



## Hampshire Hospitals NHS Foundation Trust

### Apprenticeship Team Complaints and Appeals Policy and Procedure

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| <b>Author</b>                  | Signature:<br><br>Lucy Collins, Lead for Compliance and Apprenticeship Administration |
| <b>Apprenticeship Sign-off</b> | Signature:<br><br>Jude Davison, Associate Director of Apprentices                     |
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**Apprenticeship Training Provider implementation and review summary**

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| <p><b>How will the policy be promoted</b></p>             | <p>Circulated to all members of the Apprenticeship Team who confirm they have read and understood the policy</p>   |
| <p><b>How commitment to the policy will be gained</b></p> | <p>Through Standardisation and Quality Improvement meetings, 121s and annual appraisals. Training – new staff and refresher</p> <ul style="list-style-type: none"> <li>• Assessor Guides are provided to all new members of staff which details the application of this policy</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 Trust'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 your complaint or appeal promptly and assign the most relevant member of the team to resolve the issue
- Acknowledge your complaint or appeal within two working days and offer you the opportunity to complete a Complaint Form
- Record and deal with correspondence and discussion regarding your complaint or appeal fairly
- Aim to 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 you in writing of the reason for the delay and the expected date of resolution
- Undertake a review to ensure we are working to continuously improve our services
- Provide you with feedback on the outcome of the complaint or appeal
- Escalate complaints or appeals; all complaints and appeals are overseen by our Associate Director of Apprenticeships and reported to the Quality Team on a regular basis.

