall start to run from the date of the written notification confirming the relevant warning.

At each stage of the Disciplinary Procedure, an Employee has the right to appeal against the decision. The Employee shall have an opportunity to comment on any new evidence arising during the appeal before a new decision is taken.

As far as is reasonably practicable, the Employer shall keep disciplinary matters confidential.

The Disciplinary Procedure has four stages. The Employer reserves the right to initiate the procedure at any stage or to jump stages depending on the circumstances of the case and the seriousness of the Employee's Misconduct. Except in the case of gross misconduct or conduct which is sufficiently serious to amount to gross misconduct, no Employee will be dismissed for a first breach of discipline.

Stage 1 - formal verbal warning

Where informal attempts to resolve a problem have failed, or a first instance Misconduct is sufficiently serious to warrant formal action, a disciplinary hearing may be called by the Employee's line manager following which s/he may issue the Employee with a formal verbal warning.

A written record of the warning will be kept on the Employee's file. The Employee will be told clearly of the improvements expected of him / her, the timescale within which they have to be achieved and the consequences of failure to do so.

Stage 2 - first written warning

In the event of further Misconduct, or where previous attempts at resolving a problem have failed, or a first instance Misconduct is sufficiently serious to warrant action at an advance stage of the Disciplinary Procedure, a disciplinary hearing may be called by following which s/he may issue the Employee with a first written warning.

The Employee will be given a copy of the warning which will also confirm in clear terms the improvements expected of the Employee, the timescale within which they have to be achieved and the consequences of failure to do so. A copy of the warning will be kept on the Employee's file.

Reflect On Academy Policies

Stage 3 - final written warning

In the event of more serious or further Misconduct, failure to comply with the terms of a previous warning, or a first instance Misconduct which is sufficiently serious to warrant more than a first written warning but is not sufficiently serious to justify dismissal, the director responsible for the Employee's division may call a disciplinary hearing following which s/he may issue a final written warning to the Employee.

The Employee will receive a copy of the final warning which will detail in clear terms the improvements required from him / her, the timescale within which they have to be achieved and the fact that failure to do so may result in further disciplinary action and dismissal. A copy of the warning will be kept on the Employee's file.

Stage 4 - dismissal

If Misconduct persists following the issue of a final written warning or conduct attendance or performance remains unsatisfactory, or if the offence is sufficiently serious to amount to gross misconduct, a disciplinary hearing will be held following which the Employee may be dismissed.

If the Employee is dismissed, s/he will be given a written confirmation of the dismissal, the date of termination of the employment and a notice of his / her right of appeal as soon as is reasonably practicable. Action at this stage may only be taken by the Employer's managing director.

Summary Dismissal

The Employer will only dismiss an Employee summarily in the event of gross misconduct or some other serious breach of the Employer's rules or the Employee's contract of employment which amounts to gross misconduct.

An Employee who is dismissed summarily will not be entitled to notice or pay in lieu of notice. In each case before dismissing the Employee, the Employer will take into account the gravity of his / her conduct and any individual mitigating circumstances.

Examples of gross misconduct include but are not limited to:

- Theft or attempted theft fraud or deliberate falsification of records or expense claims;
- Dishonesty;
- Violent behaviour or fighting at work;
- Negligence capable of causing unacceptable loss, damage or injury;
- Deliberate damage to property;
- Disloyalty or breach of confidence (subject to the Public Interest (Disclosure) Act 1998);
- Serious acts of sexual, racial or disability harassment;
- Downloading and / or circulation of pornographic abusive or defamatory material;
- Unauthorised operation of software on the Employer's equipment;
- Being unfit to work through the influence of alcohol or drugs;

Reflect On Academy Policies

- Behaviour likely to damage the image or interests of the Employer to a material extent;
- Serious insubordination or wilful refusal to comply with the Employer's lawful instructions / rules.

Appeals

At any stage of the Disciplinary Procedure (including dismissal), an Employee has a right to appeal against the decision. The Employee should inform the person who made the decision of his / her intention to appeal and the grounds for doing so. Notification must be in writing, within 5 days of receipt of a written confirmation of the outcome of the disciplinary hearing.

The Employer will take all reasonable steps to deal with any appeal within 10 days. Where practicable, appeals will be heard by a more senior level of management than that taking the disciplinary action. An appeal against dismissal shall be conducted as a rehearing.

