



# Training Complaints Procedure

# **Training Complaints Procedure**

**2023**



The Training Complaints Procedure is aligned with the Standard Operating Procedure for processing of training complaints (TD-001-01) effective as of 2 October 2023.

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## Terms and definitions

Term	Definition
<b>Training Code of Conduct</b>	Decision of the Executive Director No 76 of 30 May 2022 on the Code of Conduct for participants in the EUAA's training activities (EUAA/EDD/2022/076)
<b>Training Complaints Panel</b>	Ad hoc panel constituted to perform an assessment of substantiated allegations of violations of the Training Code of Conduct for participants in the EUAA's training activities; chaired by the Head of the QAAS (having a casting vote), the Head of the Training Planning and Programming Sector, a Senior Training Standards Officer in QAAS and relevant TNCPs. The panel is supported by a Legal Officer from the Legal Services Unit. The panel may meet via videoconference or in hybrid meetings.
<b><i>Prima facie</i></b>	Latin legal term – 'based on what at first seems to be true, although it may be proved false later' (1)
<b>TQAF</b>	Training Quality Assurance Framework. Decision of the Executive Director No 59 of 1 April 2022 on the Training Quality Assurance Framework (EUAA/EDD/2022/059).

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(1) See online [Oxford Advanced Learner's Dictionary](#)





## Disclaimer

The Training Complaints Procedure is aligned with the Standard Operating Procedure for processing of training complaints (SOP TD-001-01) effective as of 2 October 2023. The master document is held by the EUAA. In case of dispute, the SOP TD-001-01 will apply.





## Introduction

The EUAA is committed to delivering quality training but recognises that, on occasion, issues may arise. Therefore, all persons participating in EUAA training activities have the opportunity to express dissatisfaction related to the quality of EUAA training activities and to seek specific action to address the issue within an established timeframe.

## Scope of the complaints procedure

The EUAA takes complaints seriously, and persons participating in EUAA training activities may complain about any issue related to the quality of EUAA training activities, including:

- the quality or standard of any service provided by the EUAA or on behalf of the EUAA.
- the quality of learning facilities or resources.
- the failure of the EUAA to implement or follow up on an administrative procedure detailed in the [Training Quality Assurance Framework](#).
- violations of the [Code of Conduct for participants in the EUAA's training activities](#).

Processing of training complaints related to the assessment of learning and grading do not fall within the scope of this procedure. They are to be processed in line with the Assessment Appeals Procedure <sup>(2)</sup>.

Technical issues or requests relating to the LMS, such as problems regarding access rights, link functionality, bugs or the textual content of the interface, should in the first instance be addressed to the LMS Helpdesk at [learning@euaa.europa.eu](mailto:learning@euaa.europa.eu). A training complaint may however be submitted on the matter if receipt of the reported issue is not acknowledged by email and a course of action is not proposed to the complainant within 15 working days of the notification of the issue to the LMS Helpdesk.

A complaint may however be submitted on the matter if the complainant does not receive a response acknowledging the receipt of the reported issue and proposing a course of action, **within 15 working days** from the date when the issue was raised with the LMS Helpdesk.

Training complaints involving allegations of violations of fundamental rights by experts participating in an asylum support team fall outside the scope of this procedure. They shall be referred to the EUAA's Fundamental Rights Officer for handling in accordance with the rules governing the EUAA's complaints mechanism set up pursuant to Article 51 of the EUAA Regulation.

The timelines referred to in this document are indicative and may be extended depending on the complexity of the training complaint.

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<sup>(2)</sup> Standard Operating Procedures on the processing of assessment appeals (TD-002-01)





Training complaints are addressed in line with the process outlined in Standard Operating Procedures on the processing of assessment appeals, subject to relevant legal frameworks which may be applicable.

The EUAA does not accept anonymous complaints; however, all complaints will remain confidential, and access will be restricted to officials with responsibility to address the complaint. The training complaint procedure is detailed below.

## Procedure

### Raising a concern during the delivery of training

When issues arise during the delivery of training, learners should, where reasonable, initially discuss the issue or concern bilaterally with the trainer/coach before the end of the training in order to expedite an early resolution. The trainer/coach may seek the advice of the relevant EUAA Training Delivery Focal Point, the Country Desk Coordinator or the Training National Contact Point. The trainer/coach will attempt to resolve the issue to the learner's satisfaction as soon as possible and not later than **5 working days** of the issue(s) being raised. The trainer/coach will notify the Training Delivery Focal Point for the module in writing where there are actions required to prevent the recurrence of the issue.

