



**Yorkshire and Humber  
Apprenticeships**

# **Complaints Policy & Procedure**

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## Concerns and Complaints

Yorkshire and Humber Teacher Training is committed to providing a high-quality service to all its apprentices and employers. We aim to be responsive to complaints when they are raised, and we welcome feedback and co-operation from the employers and apprentices. A complaint is defined as any specific concern about Yorkshire and Humber Teacher Training Apprenticeships (the Provider) or one of its partner schools, including provision of a programme of study (off-the-job learning) or related academic or support service. The procedures also include the investigation of those complaints.

## Terminology

Apprentice – person enrolled on an apprenticeship programme

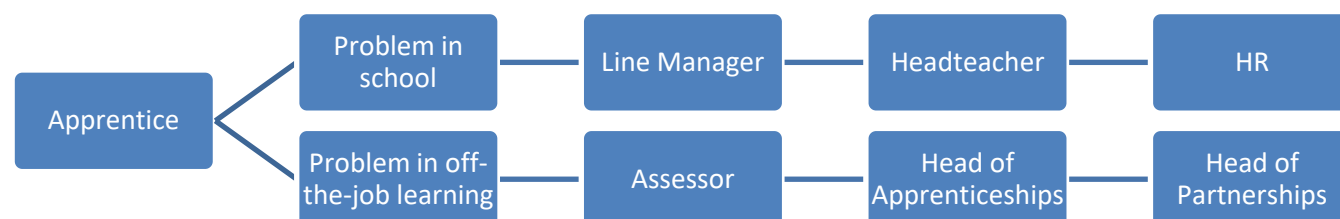
Apprenticeship provider – The Constellation Trust trading as Yorkshire and Humber Teacher Training

Working days – Monday – Friday (not school holidays)

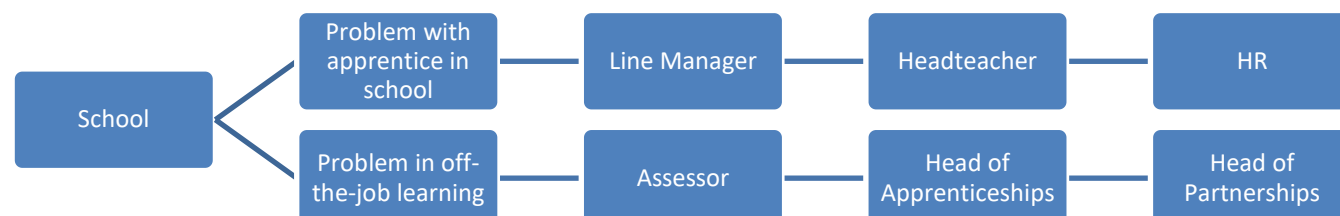
## Section 1 - Complaints

From time to time it will be necessary to deal with specific problem situations. The key to resolving such problems normally lies in close communication between the employing school and the Provider. The flow diagram below shows the usual line of communication in such cases, although it will depend on the nature and source of the problem:

Complaints made by the apprentice



Complaints made by the school



## Outline of the complaints process (section 2)

Wherever possible, the Provider seeks to resolve complaints informally, with complaints procedures operating, in the first instance, at the level at which the matter arose. The arrangements are set out in Section 4 of these procedures.

If the matter cannot be resolved informally, the apprentice may request a formal investigation to be conducted by an investigator appointed by the Head of Apprenticeships or in the case of a complaint against the Head of Apprenticeships by the Head of Partnerships. The arrangements are set out in Section 5 of these procedures.

If the apprentice is not satisfied with the outcome of the formal investigation, the apprentice can request mediation of the findings of the investigation. The Head of Partnerships will appoint a reviewer. The arrangements for mediation are set out in Section 6 of these procedures. If mediation is unsuccessful the procedure will then move to a review, as set out in section 7 of these procedures.

The apprentice has the right of appeal against the findings of the review, or the investigation where mediation has been attempted, to the awarding body. The arrangements are set out in Section 8 of these procedures.

At the completion of each of the stages where there is written communication, the apprentice will be advised in writing of the means by which the matter may be taken further.

## Principles of the apprenticeship complaints procedures (section 3)

The Apprenticeship Complaints Procedures are designed to ensure that apprentices have an opportunity to raise individually or collectively matters of proper concern to them without fear of disadvantage, and in the knowledge that privacy and confidentiality will be respected.

Since it is difficult to investigate complaints after a lapse of time, the procedures require that the Apprentice must raise the matter within a given period of time, varying according to the type of complaint. These time limits are intended to allow a sufficient period for matters to be resolved informally wherever possible. A formal complaint must be brought within two months of an attempt to resolve the matter informally. No complaint may be made in any circumstances later than two months after the last day of enrolment on the programme.

Complainants are expected to follow the procedures as set out. However, discretion will be exercised, as appropriate, to ensure that complaints are not automatically discounted because of minor procedural deficiencies in the application.

