

North Bristol Apprenticeship Centre Complaints Policy and Procedure

Document No: [NBTAC-001]

Specific staff groups to whom this policy directly applies

Apprentices,
Apprenticeship Centre Staff

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Date of Approval:	10 th December 2021
Next Review Due:	10 th December 2022

Summary of changes since the previous version	Addendum – Complaints and appeals arising from the Coronavirus/ Covid-19 pandemic – page 7 Addendum – NBT Apprenticeship Appeals procedure
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1. Executive summary

- 1.1 North Bristol NHS Trust Apprenticeship Centre is the apprenticeship training arm of North Bristol NHS trust.
- 1.2 NBT apprenticeship centre exists to provide a high standard of training for all our apprentices and other learners and to deliver a return on our investment and added value to our Trust. NBT therefore recognises the importance of and welcomes feedback about our services from all learners, employers, staff, and other stakeholders.
- 1.3 This policy is for Apprentices, Learners, Line Managers and Apprenticeship Centre Staff to follow in relation to the Health and Safety of all apprentices under the protection of the North Bristol NHS Trust Apprenticeship Centre.
- 1.4 The NBT Apprenticeship Centre is committed to ensuring the Centre at North Bristol NHS Trust applies a standard approach for dealing with any comments or complaints.
- 1.5 The Centre is committed to delivering qualifications and vocational education which meet the standards required by Awarding Organisations, learners, employers, and other agencies such as Ofsted, ESFA and MATRIX.

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3 Policy statement

- 3.1 This document outlines what learners/apprentices need to do when they are dissatisfied with the service that they are receiving. This document clearly lays out the processes for escalating a complaint and the parties that are involved including timescales.

4 Purpose of the policy

- 4.1 The purpose of this document is to set out the complaints procedure and policy within the NBT apprenticeship centre.
- 4.2 Complaints should be treated seriously, and apprentices must not suffer any disadvantage or recrimination because of making a complaint in good faith. However, it is expected that apprentices or people communicating on behalf of an apprentice will conduct themselves responsibly and treat the process and those members of the NBT Apprenticeship Centre involved in the process, with respect always. In all cases, it is desirable that complaints are resolved informally and quickly between the relevant parties, and that the formal process is only started if that fails. Evidence of an attempt at informal resolution will be required.
- 4.3 Complaints must be substantiated with evidence, expressed in clear and succinct English, and submitted within prescribed timescales. Complaints submitted outside of the timescales stipulated in the procedure will only be considered in the most exceptional circumstances, and where there is good reason, supported by evidence for the late submission.
- 4.4 Apprentices will be notified early in the process if the remedy sought within the complaint is beyond the power of the NBT Apprenticeship Centre, to deliver. It is important for apprentices to note that the Office of the Independent Adjudicator cannot consider matters which are, or which have been the subject of court proceedings. Similarly, NBT Apprenticeship Centre reserves the right to decline, suspend or to discontinue a complaint under the Apprentice Complaint Procedure, if legal proceedings are commenced, and the claim concerns the same subject matter as the complaint.

5 Scope of the Policy

- 5.1 This policy will apply to all NBT Centre staff involved in the delivery, design, coordination, management, and quality assurance of NBT apprenticeship programmes.
- 5.2 This policy is designed to be followed by anyone who is receiving a service from the NBT apprenticeship centre.
- 5.2 All NBT Centre staff involved in vocational education such as workplace assessors, practice development teachers, expert witnesses, learners, and employers, are responsible for reading these guidelines to maintain current awareness of the responsibilities within their role and the roles of others.
- 5.3 This complaints procedure may only be used by apprentices registered and undertaking training with North Bristol NHS Foundation Trust Apprenticeship Centre (NBT Apprenticeship Centre). A complaint may also be submitted up to 12 months after the apprenticeship end date.