### Lodging a formal complaint

In all other cases, individuals may lodge a formal complaint with the EUAA Training and Professional Development Centre (the "Centre"), by filling in the complaint form in annex and emailing it to [registrar@euaa.europa.eu](mailto:registrar@euaa.europa.eu). The same procedure applies where the learner has previously brought the matter to the attention of their trainer or coach as outlined in the preceding section but is not satisfied with the outcome, or where, for any reason, the learner cannot or does not wish to raise the issue with the trainer or coach.

The complaint procedure will be administered by the Quality Assurance and Accreditation Sector of the Centre and records of the procedure outcome will be maintained (see below for details of record keeping).

Complaints should be submitted **within 15 working days** from the date on which an incident occurred or the last day of the training activity or the related assessment(s), whichever is the latest. Complainants should submit information regarding the following:

- The date(s) and time(s) when the issue(s) occurred.
- Specific details of the issue(s).
- Whether the issue(s) was/were raised with the trainer/coach, the Training National Contact Point or any other relevant person, as well as any action taken by such persons to resolve the issue(s).
- Any documentary evidence.





- Where applicable, the names and contact details of any witnesses to the incident.
- The impact of the issue.
- Expectations for resolution, if any.

Complainants will be notified of receipt of the complaint **within five working days** of submission.

## Determining if the incident is within the scope of the complaints procedure

**Within 10 working days**, the EUAA will determine if the incident is covered by the training complaints procedure. Below are some examples of what will happen if it is outside the scope.

- If the report involves an allegation of a violation of fundamental rights by a member of an asylum support team, the email will be transmitted to the Fundamental Rights Officer.
- Where misconduct is related to human resource processes or decisions in an organisation external to the EUAA and EUAA training, the complainant will be advised to use their organisational reporting processes.
- If it is established that there are grounds for an assessment appeal, the complainant will be advised to follow the assessment appeals procedure <sup>(3)</sup>.

Complainants may request the withdrawal of their complaint at any time before a decision is taken.

## Dealing with complaints unrelated to the code of conduct

If the training complaint does not concern a violation of the Training Code of Conduct, it will be dealt with by the EUAA in the appropriate manner. Such complaints may include:

- Cases where the complainant wishes to draw the Agency's attention to a minor issue that affected training but does not seek follow-up.
- Issues related to errors in training materials.
- Issues related to translations of training materials.
- Issues related to the LMS, in relation to which the complainant did not receive a response acknowledging the receipt of the reported issue and a proposed course of action within 15 working days of the issue being notified to the LMS Helpdesk.
- Issues related to the learning environment or logistics.
- Instances where, following a request for information, inaccurate or no information was provided.

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<sup>(3)</sup> Standard operating procedure for processing of assessment appeals (TD-002-01)





Complaints of this nature will be discussed with the responsible head of sector in the Centre order to verify and address the cause of the complaint.

The complaint will be handled in a confidential manner, and personal data should be shared only on a need-to-know basis and in accordance with the relevant data protection notice.

If the complaint is covered by the above, the complainant will be notified of the action taken or to be taken to resolve the issue **within 15 working days** of receipt of the complaint. If the action needed to resolve the issue may take a longer time, the complainant will be informed of indicative timelines for the resolution of the issue.

## Dealing with complaints relating to potential violations of the code of conduct

A training complaints panel will be convened.

If there is no *prima facie* evidence of a violation of the Training Code of Conduct:

- the complainant and the individual alleged to have violated the Training Code of Conduct (and/or their employer) will be informed that the complaint is closed.  
**End of procedure.**

If there is *prima facie* evidence of a violation of the Training Code of Conduct:

- the individual alleged to have violated the Training Code of Conduct (and/or their employer) will be informed of the training complaint, the opening of the investigation, and appointment of an investigating officer.
- The investigator will gather statements of persons or witnesses involved and compile a report on the facts.
- the individual alleged to have violated the Code of Conduct (and/or their employer) will be invited to submit observations or comments on the complaint and the facts gathered, in writing by email to [registrar@euaa.europa.eu](mailto:registrar@euaa.europa.eu) or in person **within 15 working days**.
- The training complaints panel will make a recommendation on whether the complaint should be rejected or upheld **within 40 working days** of receipt of the complaint.

If the complaint is upheld:

- The panel will agree on any corrective actions with the aim of preserving the quality of the EUAA's training activities. The EUAA however reserves the right to take the final decision on the individual's further participation in the EUAA's training activities.





- The complainant will be informed of the outcome of the complaint and of any actions that the EUAA is taking to prevent any future potential violations of the Code of Conduct, provided that such actions do not directly concern any individual.

**End of procedure.**

## Record keeping

The EUAA will maintain records of all complaints for the purposes of record-keeping and quality standards reviews. The records will include:

- Date of submission
- Module / Programme (where applicable)
- Location of training activity
- Basis of the complaint – without nominal data
- Decision
- Recommended follow-up actions

Note: these records shall not include any personal data



