

## The Wessex NVQ Centre Complaints and Appeals Policy and Process

Version: 1.0

Date Issued: June 2019  
 Review Date: June 2022  
 Document Type: Policy

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### Document Status

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As a controlled document, this document should not be saved onto local or network drives but should always be accessed from the intranet.

## Executive Summary

All users of the Wessex NVQ Centre (UHS apprenticeship centre) need to be confident that they are able to raise concerns or complaints if they are not satisfied with the way in which the training and assessment provided is acceptable.

This policy sets out how these concerns or complaints and appeals that can be raised and the process that will be followed. The flowchart in Appendix A shows the complaints process and the flowchart in Appendix B shows the appeal process.

### 1 Scope and Purpose

This policy applies to all members of the Wessex NVQ Centre, the apprentices undertaking training through the Centre and their employers and managers. Apprentices, employers and managers are able to raise a concern or complaint and appeal if they are not satisfied with the training and assessment being delivered.

For concerns or complaints related specifically about the terms of the contract between the Centre and an external employer there is also a way to raise concerns or complaints that can be addressed through the complaints part detailed in the contract between the Centre and the contracting employer.

### 2 Definitions

- **Apprentice** – an individual who receives apprenticeship training and, where applicable end-point assessment through an apprenticeship framework or standard, funded by the ESFA (ESFA definition March 2019)<sup>1</sup>
- **Apprenticeship** – is a job with an accompanying skills development programme (ESFA definition March 2019)
- **Centre** – this refers to the Wessex NVQ Centre (UHS apprenticeship centre)
- **Employer** – the organisation that employs the apprentice e.g. UHS Trust or Solent NHS Trust
- **Education and Skills Funding Agency (ESFA)** – the national organisation that funds all education in England (not including higher education) including apprenticeships.
- **Workplace manager** – the direct line manager of the apprentice in the workplace
- **Off the job training (planned learning activity)** – the training received by the apprentice, during the apprentice's paid hours, for the purpose of achieving their apprenticeship (ESFA definition March 2019)
- **Observational Assessor** – an occupationally competent member of staff in the workplace who mentors and assesses the apprentice's workplace activity as part of the apprenticeship programme.
- **Centre tutor/assessor** – this is the main link person that supports, mentors and assessing the apprentices' course work as part of their apprenticeship programme. They will also delivery training in the Centre to apprentices during the taught element of off the job training.
- **Internal Quality Assurer (IQA)** – the lead person in the Centre who is responsible for overseeing the quality of the assessment process for the specific apprenticeship programme.

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<sup>1</sup> *Apprenticeship funding rules for training providers (August 2018 to July 2019)*; version 2; Education and Skills Funding Agency (ESFA) March 2019

- **External Quality Assurer (EQA)** – the Awarding Bodies quality assurer for the quality of assessment practice within the mandatory qualification within the apprenticeship programme.

### 3 Details of Procedure to be followed

The Centre seeks to have an open and honest working relationship with the learners and their employers/managers. Regular meetings and discussions where feedback can be given and concerns can be raised with resolutions agreed is seen as the best way to avoid complaints.

However if issues or concerns raised cannot be resolved in this way then the apprentice/employer/manager can raise a complaint using the following process:

- The complainant raises their complaint verbally to a member of the Centre training team.
- Staff member logs complaint onto the complaints and appeals log.
- Where possible, the member of staff or the wider training team seeks to resolve the matter at this stage. This must be undertaken within 2 working days.
- If the complainant is happy with the outcome then no further action is required and the outcome recorded on the complaints log.
- If the complainant is not happy with the initial action to resolve their complaint then they can raise this through a written complaint within 5 working days using the Wessex NVQ Centre complaints form in appendix XX and sent to the Wessex NVQ Centre manager.
- The Centre manager will arrange to meet with the complainant and if applicable, their manager or Education Lead, to discuss the complaint and agreed actions and timescales to resolve the complaint. This meeting will take place within 5 working days.
- A written outline of the discussion, agreed actions and timescales will be sent out by the Centre manager within 2 working days of the meeting. The Centre will resolve the complaint within the timescale agreed.
- If the complainant is not happy with the outcome of Centre manager's decision they may contact the national Apprenticeship Helpline (contact details below) if they have any queries, concerns or complaints regarding the apprenticeship training at the Centre. (In the first instance please use The Wessex NVQ Centre complaints procedures)

[nationalhelddesk@apprenticeship.gov.uk](mailto:nationalhelddesk@apprenticeship.gov.uk)

Telephone: 0800 015 0400 (8am to 10pm, 7 days a week)

- The ESFA also have a complaints process that employers and apprentices can refer to [Complaints about post 16 education and training provision funded by ESFA - GOV.UK](#)

The Centre will maintain an online register showing information about complaints/appeals raised during an academic year, including who raised the complaint, who was involved in the investigation and the outcome.