6 Supporting Documents and Exemptions

Supporting Documents	Exemptions
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This guidance should be read in conjunction with the following Centre policies/guidelines:

- Centre Code of Conduct
- Centre Assessment Policy
- Equality and Diversity / Equal Opportunities
- Recognition of Prior Learning
- Malpractice Policy
- Quality Assurance

Also, reference should be made to:

The relevant policies for the organisation employing the learner:

- Work Experience
- NBT Quality Placement Strategy
- Induction Policies
- Employer/Training Provider/Learner Agreements
- Information Management and Governance

The relevant Awarding Organisation's and End Point Assessment Organisation's policies, procedures, and manuals:

- Quality Assurance Requirements
- Guidance on the Internal Quality Assurance of Assessments
- Centre Manuals
- Recognition of Prior Learning
- Malpractice
- Delivery documents for specific qualifications

Wider National documents as appropriate:

- Ofsted EIF (Education Inspection Framework)
- ESFA delivery and funding guidance
- Apprenticeship Standard (those applicable)
- Apprenticeship Standard Assessment Plan (those applicable)
- **Innovate Awarding EPAPro**

This document **does not cover** any NBT learners who are undertaking their learning pathway with another Centre or Training Provider, unless NBT co-delivers the training in part or completely, and as such would be responsible for the quality assurance processes involved in delivery.

This document **does cover** learners from other organisations, who undertake their learning pathway through the NBT Apprenticeship Centre.

It will also cover learners not employed but on work experience or employability programmes such as Traineeships and Sector Based Work Academies with NBT.

This document applies to all vocational learning pathways including competency packages, stand-alone units, full qualifications, and standards.

7 Levels of Complaint or Appeal

7.1 There are three levels that you can raise complaints through. Anyone wishing to make a complaint is encouraged to do so personally. Anonymous complaints will not be considered

unless there are exceptional and evidence-based reasons to do so. If appropriate your complaint should be escalated through the following channels:

- 1) Informal Complaint
- 2) Formal Complaint - Subject Area Leads
- 3) Formal Complaint - Centre Management and Quality Team

7.2 After the centre's processes have been exhausted, complainants can raise their complaint with the Education & Skills Funding Agency (ESFA) if they are not satisfied with the centre's response. You must contact the ESFA within 12 months after the issue happened.

You should email complaints to complaints.esfa@education.gov.uk, or put them in a letter to:
Customer Service Team,
Education and Skills Funding Agency
Cheylesmore House
Quinton Road
Coventry CV1 2WT

7.3 The ESFA will reply to let you know what will happen next. If you are unhappy with the ESFA's response you can contact the Department for Education. Complainants also can have their complaint independently reviewed by the Office of the Independent Adjudicator (OIA).

8 Grounds for Complaint or Appeal

8.1 Concerns relating to NBT's curriculum or service provision, or an academic decision.

8.2 The subject of the complaint should relate specifically to one or more of the following, or comparable issues:

- Concerns about the delivery of a programme, teaching, supervision, assessment, or administration provided by NBT Apprenticeship Centre or End Point Assessment Organisations.
- Poor quality of facilities, learning resources or services.
- Complaints involving other organisations or contractors providing apprenticeship services on behalf of NBT Apprenticeship Centre.

8.3 Complaints relating to allegations of bullying, harassment, or victimisation by members of staff, are associated with North Bristol NHS Trusts wider policies and procedures and should be reviewed and escalated within the specified way.

8.4 All complaints will be handled in the strictest confidence. Grounds and reasons for the complaint will only be passed to those directly involved with the complaint. It might be necessary for the NBT apprenticeship centre to use the complaint as a learning process. The data associated with this will be handled as dictated in section 9.

Addendum – Complaints and appeals arising from the Coronavirus/ Covid-19 pandemic

8.4 Coronavirus/Covid-19 is an unforeseen and unprecedented circumstance, beyond the reasonable control of NBT. Like all educational institutions, the outbreak of Coronavirus has interfered with our continuing ability to deliver certain programmes. However, the centre is committed to use all reasonable endeavours to minimise disruption as far as it is practicable to do so.

8.5 Where it is not practical to do so, learners will not be penalised for missing any teaching or assessments because they have coronavirus symptoms, because they are following advice to self-isolate, or because they have unexpected caring responsibilities.

8.6 All learners have been advised of what they must do in these circumstances, and how they should report a sickness absence.

8.7 You may be able to make a complaint about how the coronavirus has affected your studies. Depending on the circumstances, you may also be able to make an academic appeal if your progress or grades have been affected. NBT will not yet know what measures will be put in place to overcome the challenges that this disruption is causing. The centre is committed to the principal of fairness and expects that learner's, who have complaints (and those who wish to make appeals), follow the informal early resolution process before lodging a formal complaint or appeal.

