


## Hampshire Hospitals NHS Foundation Trust

### Apprenticeship Team Complaints and Appeals Policy and Procedure

#### Contents

Section 1: Context and Scope .....	2
1.1 Introduction .....	2
1.2 Purpose .....	2
1.3 Scope.....	2
1.4 Guiding Principles .....	3
Section 2: Complaints .....	3
2.1 Overview .....	3
2.2. Apprentice Complaint against the Training Provider.....	4
2.3 Apprentice Complaint against a Sub-Contractor .....	5
2.4 Apprentice Complaint against the Employer .....	6
Section 3: Appeals.....	6
3.1 Appealing a Decision .....	6
3.2 Appealing a Diploma/Certificate Assessment Decision: .....	6
3.3 Appealing a Diploma/Certificate Verification Decision: .....	7
3.4 Appealing an End Point Assessment Decision: .....	7

<b>Policy title</b>	Apprenticeship Team Complaints and Appeals Policy and Procedure
<b>Policy type (Internal or Trust-wide)</b>	Internal
<b>Apprenticeship Sign-off</b>	Signature:  Helen Howe, Associate Director of Apprentices
<b>Date</b>	Updated November 2024
<b>Version</b>	v4.1 – minor amendments
<b>Review Date</b>	November 2025 (annually)

## Apprenticeship Training Provider implementation and review summary

<b>How will the policy be promoted</b>	Circulated to all members of the Apprenticeship Team who confirm they have read and understood the policy
<b>How commitment to the policy will be gained</b>	<p>Through Standardisation and Quality Improvement meetings, one-to-ones and annual appraisals. Training – new staff and refresher</p> <ul style="list-style-type: none"> <li>• Included within Tutor Competency Framework and induction</li> <li>• Best practice is shared at Standardisation Meetings in order to maintain relevance and understanding</li> <li>• Cases are monitored by the Apprenticeship Quality Team as part of our Quality Improvement Plan (QIP)</li> </ul> <p>Line manager support and escalation provided in the case of a complaint for all staff and apprentices</p>

## Complaints and Appeals Policy and Procedure – Apprenticeship Team

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### Section 1: Context and Scope

#### 1.1 Introduction

The Apprenticeship Team are committed to providing productive and enjoyable learning experiences for learners and provide safe, cost effective, fit for purpose training solutions for the Trust. A complaint is an expression of dissatisfaction of the services provided by the Apprenticeship Team at Hampshire Hospitals NHS Foundation Trust. An appeal is an expression of disagreement with an assessment decision made by the Apprenticeship Team or the End Point Assessment Organisation.

#### 1.2 Purpose

This policy aims to provide a process to resolve individual complaints and appeals in a manner which is as fair and expeditious as possible. It is the Apprenticeship Team's objective to find a solution to individual complaints and appeals as early in the procedure as possible.

#### 1.3 Scope

Leaders and managers have a specific responsibility to ensure the fair application of this policy. All employees of the Apprenticeship Team are responsible for supporting colleagues and ensuring its success. The following procedure applies to anyone who uses the service of the Apprenticeship Team, including apprentices and employers.

## 1.4 Guiding Principles

### The Apprenticeship Team will:

- Handle complaints or appeals promptly and fairly, and assign the most relevant member of the team to resolve the issue
- Acknowledge complaints or appeals in writing within two working days
- Record and monitor correspondence and discussion regarding any complaint or appeal
- Resolve complaints and appeals and provide a written response within 15 working days. If it is not possible to resolve within this timescale, we will advise the complainant in writing of the reason for the delay and the expected date of resolution
- Undertake a post-complaint/appeal review to ensure we are working to continuously improve our services
- Provide the complainant with feedback on the outcome of the complaint or appeal

All complaints and appeals are overseen by our Associate Director of Apprenticeships and reported to the Quality Team for quality assurance and lessons learnt.

