

# THE FITNESS GROUP

## ***Appeals Procedure***

The purpose of an appeals procedure is to ensure that every learner who is not satisfied with the outcome of an assessment decision has the right to appeal against the decision that has been made.

The appeals procedure applies to any learner following completion of an Active IQ qualification at The Fitness Group and provides learners with a formal route to appeal against a decision.

The Fitness Group learners will be assessed against Active IQ published criteria and by assessors who must hold or be working towards any of the following:

- Level 3 Award in Understanding the Principles and Practices of Assessment (QCF) or
- Level 3 Award in Assessing Vocationally Related Achievement (QCF) or
- Level 3 Award in Assessing Competence in the Work Environment (QCF) or
- Level 3 Certificate in Assessing Vocational Achievement (QCF), or
- A1 (previously D32, D33)

In addition The Fitness Group will ensure that assessors:

- Possess a discipline specific qualification equivalent to the qualification being taught
- Have relevant industry experience
- Demonstrate active involvement in a process of industry relevant Continued Professional Development during the last two years

All new The Fitness Group assessors will be given a clear action plan for achieving the appropriate qualification(s) and should be countersigned by an appropriately qualified individual until the qualification(s) are achieved.

The appeal procedure to be followed comprises of 4 stages.

### **Stage 1 - Learner Support**

At the first instance the learner should make their appeal via learner support by emailing [info@thefitnessgrp.co.uk](mailto:info@thefitnessgrp.co.uk). Allow 5 working days to respond.

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## **Stage 2 - Head of Education Support**

If settlement has not been reached, the learner support will contact the Head of Education [ross.mclachlan@thefitnessgrp.co.uk](mailto:ross.mclachlan@thefitnessgrp.co.uk) – who will review the appeal and respond within 10 working days. (If the Head of Education is not present or cannot resolve the matter, go to stage 3).

## **Stage 3 - Director of the Company**

An email should be sent to the director of the company Scott Agnew [scott.agnew@thefitnessgrp.co.uk](mailto:scott.agnew@thefitnessgrp.co.uk) (who will review the appeal and respond within 20 working days).

## **Stage 4**

If the learner's reasons for not accepting the decision of the director of The Fitness Group appropriate, the a learner will be offered a formal appeals hearing which will take place within 6 weeks and will be conducted by an appeals panel comprising:

- An independent appeal board member
- The director of quality and standards Active IQ
- The head of quality assurance Active IQ
- A senior manager representing the centre
- A chairperson employed by the Awarding Body

Throughout the assessment process The Fitness Group will comply fully with Active IQ's policy on reasonable adjustments and special considerations that can be found:

<http://www.activeiq.co.uk/centres/guidance-for-centres>

Investigating appeals is very problematic without the presence of impartial evidence. Therefore appeals in the context of live observed assessments will only be considered when accompanied by a suitable video recording.

As a learner of The Fitness Group you will be able to use a video recording as long as it does not adversely affect the assessment process, allows the assessor to carry their role and does not contravene a venue/organisations rules or regulations. The learner must make suitable arrangements to arrange a video operator.

If a medical issue has the potential to affect your performance then it is your responsibility to inform The Fitness Group prior to assessment so that an informed decision can be made terms of an appropriate action plan.

Thank you for your contribution and commitment to making our policy work.

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## *Equal Opportunities and Diversity Policy*

### **Policy**

We promote a working environment in which diversity is recognised, valued and encouraged. We acknowledge the multicultural and diverse nature of the UK workforce and society in general. We are committed to principles of fairness and mutual respect where everyone accepts the concept of individual responsibility. These principles are embedded into The Fitness Group selection, recruitment, programme delivery, assessment and quality management/assurance. We recognise that discrimination in the workplace/provision of training in any form is unacceptable and in most cases unlawful. We view any breach seriously. We will investigate and take appropriate action.