At whatever stage of the Complaints Procedures the Apprentice lodges the complaint s/he must declare herself/himself not satisfied within ten working days of the date of the written response and request that the complaint be taken forward to the next stage. The absence of a response will be deemed to confirm the complainant has been satisfied.

Where it is deemed an Apprentice is abusing the procedures through making complaints which are insubstantial or unsupported by a sufficient level of evidence, the complaint will be rejected at the earliest possible time with reasons given. Where apparently false and/or malicious complaints are made, the Head of Partnerships, under the Apprenticeship Disciplinary Procedures, may instigate investigations.

Where a complaint is upheld, the Head of Partnerships will take appropriate remedial action and the complainant will be informed in writing of the action taken.

Where an Apprentice instigates a complaint but then withdraws the complaint prior to its conclusion the same complaint may not then be reinstated.

Informal comments and suggestions for the improvement of the apprenticeship programmes are welcomed and should be addressed to the Head of Apprenticeships via the termly feedback survey.

## Arrangements for informal complaints (section 4)

Most complaints should be resolved informally, since it is at the level of immediate contact that problems can most quickly be resolved and relevant action taken. For complaints of this nature, the apprenticeship provider's procedure should be as follows.

### For informal complaints relating to the course:

The apprentice should discuss the matter, in the first instance, with the assessor.

### For complaints relating to YHTT staff or schools:

The apprentice should discuss the matter, in the first instance, with the person providing the service, and then with the Head of Apprenticeships.

In all cases concerns or complaints will be recorded on Informal Enquiry Form and will be passed to the Head of Partnerships.

If the apprentice withdraws a complaint at this stage, then the Head of Partnerships will formally close the process.

## Arrangements for requesting a formal investigation (section 5)

If the apprentice remains dissatisfied and wishes to take the complaint further, then s/he should write to the Head of Partnerships within ten working days of an attempt to resolve the matter informally. A formal complaint must be brought within twenty working days of an attempt to resolve the matter informally. No complaint may be made later than twenty working days after the informal stage and must be made at least two working days before the last day of enrolment on the course.

A formal complaint should be in writing and must:

- Detail any specific concern about the provision of a course of study or the service provided.
  - Indicate the outcome sought. However, complainants should note that the outcome may be different from the one sought.
  - Be accompanied by appropriate evidence, where possible.

The Head of Partnerships will nominate a suitable person to investigate the complaint ('the investigator'). The investigator will then seek appropriate evidence to conduct the review. In addition, the apprentice should be invited to speak with the investigator in person or at a distance, for instance over the telephone.

Where the complaint concerns the Head of Partnerships, the complaint is to be directed to the CEO of The Constellation Trust. The CEO will nominate the investigator.

- The investigator should make a written response within two weeks of the meeting with the apprentice, or the apprentice declining the invitation to a meeting.

- The investigator is to provide a summary of the complaint, the findings of the investigation and, where appropriate, a Support Plan to prevent a reoccurrence of the complaint or to initiate further action under another apprenticeship procedure.
- If the apprentice is not satisfied with the outcome of the formal investigation, the investigator will include in the written response that the apprentice can request EITHER mediation OR review of the findings of the investigation by the CEO of The Constellation Trust. The relevant contact details will be provided in the letter. The CEO may delegate the investigation to another suitable person, who will make the decision on behalf of them.
- The apprentice may choose either Mediation or Review, but not both. Mediation is more appropriate, for example, where the apprentice prefers discussions to continue with a view to resolving a complaint or where there is an issue relating to attendance, with the assistance of professional support from Occupational Health. Review is more appropriate where the apprentice prefers a formal examination of the issues led by the Head of Partnerships or CEO of The Constellation Trust.

## Arrangements for mediation (section 6)

If the complaint remains unresolved, then the apprentice may request mediation within ten working days of receiving the written response from the investigator. The request should be made in writing, and accompanied by a copy of the correspondence received from the Investigator concerned. The arrangements for mediation will be set out in the response from the investigator. Normally, the apprentice will be directed to the Head of Partnerships, who will arrange for the mediation.

- The mediation stage does not preclude the apprentice making an appeal to the CEO of The Constellation Trust, following the procedures in Section 8, against the outcome of the investigation conducted by the Investigator. However, the mediation stage is an established part of the process, and there is an expectation that the apprentice would seek to reach an agreement at this stage in place of requesting a review.

## Arrangements for the review of complaints (section 7)

Where the apprentice requests a review of the investigation, the following procedures will apply:

- Within ten working days of the date of the written response from the Investigator, the apprentice may request a review of the complaint by writing to the Head of Partnerships. The Head of Partnerships will nominate a suitable person to conduct the review ('the reviewer').
- A copy of the correspondence received by the apprentice from the Investigator should accompany the request.
- The person undertaking the review will collect such evidence as is necessary, which may include meeting with the apprentice making the complaint, where this is appropriate.
- The apprentice should receive a written acknowledgement from the Head of Partnerships, or investigator, within ten working days of the complaint being received, outlining the approach to be followed.
- The reviewer may make a judgment on the subject matter of the complaint, and may either confirm or modify the decision of the Investigator. This will be contained in a formal written response to the apprentice.
- Where a complaint is directed against a member of YHTT staff and is dealt with under this procedure, s/he will have the right to make representation.