#### **Confidentiality**

All complaints or appeals to the Centre will be dealt with confidentially and all information and data relating to the complaint or appeal will be stored securely in accordance with GDPR protocols. Information will only be disclosed to those who

have a demonstrable need to have access to it to undertake the investigation into the complaint or appeal.

### **Complaint/appeal about recruitment process and outcome**

The Centre aims to recruit apprentices onto programmes in a fair and transparent way. This will include checking for prior qualifications and experience and ensuring that, as far as is practical person circumstances are taken into account. A clear and equitable recruitment process will be followed for all those applying to undertake apprenticeship programmes through the Centre.

If an applicant is not accepted onto the apprenticeship programme they have applied for then they are able to appeal and raise a complaint in the following circumstances:

- If they think the process has not been followed as set out in the Wessex NVQ Centre Employer Engagement Policy.
- If they think they have been discriminated against due to the nationally recognised Protected Characteristics
- If they think that their personal circumstances have not be fully taken into account, including part time working, regular rostered patterns of off duty or suitability of working environment

### **Complaint about training provision**

The Centre aims to provide high quality training that is:

- Meeting the apprenticeship standard/framework being undertaken
- Planned and delivered by occupationally competent staff who maintain their occupational and educational professional development through regular updates.
- Builds knowledge, skills and behaviours to enable the apprentices to undertake end point assessment (where required).
- Timely marking and return of assignments or other work used to support progression towards end point assessment.
- Provides training study days as planned with minimum disruption.

The apprentice can raise a complaint about the quality of the training being provided where they think it is impacting on their ability to them gaining the knowledge, skills and behaviours required to enable them to progress in their apprenticeship programme and to timely completion.

This complaints policy also relates to training provision provided by sub-contractor training such Functional Skills. The sub-contractor will have a complaints/appeals policy and the apprentices will be provided with this, where applicable.

### **Complaint/appeal about assessment of mandatory qualification**

Some apprenticeship programmes include a mandatory qualification within it that require regular on the job assessment in the workplace and completion of an online portfolio of assessed evidence. Where this is the case the apprentices are registered with an awarding body such as City and Guilds. The awarding bodies maintain a complaints process that is separate to this policy. The awarding body complaints/appeals policy will be given to apprentices at the start of their programme and also placed onto the online e-portfolio system.

### **Centre complaint/appeal process**

An apprentice may raise a complaint/appeal regarding:

- The assessment process, including planning and clear written feedback on progress that helps them complete a high standard of work

- Timely assessment of submitted work as part of the mandatory qualification
- Appeal against decision on work submitted not passing assessment
- Appeal against decision to remove them from the apprenticeship programme.

If an apprentice wants to raise a complaint then they should follow the process set out above for complaints.

If an apprentice wants to appeal a decision made regarding assessment or removal from the apprenticeship programme then they should follow the appeals process set out below.

### **Appeals process**

- Where an apprentice is deemed not to have achieved the required standard of competence as set out in the mandatory qualification assessment criteria they should write to request a meeting with the Lead internal quality assurer (IQA) for the apprenticeship programme being undertaken.
- The Lead IQA records the appeal on the complaints and appeals log.
- A meeting with the Lead IQA and the apprentice must be held within 5 working days (where off duty permits) or as soon as is practical where off duty means the apprentice is not able to make a meeting in that timescale.
- Following the meeting the Lead IQA will confirm in writing to the apprentice an outline of the discussion and what action the Lead IQA will take to investigate the appeal.
- The Lead IQA will investigate the assessment decision made and respond in writing what activity they undertook to investigate the appeal to the apprentice with their decision on the outcome within 5 working days.
- If the apprentice is satisfied with the outcome, they will reply, in writing, to the Lead IQA to confirm this. If they are not satisfied with the outcome they are able to escalate their appeal to the Centre manager within 5 working days of the Lead IQA decision.
- The apprentice must write to the Centre manager within 5 working days of receiving the written response from the Lead IQA.
- The Centre manager will undertake further investigation and respond in writing what activity they undertook to investigate the appeal to the apprentice with their decision on the outcome within 5 working days.
- If the apprentice does not accept the Centre manager's decision then the apprentice may appeal to the awarding body's External Quality Assurer (EQA) who will investigate following the Awarding Body's appeals process.
- Where the apprentice does not accept the EQA decision they may appeal in writing directly to the Awarding Body. City and Guilds are the current Awarding Body and their appeal documents can be found here <https://www.cityandguilds.com/delivering-our-qualifications/centre-development/centre-document-library/policies-and-procedures/appeals>

If the Awarding Body upholds the apprentices appeal, the Centre will make all effort to rectify the error made during the assessment and verification of the apprentices' work to ensure the apprentice is not disadvantaged in completing the apprenticeship programme.