The person hearing the appeal may uphold the decision reached in the disciplinary hearing; agree with the Employee's appeal and direct that the Employee's disciplinary record be amended accordingly; decide that a lesser penalty be substituted for that imposed following the original disciplinary hearing.

The Employer will confirm to the Employee in writing the results of the appeal and will outline the reasons for its decision. A decision following an appeal shall be final within the Employer's organisation. Grievance Procedure

General Principles

Wherever possible, Employees are encouraged to raise their concerns as soon as possible informally with their line manager. The Employee's line manager shall act promptly to investigate the Employee's grievance speedily efficiently and impartially. If necessary, s/he shall take appropriate action. If the Employee is not satisfied with the result of an informal action, s/he may lodge a formal grievance.

This Grievance Procedure may not be used for appeals against any decision reached under the Disciplinary Procedure.

At all formal stages of the Grievance Procedure which deal with a complaint in relation to the Employer's duties to its Employees, the Employee may be accompanied by a fellow Employee or a trade union official, provided s/he makes a prior written request within 5 days of a hearing meeting or interview.

As far as practicable, the Employer will keep grievance complaints confidential.

Stage 1 - formal complaint to a member of staff

If the Employee wishes to make a formal complaint, s/he should do so in writing to his/her line manager. If the complaint relates to the Employee's line manager, the Employee should write to his / her head of department.

Reflect On Academy Policies

The Employee's line manager shall act promptly to investigate the grievance speedily thoroughly and objectively. If the grievance is contested, the line manager will arrange a meeting within reasonable time. In the meeting, all persons involved will be able to put their case forward. The line manager shall inform the Employee and all other persons involved of his/her decision following the meeting.

Stage 2 - formal complain to a senior member of staff

If the Employee is not satisfied with his/her line manager's decision, s/he may make a written complaint to the Employer's managing director. The Employer's managing director shall take the necessary steps to investigate the Employee's grievance speedily efficiently and impartially. If s/he considers it appropriate, s/he shall call a meeting within reasonable time. In the meeting, all persons involved will be able to put their case forward. The Employer's managing director shall inform the Employee and all other persons involved of his / her decision following the meeting. This decision shall be final within the Employer's organisation.

Anyone who requires further information or has a question in relation to this Procedure should contact Reflect On Academy Director.

Reflect On Academy Policies

3. Concerns & Complaints Procedures

There may be times when we get things wrong or may make a mistake on this course. If you are feeling dissatisfied, we would like to know about it before it grows into something which is bigger and possibly harder to address. We will formally seek your views each year when we evaluate your learning experience. If you feel dissatisfied at any other time you need to let your tutor know. Very often they will be able to help you or if they cannot will direct you to someone who can.

Basic Principles

The Reflect On Academy Concerns & Complaints Procedure (September 2017 Edition) is designed to allow learners to resolve issues surrounding all aspects of their course and surrounding other learners in a clear, equitable and timely manner. It is also designed to allow Reflect On Academy to resolve issues surrounding learners in a similar manner.

The following Basic Principles of the Procedure should be borne in mind:

1. With the exception of a complaint of abuse all concerns and complaints should, where possible, be resolved through an **informal process of discussion**. Informal discussion is entirely appropriate for the profession of counselling and allows all sides the chance to resolve issues in a satisfactory manner. For this reason, it is compulsory for concerns and complaints to be addressed via informal discussion before Reflect On Academy will accept a formal, written complaint. The procedures for this are set out below.
2. Complainants are expected to address their own anxieties, issues and transference in advance of expressing a concern or making a complaint and to honour this procedure as a potential part of their therapeutic development.
3. Reflect On Academy may terminate the complaints procedure if the complainant is hostile or discourteous towards staff.
4. **Issues of refund policy and amounts are dealt with in the Personal Training Agreement and are not subject to these procedures.**
5. Learners are contractually bound to honour this procedure and any complaint not doing so will be dismissed.
6. Complaints must be made individually and under no circumstances by groups of learners or by a learner claiming to act "on behalf of" other learners.
7. All complaints are strictly confidential between the complainant and Reflect On Academy except where a formal written complaint is made about a third party (e.g. a tutor or fellow learner) the third party has the right to view the complaint and to respond. Any learner aware of a breach of said confidentiality must notify Reflect On Academy.
8. Complaints must be **started within seven days of the concern first occurring or they will not be heard.**
9. Learners are legally and contractually bound to follow these procedures before taking any further action.