### **Definitions and Protected Characteristics**

**Diversity** encompasses acceptance and respect. It means understanding that each individual is unique, and recognizing our individual differences. Understanding and appreciating interdependence of humanity, cultures, and the natural environment.

The Fitness Group are committed to upholding our principles of diversity in every circumstance and we take a no tolerance approach to victimisation, and both direct and indirect forms of discrimination

**Victimisation** is when someone treats you badly because you complain about discrimination or help someone who's been the victim of discrimination. The treatment you experience may be being labelled a trouble-maker, denied promotion or training or your colleagues may avoid or ignore you

**Direct discrimination** is when you're treated differently and worse than someone else for certain reasons. The Equality Act says you've been treated less favourably. No learner, or anyone our organisation deals with, receives less favourable treatment because of their protected characteristics. The protected characteristics are:-

- age
- disability
- gender reassignment
- marriage or civil partnership
- pregnancy and maternity
- race

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- religion or belief
- sex
- sexual orientation

**Indirect discrimination** is when there's a practice, policy or rule which applies to everyone in the same way, but it has a worse effect on some people than others. The Equality Act says it puts you at a particular disadvantage. The Fitness Group ensures its practices, policies and rules avoid any form of indirect discrimination.

## **The Fitness Group Stance**

In adhering with this stance The Fitness Group ensures equality of treatment for all by aiming to;

- raise awareness of equality and diversity
- ensure that you are never discriminated against or receive less favourable treatment because of a protective characteristic
- acknowledge any issues that could be defined as discrimination, victimisation or harassment with an appropriately sensitive and prompt investigation
- comply with Active IQ in making suitable reasonable adjustments (<http://www.activeiq.co.uk/centres/guidance-for-centres>) which can apply to all of the listed protected characteristics.

## **Your Responsibilities**

Each and every one of us is a stakeholder in the success of this policy. We expect you to make a positive contribution towards maintaining an environment of equal opportunity throughout the organisation. Please make sure you observe this policy at all times. In particular, you have individual responsibility to adopt the following:

- Do not take unlawful discriminatory actions or decisions contrary to the spirit of this policy
- Do not discriminate against, harass, abuse or intimidate anyone on account of their protected characteristics
- Do not place pressure on any other learners to act in a discriminatory manner
- Resist pressure to discriminate placed on you by others and report such approaches to an appropriate member of staff
- Co-operate when we investigate, including providing evidence of conduct which may amount to discrimination

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- Co-operate with any measures introduced to develop or monitor equal opportunity

Discrimination is not just treating one person less favourably than another. It can take place because:-

- someone associated with a person with a protected characteristic;
- someone is believed to possess a protected characteristic (even though they do not);

We expect you to treat, and be treated by, other learners and the people our organisation deals with considerately and with respect.

## **Where You Encounter Discrimination**

- If you feel subject to discrimination of any kind as identified within this policy, make clear to the individual concerned that you find it unacceptable. Person-to-person discussion at an early stage may be enough to resolve your concern without involving anyone else. Alternatively, seek the help of a trusted colleague (e.g. a fellow learner or a trusted member of staff) and ask them to approach whoever has caused you offence.
- If discrimination continues, or you consider an instance to be particularly serious, you should consider who to highlight the issue with. For the majority of cases this will likely to be the tutor or assessor. However, we appreciate that this staff member may be implicated in your concern and therefore when this happens they should approach the tutor/assessors line manager or the designated internal verifier.
- The staff member approached will carry out a suitable documented investigation or where more appropriate will refer the issue to an appropriate individual responsible for this area within the company. Steven Dick is CEO and head of the organisation.
- The result of the investigation into alleged discrimination will be communicated to you with information including the action taken and outcome highlighted if applicable or appropriate.
- If you feel dissatisfied about the outcome of the investigation and you want to appeal then you will need to contact Scott Agnew within five working days of receiving the outcome, who will appoint a senior staff member to review these concerns.