If the appeal decision is not upheld by the Awarding Body and an apprentice has been deemed not to have satisfactorily followed the Awarding Body rules (such as plagiarism) or not completed work to a satisfactory standard the Awarding Body can chose to suspend or remove the apprentice from the mandatory qualification.

If the apprentice will not be able to complete the mandatory qualification they will be unable to meet gateway requirements for end point assessment and therefore will be unable to complete the full apprenticeship programme. They will therefore cease undertaking the apprenticeship programme with immediate effect.

### **Complaint/appeal about end point assessment**

This section only applies to apprentices who are undertaking an apprenticeship standard (not a framework).

The final part of an apprentices programme is to undertake end point assessment. The Centre training team will work with the apprentices to prepare them for end point assessment, using the guidance provided by the end point assessment organisation (EPAO).

An apprentice may complain about the quality of the end point assessment preparation provided by the Centre if they think it did not adequately prepare them to submit written work required e.g. a written portfolio of work, written examinations or workplace observations/interviews.

An apprentice may complain/appeal about the outcome of end point assessment using the EPAO complaints/appeals process and procedure. The apprentices will be given a copy of the EPAO complaints/appeals policy and a copy will also be on the online e-portfolio system.

### **Complaint about member of Centre training team**

The Centre staff are expected to maintain high standards of professionalism at all times in the classroom setting, in when in the workplace when assessing apprentices or meeting with apprentices and managers. Standards of professionalism should also extend to the way in which Centre staff respond in writing or when during conversations on the phone.

If an apprentice or their manager is unhappy with the way in which a member of Centre staff has behaved they are able to raise a complaint following the process outlined above.

## **4 Roles and Responsibilities**

- **Centre manager** is responsible for investigating and reporting complaints and appeals raised within the timescales identified, ensuring this policy is implemented and monitored.
- **Lead IQA** is responsible for investigating any appeals and reporting outcomes to the Centre manager within the timescales identified.
- **Complainant or apprentice** is responsible for reporting concerns, complaints or appeals following this policy within the timescales identified.

## **5 Related Policies**

- Wessex NVQ Centre Employer Engagement Policy
- Wessex NVQ Centre Initial Assessment Policy

## **6 Communication Plan**

- A copy of this policy will be given to each apprentice at the start of their apprenticeship programme.

- A copy will be available on the UHS careers website
- A copy will be placed on the on-line e-portfolio system for reference.

## 7 Process for Monitoring Compliance/Effectiveness

The purpose of monitoring is to provide assurance that the agreed approach is being followed – this ensures we get things right for patients, use resources well and protect our reputation. Our monitoring will therefore be proportionate, achievable and deal with specifics that can be assessed or measured.

Key aspects of the procedural document that will be monitored:

What aspects of compliance with the document will be monitored	What will be reviewed to evidence this	How and how often will this be done	Detail sample size (if applicable)	Who will co-ordinate and report findings (1)	Which group or report will receive findings
The quality and timeliness of the responses to complaints or appeals received within an academic year.	The log of complaints & appeals. The written information regarding complaints/ appeals	Annually, at the end of July (end of academic year)	10% of complaints raised within an academic year	Centre Manager	Education and Workforce Strategy Group

(1) State post not person.

Where monitoring identifies deficiencies actions plans will be developed to address them.

## 8 Arrangements for Review of the Policy

This policy will be reviewed every 3 years or more frequently if significant changes to apprenticeship requirements are made nationally.