## Arrangements for appeal to the CEO of The Constellation Trust (section 8)

In the event of there being no satisfactory outcome at the mediation or review stage, the apprentice may appeal in writing to the CEO of The Constellation Trust within twenty working days of the date of the formal written response from the reviewer or the conclusion of the mediation process. The CEO will nominate a senior manager to review the appeal.

The purpose of the appeal is to determine whether the decision-making process of the apprenticeship provider was reasonable, but not to consider the merits of case. Where mediation has been attempted and failed, the appeal will concern the investigation conducted by the Investigator, since mediation is a means of enabling the parties to seek a means of resolving their differences.

Where the decision is that the decision-making process was reasonable, this determination represents the final decision of the apprenticeship provider and the completion of the procedures.

If the determination is that the decision-making process of the apprenticeship provider was not reasonable, there will be a final review of the complaint by the CEO's nominee. The results of this further review will represent the final decision of the the apprenticeship provider and the completion of the procedures.

The nominee will arrange for the apprentice to be notified of the decision in writing, and for a completion of procedures letter to be issued to the Board of Directors of the accredited provider (The Constellation Trust).

# Procedure for resolving apprentice (or stakeholder) concerns - Informal Enquiry Form

## Introduction:

It is the aim of the Yorkshire and Humber Teacher Training to provide the very best quality of training. In any organisation, there are times when informal and more formal feedback is required to maintain and continue to improve the quality of service. This form is one part of that process and represents a means of listening to the concerns of any apprentice (or stakeholder) in a systematic and supportive way.

## Some principles behind the use of this form:

### **An informal but recorded process**

When an apprentice has a concern (for example, about the support or provision they have received, or an on-going problem that appears to be becoming more troublesome) then a more structured discussion may be undertaken using the following approach.

1. The apprentice will be invited to a meeting with a mandated officer from the apprenticeship provider. The apprentice may, if s/he wishes, be accompanied by a friend, union representative or any other person of their choice. The officer may also be accompanied if this is seen as appropriate.
2. At the meeting there will be a discussion about the problem the apprentice faces and ways to resolve it will be considered. An informal intervention plan may be produced, if needed, following the meeting.
3. The interview will be structured by the use of questions that encourage reflection and problem solving.
4. The apprentice will be sent a copy of the completed form.

A key principle behind this approach is its informal character. Unless the apprentice raises a grievance relating to gross misconduct by an employee of the apprenticeship provider then any evidence and findings from this meeting will only be used as a way to resolve the problem or to plan how to.



## Informal Enquiry Form

This form completed by:	
Role:	

Name of apprentice or stakeholder:	
Date this form completed:	

### Semi-Structured Interview

*Please select the relevant questions.*

<b>Part one: Clarifying the Nature and Cause of Concern:</b>	Notes and comments if needed
<ul style="list-style-type: none"> <li>What has happened so far?</li> </ul>	
<ul style="list-style-type: none"> <li>What has been the effect of what has happened?</li> </ul>	
<ul style="list-style-type: none"> <li>Do you think anyone else been affected by this?</li> </ul>	
<ul style="list-style-type: none"> <li>So far, who else have you talked to about this?</li> </ul>	
<ul style="list-style-type: none"> <li>How did they respond?</li> </ul>	

Part two: seeking solutions:	Notes and comments if needed
<ul style="list-style-type: none"> <li>What needs to be thought about now, and what needs to happen next?</li> </ul>	
<ul style="list-style-type: none"> <li>What are you hoping might be the result of talking with me?</li> </ul>	
<ul style="list-style-type: none"> <li>What would be the worst outcome for you?</li> </ul>	
<ul style="list-style-type: none"> <li>What will be an ideal outcome for you in this situation?</li> </ul>	
<ul style="list-style-type: none"> <li>What do you think needs to happen to make this possible?</li> </ul>	
<ul style="list-style-type: none"> <li>Who else ideally needs to be involved in resolving this issue?</li> </ul>	
<ul style="list-style-type: none"> <li>What do you think is the best way to involve these people and when?</li> </ul>	

Part three: Deciding on next best steps:	<i>In two sentences can you summarise, for clarity, exactly what the complaint/concern is.</i>
<ul style="list-style-type: none"> <li>Before deciding on what we may do together to resolve this issue how far do you feel we have covered the main issues regarding your concerns.</li> </ul>	
<ul style="list-style-type: none"> <li>In summary your concerns are as follows: (Write down the summary of concerns and read them back)</li> </ul>	

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Part four: Agreements for next steps	Agreed interventions
(i) It was resolved that the apprenticeship provider will:	
(ii) It was resolved that the apprenticeship provider in partnership with the apprentice or stakeholder will:	
(iii) It was resolved that the apprentice or stakeholder will:	

Part five*: if required, an informal review meeting will be held on:	
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*\*If both parties agree that a second meeting is not necessary part five may be waived.*