8.8 NBT is unable to accept formal complaints, related to Coronavirus/Covid-19 unless the informal early resolution process has been attempted.

9 Recording and monitoring of complaints or Appeals

9.1 It is important that complaints are monitored to improve the apprentice experience. The NBT Apprenticeship Centre management team, including the IQA's will record and provide reports to indicate the nature of complaints and complainants, and resultant action. Such reports will:

- Feed into the monitoring and evaluation procedure at various Levels
- Be used to improve services for all apprentices
- Assist in identifying problems and trends across NBT Apprenticeship Centre.

10 Making a Complaint or Appeal

10.1 The below stipulates the stages that complaints should be raised. Complaints or appeals can be submitted either by the apprentice directly or from the employer. It is expected that apprentices/employers will follow the reporting structure for issuing complaints or appeal:

11 Stage 1 – Informal

11.1 The first stage of raising complaints or appeal should be to raise your concern about an assessment decision or assessment process with the apprenticeship assessor.

11.2 It is recommended that during this stage, complaints or appeals are sent via email to the assessors NBT work email address. When the complaint or appeal is raised it is expected that the assessor will acknowledge the complaint or appeal within 5 working days. If you receive an automatic response saying that your assessor will be out of the office, then it is expected that you will forward the message to the person stipulated within the automated response. If after 5 working days no acknowledgement has been sent, then you should escalate this through to Stage 2.

- 11.3 Although there are no set timescales for resolution of informal concerns, it is expected that:
- Apprentices/Employers will discuss concerns about assessment decisions **within 20 working days** of being notified.
 - Apprentices/Employers will raise a concern about a lack of assessment opportunities with the assessor at the earliest opportunity, e.g., their next scheduled visit or before.
 - Most informal concerns can be resolved within 1 month
 - Where this is not possible, a review of the situation will occur at least monthly until it is resolved.
 - The situation **should not exceed 1 month** without evidence of progress towards resolution being made.
 - The concern should be raised formally in instances where resolution within 1 month is unlikely.
- 11.4 If appropriate, the assessor may suggest a tripartite meeting with the employer and apprentice to agree the plan, especially if additional support or time is needed.
If there is no resolution within the specified timelines, you should follow this policy through to Stage 2 – Formal Reporting.

12 Stage 2 – Formal

- 12.1 If after following the informal stage there has been an unsatisfactory outcome, the matter should be escalated to the Subject Area Lead. In cases where this person is also the nominated assessor and they would have been your point of contact in Stage 1, then the matter should be forwarded to the NBT Apprenticeship Centre Management team.
- 12.2 In this case a **Stage 2 – Appeal/Complaints Form** must be completed and forward onto the key contact listed in the below table:

Subject Area	Key Contact(s)
Healthcare Apprenticeships <i>Level 2 – Healthcare Support Worker Standard</i>	Rebecca Holmes Rebecca.Holmes@nbt.nhs.uk
Healthcare Apprenticeships <i>Level 3 – Senior Healthcare Support Worker Standard</i>	Faye Stabb Faye.Stabb@nbt.nhs.uk
Healthcare Apprenticeships <i>Level 3 – Senior Healthcare Support Worker Standard (Maternity Support Workers)</i>	
Healthcare Apprenticeships <i>Historic Frameworks relating to Health apprenticeships</i>	
Business Administration & Customer Service Apprenticeships <i>Level 3 – Business Administrator Standard</i> <i>Level 2 – Customer Service Practitioner Standard</i> <i>Level 3 – Customer Service Specialist Standard</i> <i>Historic Frameworks relating to Business Administration and Customer Service qualifications</i>	Lee Gabell – lee.gabell@nbt.nhs.uk

Leadership & Management Apprenticeships <i>Level 3 – Team Leader/Supervisor Standard</i> <i>Level 5 – Operations/Departmental Manager Standard</i>	Sally Garbett Sally.Garbett@nbt.nhs.uk
Functional Skills <i>Level 1/2 Functional Skills Mathematics</i> <i>Level 1/2 Functional Skills English</i>	Celia McGilloway Celia.McGilloway@nbt.nhs.uk
NBT Apprenticeship Centre Management <i>Only to be escalated to the management team in cases where key contact is your assessor and would have been your point of contact during Stage 1</i>	Tiffany Patten-Lawrence Tiffany.Patten-Lawrence@nbt.nhs.uk

Information correct as of: 29/01/2021

12.3 The set timescales for a Stage 2 complaints procedure are as follows:

- Acknowledgement of your complaint within 5 working days.
- Review and initial action plan and next steps within 10 working days of submission.
- Issue to be resolved within 1 calendar month from submission.