THE PROCEDURE FOR LEARNERS

1. (a) If you have a concern or complaint, **first address this orally to your tutor** in the

Reflect On Academy Policies

hope of achieving a resolution of the concern, **within seven days of the issue arising**. You are advised to arrange a time to telephone them outside of class in order to resolve the issue, and to ensure that you cover all the points that you wish to. At the end of the conversation, your tutor will ask you if you feel that the matter has been resolved and you should indicate accordingly. If your tutor is unable to resolve your complaint they will direct, you to someone who can. The tutors have been asked to listen to complaints and ensure that you receive the attention you need.

(b) If your complaint is about your tutor, or you feel that your tutor will be unable to help with your complaint, you should proceed with (2) below.

You should note that **your tutor cannot respond to complaints in writing**.

2. If step 1 does not resolve your complaint, or 1(b) applies, please **call the Learner Support on 0208 660 6283**. **If no-one answers you will be able to leave a message and should do so. Your call will normally be returned within one working day.**

A telephone conversation will then be arranged in which you can raise your concerns and Reflect On Academy will attempt to address these. You will be asked at the end of the conversation if the matter has been resolved and you should indicate accordingly.

3. If for whatever reason your complaint cannot be resolved you will be encouraged to put your complaint in writing so that we understand exactly what is left to be resolved and can select a member of the tutor team, or someone external to the team as appropriate, to provide further investigation and suggest if Alternative Dispute Resolution (ADR) in the form of mediation is an option. If mediation is agreed to be a useful way forward it will be arranged in a timely manner. If either party are not happy about ADR, then a formal complaint procedure will be followed.

(a). Your written complaint will be copied to all parties relevant to the complaint to allow them right of reply.

4. **Only if you have followed steps 1-3** and you are still dissatisfied, you may make an external appeal to the primary accrediting **body relevant to your course (if the course is accredited) or the Validating Awarding Body**. Reflect On Academy will provide you with the relevant details. Once an external appeal commences, no further correspondence can occur direct between Reflect On Academy and the complainant. Reflect On Academy will be bound by the decision of the primary accrediting body.

N.B. Complaints falling outside of this procedure breach your contract with Reflect On Academy.

THE PROCEDURE FOR Reflect On Academy

1. Your tutor, or any Reflect On Academy member of staff, may ask to speak with you to informally raise a complaint or concern.
2. If the complaint or concern is not resolved to the satisfaction of Reflect On Academy

Reflect On Academy Policies

by step 1 (or you are unobtainable), the Course Co-ordinator or designated officer will write to you outlining the points of concern or complaint. You will be required to respond in writing **within seven days**. At its discretion, at any time during this procedure Reflect On Academy may suspend your studies.

- 2(a) if the concern or complaint has been raised by another learner, or by your tutor or a third party, the procedure will commence at Step 2 and the learner's, tutor's or third party's written complaint will be forwarded to you for response.
3. After your response, or in the case of non-response, **within seven days**, the Course Co-ordinator or designated officer will write to you outlining the remedy Reflect On Academy feels appropriate to your situation together with a formal ruling. You must either accept or reject this ruling in writing **within seven days**.
4. If you accept the remedy, the procedure has reached a satisfactory conclusion. If you do not respond, your studies will be suspended. If you disagree, you should go to step 5.
5. **Within seven days**, write a letter headed "Appeal to Ruling" to the Principal itemising your concerns.
6. Within 28 days, the Principal will respond in writing in response to your Appeal and will either uphold or overturn the Ruling.
7. The decision of the Principal shall be final.

EXCEPTIONS – ABUSE, PROFESSIONAL MISCONDUCT & HEALTH AND SAFETY, REASONABLE TIME DELAYS

If you wish to make a complaint of abuse, you should commence your complaint at step 3.

If Reflect On Academy utilises its procedures related to an accusation of abuse or professional misconduct, or in the interests of health and safety, it will commence said procedures at step 2.

Should any member of Reflect On Academy staff relevant to this procedure be on holiday or on sick leave then this procedure may be subject to reasonable delay, of which all parties shall be given due notice.

The outcome of all complaints and investigations will be reported in confidence to the College Leadership Team and in writing to the complainant. The Executive Office will keep a log of all complaints received. These will be analysed and presented regularly to the Leadership Team as part of the evaluation of the course.