

Ebor Academy Trust – Praise and Complaints Policy - Apprenticeships

Date of next review – 31st December 2019

1. Introduction

The Trust is committed to providing education and training of the highest quality. This policy explains the Trust's approach to praise and complaints and details the procedure for the arrangements to investigate any issue relating to the quality of service provided. The Trust's Director of Human resources is responsible for ensuring that complaints are dealt with by the Trust in accordance with this policy which reflects the guidance provided by funding and regulatory bodies relating to apprentice complaints.

This policy explains the arrangements that exist for apprentices, employers, partners and members of the public to make a complaint should they have concerns relating to any aspect of the Trust's apprenticeship provision.

2. Responsibility and Implementation

Why use the Praise and Complaints Policy?

- a) If you are unhappy with any service provided by the Trust
- b) If you would like to suggest how that service might be improved
- c) If you would like to comment on any service you have received which is particularly good

What methods do we use to record Praise and Complaints?

- a) Suggestions, general comments on facilities and how we might improve our service are recorded and will be acted upon.
- b) Questionnaires: As an Apprentice/service user you may be asked to complete a questionnaire on courses, systems and other services offered by the Trust. These represent an important part of our internal quality monitoring processes – we take your comments very seriously and will always try to act on them
- c) Praise & Complaints Cards: These are available from all delivery location receptions and are collected regularly. These are used to gather feedback on services and any other aspects of the Trust and to monitor the quality of our provision.
 - (ci) Improvements. Suggestions on how services might improve can be handed in at receptions – all will be acknowledged and receive a response where personal contact details are provided.
 - (cii) we are always pleased to be told that they are providing a good service. We would be delighted to hear from you if you think we are providing a good service.

3. Policy Details

This policy and its procedure is available to Apprentices enrolled on all courses. This includes Apprentices enrolled on programmes that are delivered by a partner organisation. Recent graduates may bring an issue of praise or raise a complaint under this policy up to 3 months from the award date.

This policy is available to employers, partners and members of the public. Anyone lodging a complaint in good faith will not be disadvantaged as a result of making a complaint, or making an appeal.

The Trust will not accept a complaint lodged on behalf of a third party or any representative attempting to act on his or her behalf, except in the case Apprentices whose parents or guardians may need to raise a complaint on their behalf, or an Apprentice with specific individual needs for whom an advocate is an appropriate means of accessing support to make a complaint. In such circumstances, the College will check for consent for a complaint to be made wherever possible.

This policy refers only to praise or complaints regarding service delivery. There is a separate process for handling disciplinary issues.

Any complaint should be submitted within three months of the date upon which the event occurred.

Behavioural misconduct by Apprentices and staff and harassment do not fall within the scope of this process. A separate Apprentice and staff Behaviour and Disciplinary policy exists but occasionally the Praise & Complaints Policy runs concurrently with other existing policies.

For further details of the Apprentice Behaviour and Disciplinary policy and other policies, please contact the Trust Director of Human Resources

3.1 Confidentiality

All complaints are dealt with in accordance with current Data Protection legislation and good practice guidance. Information, documents or other information relating to a complaint, investigation or resolution of a complaint will be treated in confidence and shall be disclosed to only those persons involved in the complaint. An exception to this is where disclosure is necessary to progress the complaint, with permission from the complainant.

3.2. Anonymous complaints

Anonymous complaints will only be accepted in exceptional circumstances and at the discretion of the Trust. The Trust's decision in determining whether or not such complaints should be investigated will be final.

3.3. Vexatious or malicious complaints

Any Apprentice making a complaint that they know, or have reasonable grounds for believing, is untrue or for which they are unable to submit any supporting evidence, may be liable to action under the Trust's Apprentice Behaviour and Disciplinary policy .

Any complaint determined to be vexatious or malicious may be rejected by the Trust's investigating officer subject to the complainant being advised in writing of that decision at the earliest opportunity and being given reasons why the complaint is considered vexatious or malicious.

3.4. Information and advice relating to the complaints policy

Information and advice relating to the Trust's complaints policy is available from the Trust's Apprentice Services Team. Apprentices have the right to be accompanied by one supporter e.g. family member, friend, colleague or advocate who, with the agreement of the investigating officer, may speak on their behalf if they wish.

3.5. Incidental expenses

Where a complaint is upheld, the complainant shall be entitled to payment of legitimate expenses necessarily incurred in relation to their complaint, such as travel costs. This would not extend to expenses incurred in producing or copying evidence relating to the complaint or the obtaining of any evidence, advice or instruction relating to the complaint. The Trust CEO will determine the level of any expenses to be paid following the upholding of a complaint.

3.6. Resolution

Complaints may relate to issues that are readily resolved and may stem from relatively simple misunderstandings, lack of communication or administrative errors. Talking a problem through often helps to resolve it. All parties should attempt to resolve matters informally in the first instance through discussion with the individual, employer, tutor or member of staff to which the concern relates.