Thank you for your contribution and commitment to making our policy work.

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## ***Complaints Policy***

### **Introduction**

This document sets out The Fitness Group complaints policy and procedure and is aimed at our learners. The Fitness Group values our learners who undertake our course - we aim to provide the very best learner experience and provide the highest level of support on every occasion with every student.

Therefore, it is important should you feel you have encountered a level of service that is below both yours and our expectations that you raise any concerns you may have with us immediately so that we may address them and learn lessons appropriate to improving service level expectations.

### **Scope**

This policy covers complaints that learners and members of the public may wish to make in relation to the qualifications offered by The Fitness Group

It is not to be used to cover enquiries about services offered by The Fitness Group or appeals in relation to assessment decisions made by The Fitness Group. These areas are covered by our Appeals Policy. Should a complaint be submitted which is in fact an appeal we will respond to inform the relevant party that the issue is being considered in accordance with our Appeals Policy.

If you are unhappy about the way an examination or assessment was delivered and conducted and you suspect malpractice and/or maladministration may have occurred you should send your concern to us in accordance with the arrangements in our Malpractice & Maladministration Policy. This should occur as soon as possible to protect any associated evidence that may form part of your complaint.

### **The Fitness Group - Our Responsibilities**

We advise that our staff and learners involved in the management, assessment and quality assurance of our qualifications, are aware of the contents of this policy and that The Fitness Group has a complaints handling procedure in place to deal with complaints from learners about the services they receive from us.

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## **How should I complain?**

### **Stage 1**

All The Fitness Group staff are trained to support our customers are all keen to help, so you should first try to sort out any problem at the earliest opportunity by speaking to the person who dealt with your problem initially. Contact learner support by emailing [info@thefitnessgrp.co.uk](mailto:info@thefitnessgrp.co.uk)

### **Stage 2**

If they cannot help or you wish to speak to someone else please email the Head of Education ([ross.mclachlan@thefitnessgrp.co.uk](mailto:ross.mclachlan@thefitnessgrp.co.uk)) who will email you a receipt for your complaint within 10 working days and will respond with a solution for your complaint within 20 working days. Where it is not possible to offer a solution within 20 working days you will be notified of the time scaled action plan.

### **Stage 3**

If stage 2 is not possible, or if you are not satisfied with the help provided by this member of staff, please send an email to [scott.agnew@thefitnessgrp.co.uk](mailto:scott.agnew@thefitnessgrp.co.uk) the Director, which must be received within 20 working days of exhausting stage 2 of the event you are complaining about.

If you have fully exhausted the process and are still unhappy with the outcome then you can contact Active IQ directly if you feel there was a significant breach by the centre of Active IQ's various procedures ([available here](#)). Contact details can be found on [Active IQ's website](#).

## **Confidentiality and whistle blowing**

Sometimes a complainant will wish to remain anonymous. However, it is always preferable to reveal your identity and contact details to us. If you are concerned about possible adverse consequences please inform us that you do not wish for us to divulge your identity.

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## **What happens if my complaint is upheld?**

If any part of your complaint is upheld we will of course respond to the complainant accordingly and give due consideration to how we can improve our service and arrangements. For example, by reviewing our procedures to assess the impact on our arrangements and assessment process (if relevant) or arranging for staff training. In extreme circumstances, internal disciplinary procedures may be exercised where the performance or behavior of our staff is deemed inappropriate.

In situations where a complaint has been successful, or where an investigation following notification from Active IQ indicates a failure in our processes, The Fitness Group will give due consideration to the outcome and will, as appropriate, take actions such as:

- identify any other learner, who has been affected by that failure
- correct, or where it cannot be corrected, mitigate as far as possible the effect of the failure
- ensure that the failure does not recur in the future
- compensate the learner if the centre is found it has compromised its own terms and conditions that form part of the contract between us and the learner in question.

Thank you for your contribution and commitment to making our policy work.



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