## Section 2: Complaints

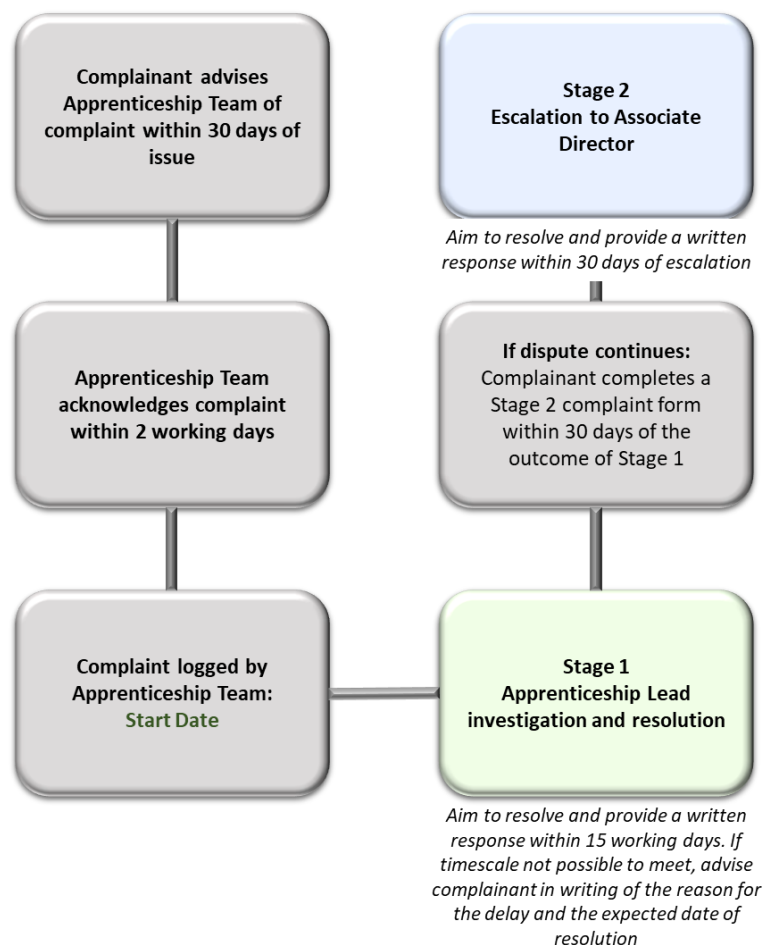
### 2.1 Overview

When an individual wants to make a complaint about an issue or dispute relating to the provision of the delivery of services undertaken by the Apprenticeship Team, they should initially raise this with their key contact (e.g. Tutor or Facilitator) . If this is not appropriate, the individual can email [apprenticeships@hhft.nhs.uk](mailto:apprenticeships@hhft.nhs.uk) or call 01962 825319 who will source the most relevant team member to resolve the issue.

All complaints are fully documented by the member of staff tasked with resolving the issue, and evidence provided where appropriate. Investigations and outcomes should be reported to the relevant Apprenticeship Lead.

Where possible the dispute or disagreement should be resolved informally and promptly with the individual, by their Apprenticeship Team key contact. When this is not possible, the following steps should be taken:

## 2.2. Apprentice Complaint against the Training Provider



### Stage 1: Apprenticeship Lead investigation and resolution

The complainant should raise the complaint to the relevant Apprenticeship Lead in writing within one month of the unsatisfactory circumstances occurring. They will be expected to explain clearly what the problem is and what outcome they are seeking. The sooner the matter is raised, the better. The Apprenticeship Lead will carry out an investigation and try to resolve the complaint to the satisfaction of the complainant.

Individuals can escalate their complaint to stage 2 by explaining in writing to the Apprenticeship Lead why they are dissatisfied with the outcome of stage 1.

### Stage 2: Escalation to the Associate Director of Apprenticeships

The Stage 2 Complaint should be made in writing within one month of notification of the outcome of Stage 1 complaint. The complainant must provide a clear explanation of how they attempted to resolve their complaint at Stage 1. As a minimum, the explanation should include a specific date, a named member of staff to whom the complaint was reported and why the complaint was not resolved to their satisfaction at Stage 1.

All complaints must be substantiated which may comprise one, or more of the following types of evidence: a timeline of events, reference to relevant policies, procedures and/or regulations, letters, emails, reports by professionals, witness statements, screenshots, the outcome of an investigation under Stage 1.

Any evidence or appendices relevant to the complaint must be submitted at the same time as the complaint form and clearly referenced and labelled.

It is the complainant's responsibility to make their case. Complaints will not be accepted for further investigation if:

- The rationale for the complaint is unclear
- No evidence is provided
- The complaint fails to include important dates, times and other details necessary for determining the eligibility of the complaint.

The complainant should send the completed form to the Apprenticeship Operations and Compliance team via [Apprenticeships@hhft.nhs.uk](mailto:Apprenticeships@hhft.nhs.uk) marked clearly with **Stage 2 Complaint**.

Stage 2 complaints will be escalated formally through the Apprenticeship Quality Team to the Associate Director of Apprenticeship. The AD will investigate further and try to resolve. The complainant should expect to receive a written response within **30 days of raising the complaint**. If the investigation will take longer than 30 days, the individual will be informed of the reason and an expected date of response.