Only when it has not been possible to resolve the matter informally should Apprentices, employers, partners or members of the public invoke the formal procedure set out within this policy. However, if the issue is outside the authority of the individual who is dealing with the issue informally (such as a significant financial issue above an individual's financial authority or an area of expertise above their level of responsibility) or in the case of very serious matters, such as health and wellbeing issues, the complainant may take the matter directly to the formal stage of the policy and the member of staff should refer the complainant accordingly. A file note should be kept of complaints resolved informally and filed confidentially.

At any point you can refer your complaint directly to the ESFA, the Apprenticeship helpline can be contacted on 0800 015 0400 or by email nationalhelpdesk@apprenticeships.gov.uk

3.7. Stage 1 - Formal Resolution

Following informal consultation a complaint may be made formal at stage 1 and this will be investigated within one month by the Director of CPD. Documentation/evidence and any actions/meetings relating to the complaint will be stored as a record and will be forwarded to the Trust Apprentice Services Administrator, who will keep a central record on behalf of the Trust.

Where it has not been possible to resolve the matter at stage 1 of the procedure, the complainant should write to the HR Director as soon as possible, but within one month of the date upon which the response at stage 1 was received. The complainant should state the nature of their complaint, what they have done in an attempt to resolve the matter and provide any evidence that they may have to support their complaint.

3.8. Stage 2

The Trust Director of Human Resources will conduct an investigation into the complaint; they will be the Complaint Investigation Officer. That investigation may include an interview with the complainant, acceptance of a written statement from the complainant, interviews and/or acceptance of written statements from other persons relevant to the complaint who are able to provide information relevant to the case. Paperwork relevant to the complaint will be reviewed, e.g. tutor reports, cause for concern notes, Apprentice disciplinary reports etc.

The complainant may be accompanied at interview by one person of his or her choosing provided that they do not speak for the complainant other than with the agreement of the Complaint Investigation Officer. The Complaint Investigation Officer will have authority to receive copies of any documentation and/or receive evidence from any person that they deem to be relevant to the investigation. In the case where an Apprentice requires an advocate to assist with communication, this should be negotiated with the Complaint Investigating Officer.

Complaints will remain as originally presented and will not be open to amendment by the complainant once an investigation has commenced.

The investigation of any complaint will be full and rigorous. Staff and Apprentices who are subject to a complaint will have the right to know who is making the complaint. Only in exceptional circumstances, for example where the safety and well-being of an individual is considered at risk, or that knowing such information could compromise the investigation, will this information be withheld.

Normally within four working weeks of receiving the complaint the Complaint Investigation Officer shall provide the complainant with a written response, copied to the Director of CPD, comprising:

- A summary of the evidence gathered including details of any witnesses interviewed

- A statement of conclusion including whether or not the complaint is upheld either in full or in part
- Any recommendations stemming from the investigation of the complaint

The Complaint Investigation Officer may also offer a face-to-face meeting to review the outcome of a complaint to provide more detailed feedback to a complainant. Where the Complaint Investigation Officer is unable to report within these timescales, they will inform the complainant in writing explaining the reasons for this and providing a date by which they will report the outcome of the investigation.

The Trust may take a decision on the outcome of a complaint investigation in the absence of the complainant and their representative if the complainant is unwilling/does not wish to attend.

All parties will recognise that complaints may or may not be upheld.

3.9. Stage 3

If complainants are still dissatisfied with the outcome of the complaint, individuals should contact the Trust Chief Executive Officer (CEO) within one month of receiving the outcome at stage 2. Both stages at stage 1 and stage 2 must be completed before a complaint is forwarded for review at stage 3.

The Trust CEO will acknowledge receipt of the complaint and a further written response will be provided once the complaint has been reviewed.

The complainant may request a face-to-face meeting to hear the outcome of the review of their complaint.

Should an individual remain dissatisfied their additional options depending on mode of study:

4. Monitoring of complaints

Reports detailing complaints and the outcome of those complaints are presented termly to the Trusts performance and effectiveness committee.

This policy is subject to review in accordance with the Trust's arrangements for the review of the Trust policy.

This document is available in alternative formats upon request.

A copy of this policy is available to Apprentices in the Apprentices handbook and to staff via Portal.

Staff referenced in this document can be contacted as follows:

Stage 1 – Director of CPD

John Winter – j.winter@ebor.academy

To make a complaint at Stage 1, Apprentices should contact their tutor for help or Director of CPD directly.

Stage 2 - Director of Human Resources

Alison Taylor - a.taylor@ebor.academy

Stage 3 – Chief Executive Office

Richard Ludlow – r.ludlow@ebor.academy

Letters can be passed on in person to any Trust reception desk to be forwarded to the above staff.