## Section 2: Complaints

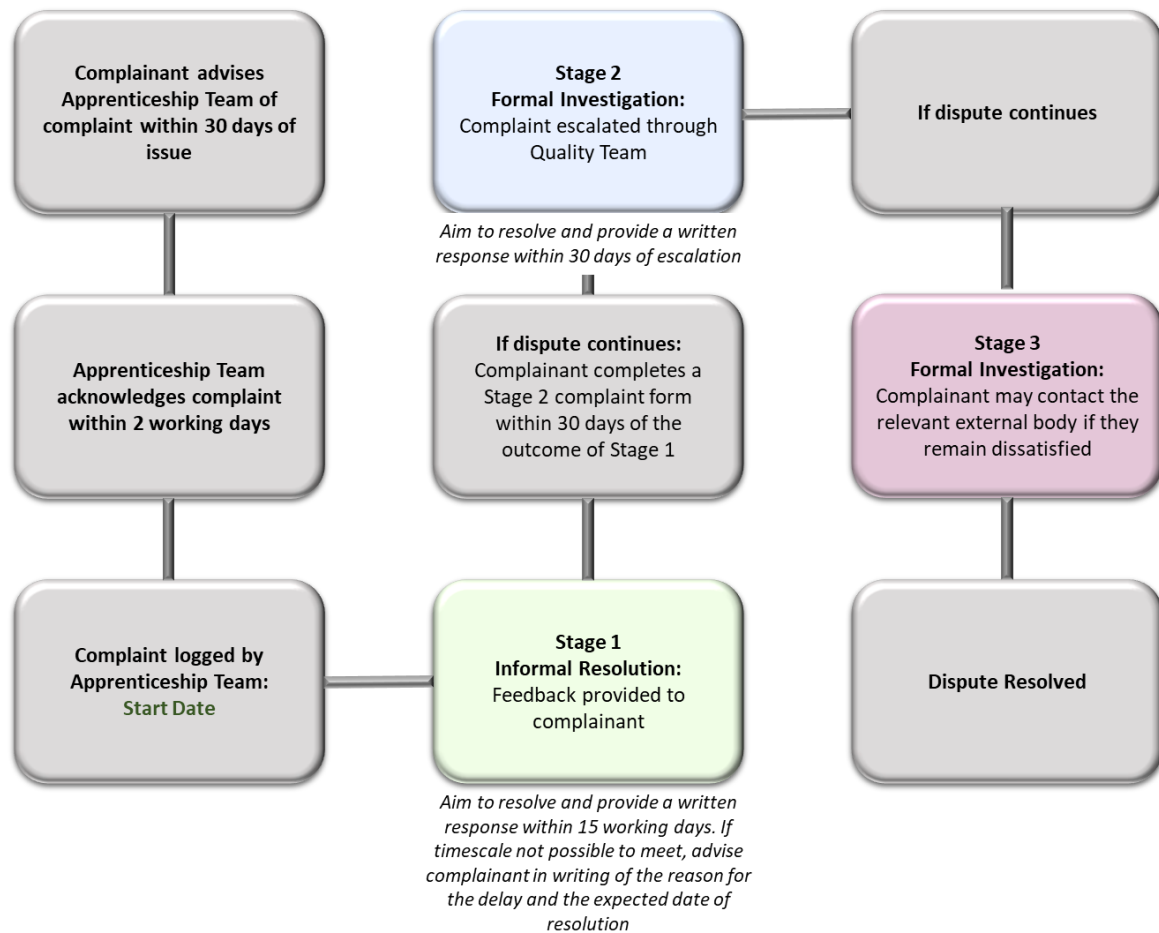
### 2.1 Overview

When an individual has an issue or dispute relating to the provision of the delivery of services undertaken by the Apprenticeship Team, the individual shall make the matter known to their key contact (e.g. Assessor, Facilitator or Lead) in writing by email. If this is not appropriate, the individual can email [apprenticeships@hhft.nhs.uk](mailto:apprenticeships@hhft.nhs.uk) or call 01962 825319

Complaints should be fully documented, and evidence provided where appropriate.

Where possible the dispute or disagreement should be resolved informally by the individual, 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:

The complainant is expected to try to resolve a complaint directly, informally and quickly with the person/team concerned. In some circumstances, in the first instance, the complainant may prefer to approach a different member of staff e.g. Assessor or Facilitator, or alternatively a complaint can be emailed to the Apprenticeship Operations and Compliance Team: [apprenticeships@hhft.nhs.uk](mailto:apprenticeships@hhft.nhs.uk). The

Operations and Compliance Team will then source the most relevant team member to resolve the matter.

The complainant should raise the complaint within one month of the unsatisfactory circumstances occurring, at the latest. The sooner the matter is raised, the better. They are expected to explain clearly what the problem is and what outcome they are seeking. If they are dissatisfied with the outcome, they can escalate their complaint to stage 2.

### **Stage 2:**

The complainant should complete the Stage 2 Complaint Form 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 informally 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 by evidence. This 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 Admin team via [Apprenticeships@hhft.nhs.uk](mailto:Apprenticeships@hhft.nhs.uk) marked clearly with **Stage 2 Complaint**.

Complaints will be escalated formally through the Apprenticeship Quality Team with Associate Director of Apprenticeship involvement. 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 complainant will be informed of the reason and an expected date of response.

### **Stage 3:**

If the complainant remains dissatisfied, they may contact the relevant Awarding Organisation, Regulatory Body and/or Funding Partner.

The Education and Skills Funding Agency (ESFA) is our governing body for apprenticeships, and you can also log a formal complaint with them directly via:

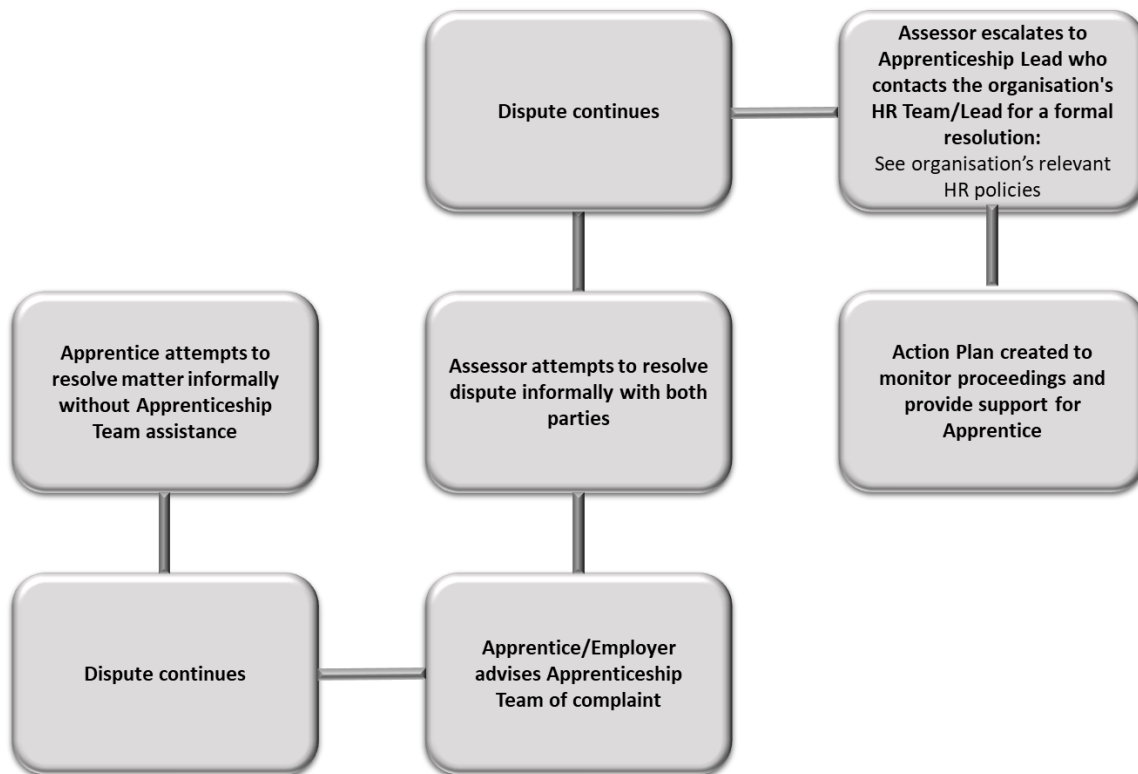
<https://www.gov.uk/complainfurthereducationapprenticeship>

*Note - All complaints to be monitored by the Associate Director of Apprenticeships and reported to the Quality Team on a regular basis, regardless of stage*

### 2.3 Apprentice Complaint against the Employer

In instances where an Apprentice is unsatisfied with their treatment within their job role while on an apprenticeship programme, and wishes to raise a complaint, the Apprenticeship Team can provide support for the apprentice during the dispute proceedings, as this is likely to impact on their learning.

Where possible the dispute or disagreement should be resolved informally by the Apprentice and their Employer. When this has not resolved the complaint, the following process will be followed:



The Apprenticeship Team will discuss possible options with the apprentice and investigate feasibility further where appropriate, e.g. arranging an alternative placement in order to complete their learning.

## Section 3: Appeals

### 3.1 Appealing a Decision

There are three types of decisions that can be appealed:

- An assessment decision made by the assessor 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.

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

The Apprentice should talk to their assessor 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
- Aim to 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 on a regular basis.

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 [City and Guilds website](#).

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

The Apprentice should talk to their assessor 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 [City and Guilds website](#).

### 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 assessor 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.

## **Section 4: Feedback**

### **4.1 Feedback**

As part of quality improvements, the Apprenticeship Team asks for feedback on the services provided.

Feedback is requested at the end of all training opportunities. For Apprenticeships, managers and learners wishing to provide feedback, both positive and negative, can contact the Apprenticeship Operations and Compliance Team - [apprenticeships@hhft.nhs.uk](mailto:apprenticeships@hhft.nhs.uk).

All feedback and opinions must be taken seriously. If a complaint is received, immediate actions must be taken to resolve the issue.