13 Stage 3 – Escalated Formal

13.1 If in cases where Stage 1 and Stage 2 have been followed and there has not been a satisfactory outcome, the complaint can be escalated to the NBT Apprenticeship Centre Management Team.

13.2 In this case a **Stage 3 – Appeals/Complaint Escalation Form** must be completed and forwarded on to the relevant person from the below table:

Subject Area	Key Contact
NBT Apprenticeship Centre Management Team	Jonathan Hall – jonathan.hall@nbt.nhs.uk
Head of Learning and Organisational Development <i>Only to be escalated in cases where you have escalated to Jonathan Hall during Stage 2.</i>	Kate Jarrod Kate.Jarrod@nbt.nhs.uk

Information correct as of: 29/01/2021

13.3 The set timescales for a Stage 3 complaints procedure are as follows:

- Acknowledgement of your complaint within 5 working days.
- Review and initial action plan and next steps within 10 working days of submission.
- Issue to be resolved within 1 calendar month from submission.

14 If no satisfactory outcome received

14.1 After the centre's processes have been exhausted, complainants can raise their complaint with the Education & Skills Funding Agency (ESFA) if they are not satisfied with the centre's response. You must contact the ESFA within 12 months after the issue happened. Email or post your complaint to the ESFA complaints team:

Via email:

Complaints.ESFA@education.gov.uk

Via post:

Complaints Team

Education and Skills Funding Agency

Cheylesmore House

Quinton Road

Coventry

CV1 2WT

OR

[The enquiry form](#)

- 14.2 The ESFA will reply to let you know what will happen next. If you're unhappy with the ESFA's response, you can contact the Department for Education, if you're unhappy with how the ESFA has dealt with your complaint. Complainants also can have their complaint independently reviewed by the Office of the Independent Adjudicator (OIA).

15 Review Period

This policy will be reviewed on an annual basis, at the request of management or in line with updates to the requirements from the Awarding Organisations or external government entities that the Centre is approved by or governed by.

Complaints Form - Stage 2 – Formal Complaint

This form is to be completed in conjunction with the process stipulated in the NBT Apprenticeship Centre Complaints Policy. This form should only be completed when stage 1 has been followed with no successful outcome.

Email completed form to the key contact listed as listed in the Complaints Policy.

Apprentice Name:		Apprenticeship Programme:	
Apprenticeship start date:		Apprenticeship planned end date:	
Apprentice Assessor		Apprentice place of employment	

Use the space below to give a brief overview of the complaint:

Use the space below to give a brief explanation of what was put in place to resolve this during stage 1:

Date Submitted		Signed by Apprentice		Signed by Employer	
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The set timescales for a Stage 2 complaints procedure are as follows:

- Acknowledgement of your complaint within 5 working days.
- Review and initial action plan and next steps within 10 working days of submission.
- Issue to be resolved within 1 calendar month from submission.

Complaints Form - Stage 3 – Escalated Formal Complaint

This form is to be completed in conjunction with the process stipulated in the NBT Apprenticeship Centre Complaints Policy. This form should only be completed when stage 1 & 2 has been followed with no successful outcome.

Email completed form to the key contact listed as listed in the Complaints Policy.

Apprentice Name:		Apprenticeship Programme:	
Apprenticeship start date:		Apprenticeship planned end date:	
Apprentice Assessor		Apprentice place of employment	

Explain what concerns remain in place after the stage 2:

Date Submitted		Signed by Apprentice		Signed by Employer	
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The set timescales for a Stage 3 complaints procedure are as follows:

- Acknowledgement of your complaint within 5 working days.
- Review and initial action plan and next steps within 10 working days of submission.
- Issue to be resolved within 1 calendar month from submission.