## 9 References

Apprenticeship funding rules for training providers (August 2018 to July 2019); version 2; Education and Skills Funding Agency (ESFA) March 2019

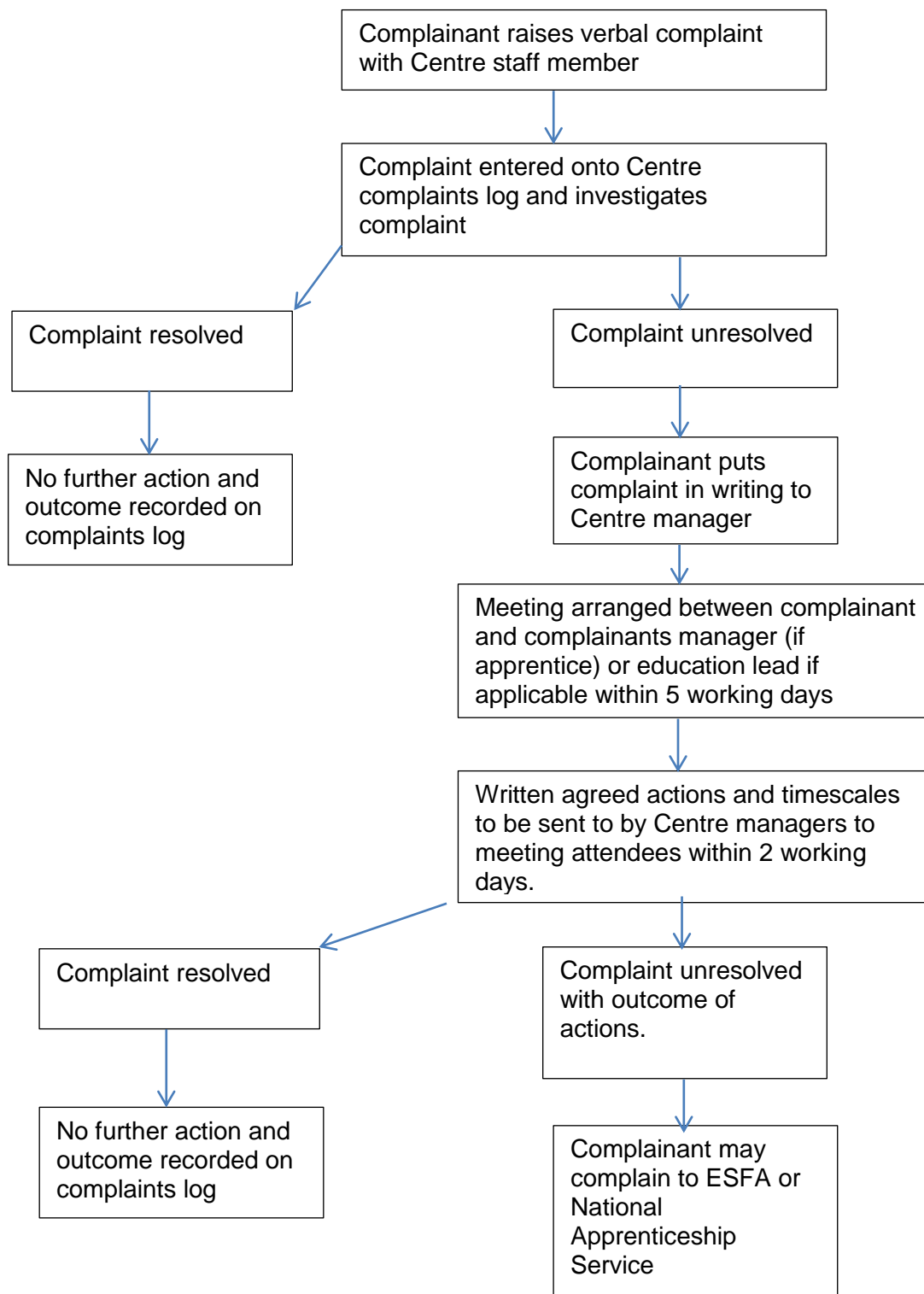
City and Guilds appeal documents <https://www.cityandguilds.com/delivering-our-qualifications/centre-development/centre-document-library/policies-and-procedures/appeals>