#### **At any point:**

The Complainant may contact the relevant Awarding Organisation, Regulatory Body and/or Funding Partner at any point in the process.

The Department for Education (DfE) is our governing body for apprenticeships, and a complainant can log a formal complaint with them directly via:

<https://www.gov.uk/complainfurthereducationapprenticeship>

*Note - All complaints to be monitored by the Associate Director of Apprenticeships and reported to the Quality Team throughout the process, regardless of stage*

### **2.3 Apprentice Complaint against a Sub-Contractor**

If an individual is dissatisfied by a situation arising with one of our Sub-Contractors, and wishes to make a complaint, the Apprenticeship Team will support them with this.

As lead provider, the Apprenticeship Team shall be primarily responsible for answering an individual's complaint regarding the provision of service/training of our sub-contractor. If a complaint is escalated to the sub-contractor, the Apprenticeship Team shall assist them to investigate any complaint.

In the first instance, the individual should discuss their concerns with their key contact for this delivery (e.g. functional skills tutor). If there is not a satisfactory solution, the individual should

escalate to the relevant Apprenticeship Lead<sup>1</sup> ([apprenticeships@hhft.nhs.uk](mailto:apprenticeships@hhft.nhs.uk)) who will support them with the formal process.

## **2.4 Apprentice Complaint against the Employer**

In instances where an employer is not meeting the commitments they made in the Training Plan, which results in a complaint by the apprentice, the Apprenticeship Team can provide support for the individual, as this is likely to impact on their learning.

The Apprenticeship Team will discuss possible options with the apprentice and investigate the feasibility of further actions where appropriate.

## **Section 3: Appeals**

### **3.1 Appealing a Decision**

There are three types of decisions that can be appealed:

- An assessment decision made by the tutor regarding achievement of a diploma/certificate criteria
- A verification decision made by the IQA regarding achievement of a diploma/certificate criteria
- An End Point Assessment decision.

An apprentice can also make a complaint about formative assessment feedback where it is felt to be unfair or unconstructive, as poor feedback or advice can negatively impact learning.

### **3.2 Appealing a Diploma/Certificate Assessment Decision:**

The Apprentice should talk to their tutor in the first instance, who will explain the reason for their decision, give them the opportunity to explain why they are appealing and decide whether the decision will be changed or not. If this does not result in a satisfactory outcome for the Apprentice, they can appeal in writing to the Internal Quality Assurer (IQA) by emailing [apprenticeships@hhft.nhs.uk](mailto:apprenticeships@hhft.nhs.uk) who will:

- Acknowledge their appeal within two working days
- Record and deal with correspondence and discussion regarding their appeal fairly
- Resolve appeals and provide a written response within 15 working days. If it is not possible to resolve within this timescale, they will advise the Apprentice in writing of the reason for the delay and the expected date of resolution
- Provide the Apprentice with feedback on the outcome of the appeal
- Escalate appeals; all appeals are monitored by our Associate Director of Apprenticeships and reported to the Quality Team.

If the Apprentice is not satisfied with their verdict, they can then appeal to the External Quality Assurer (EQA). The process is provided on the awarding body website. They should talk to their tutor in the first instance, who will advise them how to submit an appeal and give honest and

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<sup>1</sup> Clinical, Non-Clinical, or Supported Apprenticeship Lead

constructive feedback, including the likelihood of a successful appeal.

### **3.3 Appealing a Diploma/Certificate Verification Decision:**

The Apprentice should talk to their tutor in the first instance, who will explain the reason for the decision, give them the opportunity to explain why they are appealing and discuss with them the likelihood of a successful appeal. If the Apprentice does not understand the reason for the verification decision and does not agree, they can appeal in writing to the IQA who will follow the same steps as 3.2.

If the Apprentice is still not satisfied with the decision, they can then appeal to the External Quality Assurer (EQA). The process is provided on the awarding body website. They should talk to their tutor in the first instance, who will advise them how to submit an appeal and give honest and constructive feedback, including the likelihood of a successful appeal.

### **3.4 Appealing an End Point Assessment Decision:**

The chosen End Point Assessment Organisations (EPAOs) are responsible for undertaking End Point Assessment for the Apprenticeship Standard. It is their aim to treat each case fairly and consistently. However, if an Apprentice disagrees with a decision they have made, they can appeal against that decision. The process is provided on the awarding body website. They should talk to their tutor in the first instance, who will advise them how to submit an appeal and give honest and constructive feedback, including the likelihood of a successful appeal.