## Appendices

Appendix A flowchart shows the complaints process

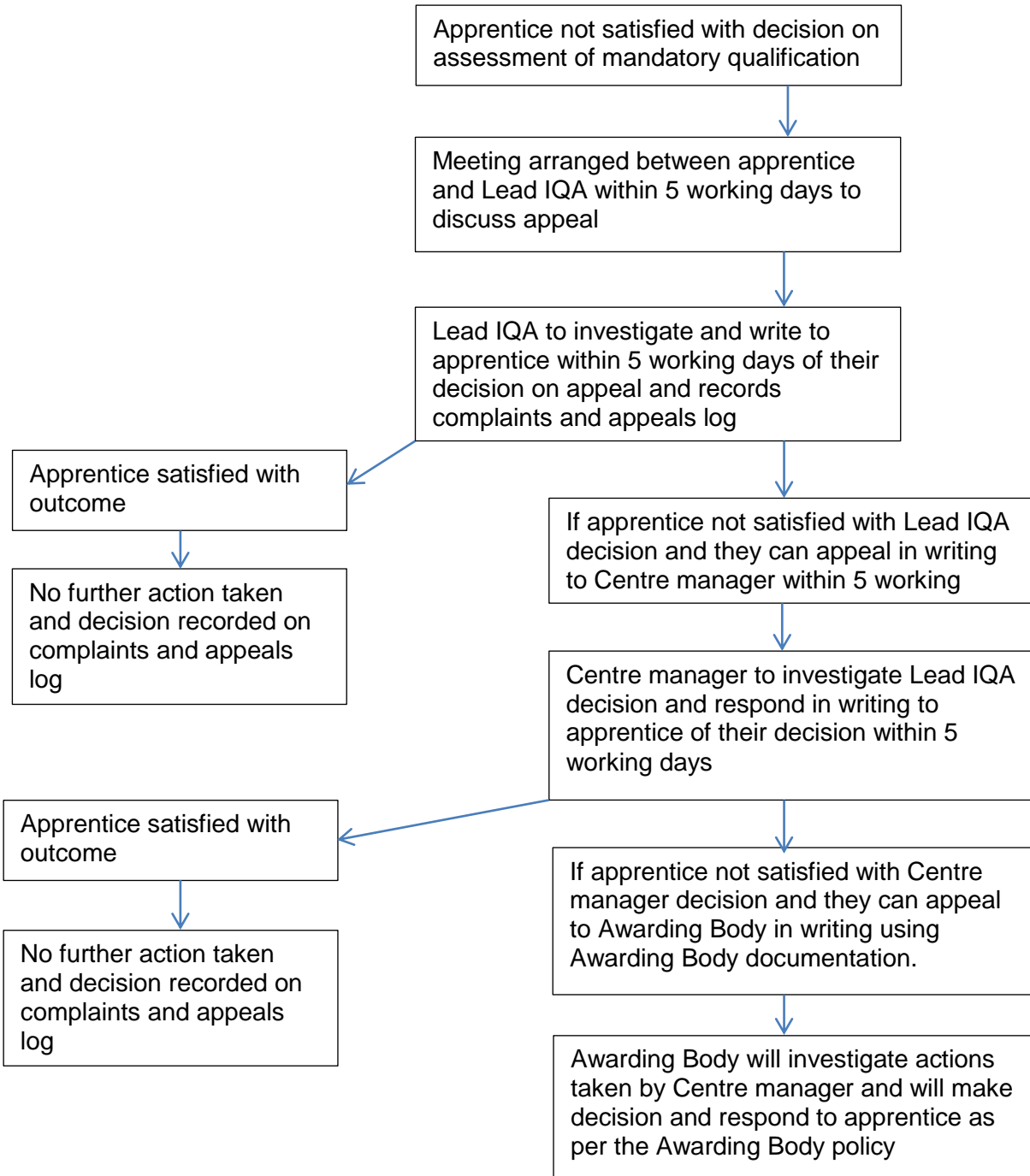
Appendix B flowchart shows the appeal process

### Complaints process





### Appeals Process



# The Wessex NVQ Centre Complaints and Appeals Policy and Process

Version: 2.0

## Document Monitoring Information

<b>Approval Committee:</b>	Education and Workforce Strategy Group
<b>Date of Approval:</b>	July 2019
<b>Signature of Committee Group/Chair:</b>	Dr Jo Mountfield
<b>Lead Name and Job Title of originator/author or responsible committee/individual:</b>	Anita Esser Head of Wider Healthcare Teams Education Training, development and workforce
<b>Target audience:</b>	Wessex NVQ Centre (UHS apprenticeship centre) staff, apprentices, apprentice employers/managers, workplace education leads
<b>Key words:</b>	Insert words
<b>Main areas affected:</b>	Wessex NVQ Centre (UHS apprenticeship centre)
<b>Summary of most recent changes if applicable:</b>	Added information on confidentiality.
<b>Number of pages:</b>	9
<b>Type of document:</b>	Policy
<b>Should this document be made available on the public website?</b>	Yes UHS Careers website (Wessex NVQ Centre page)
<b>Is this document to be published in any other format?</b>	Yes - Microsoft Word document

The Trust strives to ensure equality of opportunity for all, both as a major employer and as a provider of health care. This document has therefore been equality impact assessed to ensure fairness and consistency for all those covered by it, regardless of their individual differences, and the results are available on request.