

# Apprentice and Employer Complaints Policy, Process and Procedure

## 1. Introduction

The University of Bolton welcomes feedback from all stakeholders including apprentices and their employers about courses, services, facilities and other matters for which the University is responsible.

All formal complaints will be fully investigated sensitively and our aim is to respond quickly, positively and to reach an outcome that is satisfactory and fair for all concerned. The information gained as a result of these investigations will be used in the pursuit of corrective action and/or continual improvement and also gives us the opportunity to make any necessary adjustments to our systems and processes.

The University has policies and procedures which ensure that our responsibilities to protect children and vulnerable adults are met and any complaint received which triggers a safeguarding issue will be passed immediately to the designated safeguarding officer as per the University of Bolton Safeguarding Policy and Procedure.

There are a number of informal channels through which most problems can be resolved, however, if an individual feels it is necessary to pursue a complaint formally, they can be assured that we will treat it seriously and impartially.

If you are a student and wish to make a complaint about the programme of study, please refer to the Student Complaint Policy, which can be found at the following link

<https://www.bolton.ac.uk/student-policy-zone/>

The University Complaint Procedures are informed by the Office of the Independent Adjudicator's Good Practice Guide and the Education and Skills Funding Agency. Contact details are available at the end of this document.

## 2. Policy Statement

All apprentices and employers are encouraged to provide feedback on all aspects of the University's activities. Feedback enables us to improve our service and informs our quality improvement programme. We are committed to providing high standards of customer service, we will inform all apprentices and their employers of their rights and that we will actively respond to any issues or concerns made to the University.

## 3. Definition and Scope of the Policy

This policy applies to apprentices (for issues not related to the academic programme) and their employers.

This policy embraces all aspects of our Apprenticeships - including assessment, outcomes of EPAs or other aspects of training delivered by the University with regards to the Apprenticeships.

A complaint is defined as an expression of dissatisfaction by one or more apprentices and/or employers about the University's action or lack of action, or about the standard of service provided by or on behalf of the University.

Complaints are a form of feedback and enable us to improve our service. A complaint which has been dealt with appropriately will result in a more positive impression of the organisation and re-engage the customer. It is important to record complaints received in order for improvement. Therefore, complaints can be seen in a positive light as a means of satisfying our customers and helping us improve our practices.

Overall responsibility for this procedure lies with the Group Director of Apprenticeships with support from the Head of Apprenticeship Development, Deans of Faculty and Heads of School.

The Complaints procedure does not cover Academic Appeals which is a request for a review of a decision made by an Assessment Board charged with making decisions on student progression, assessment and award. This Customer Complaints Procedure cannot change a decision made by an Assessment Board.

#### **4. Informal Complaints – Stage 1**

An informal complaint is a matter which an individual wishes to raise with a member of University staff without using the formal complaint process. Our aim is to quickly resolve issues and where appropriate such complaints are unlikely to require an in-depth investigation.

Initially a complainant should refer their complaint to a Lecturer, Programme Leader, or Head of School for the Department which provides the service their complaint refers to. The member of staff will seek to resolve the issue and keep a confidential record of the issue and how it was resolved.

Complaints should be made as soon as possible after the event, action or issue causing dissatisfaction. Normally complaints that are received more than 28 days after the incident has occurred will be considered to be out of time.

Complaints from employers whose apprentices are no longer attending the University must be received within 28 days of the apprentice's course completion date.

Student Advisors within the Student Centre and Reception staff may assist in identifying the correct member of staff.

The Students' Union are also a source of assistance and can be contacted via email on [info@boltonsu.com](mailto:info@boltonsu.com)

The Employer Engagement Team or Apprenticeship Team can assist an apprentice and/or employer make an informal or formal complaint should they require this support.

In the instance that a complainant does not have access to the internet, or may have difficulty completing a complaint form, the Employer Engagement Team/Apprenticeship Team will be happy to assist.

The member of staff to whom the issue has been raised as an informal stage 1 complaint will normally respond within 5 working days.

If the complainant remains dissatisfied please follow the process below for making a formal complaint.

#### **5. Formal Complaint – Stage 2**

The University aims to balance the rights of the complainant and those of any person complained against; all parties must be treated with fairness and dignity.

Having sought to resolve the issue at an informal stage, if they remain dissatisfied the complainant should complete a Formal Complaint Form (Annex A). You may wish to contact the Apprenticeship Team to help you to complete the form. The Formal Complaint Form should be sent to the Standards and Enhancement Office at the University of Bolton ([SEO@bolton.ac.uk](mailto:SEO@bolton.ac.uk)) within 5 working days of the response to the Stage 1 complaint being sent to the complainant.

An acknowledgement email will be sent to the complainant, within 5 working days of receiving a complaint, with the name of Investigating Officer to whom the complaint has been passed.

The complaint will be referred to the relevant Head of School/Director of Service. The Head of

School/Director of Service will appoint an Investigating Officer who will complete an investigation and report back to the Head of School/Director of Service. An investigating Officer will be a member of University staff at grade 7 or above who is not a member of the Executive Board.

The Investigating Officer may need to arrange a meeting with the complainant (normally remotely) or discuss the issue by phone or to respond by letter or email.

Following consideration of the Investigating Officers Report, the Head of School/Director of Services will provide an outcome letter which will be sent to the complainant. The complainant will also be asked at this time if the complaint has been resolved to their satisfaction. The Stage 2 Outcome Letter will be sent to the Group Director of Apprenticeships.

If a response to the stage 2 complaint is not received from the Head of School/Director of Service within the 15 working days of receipt of the complaint from SEO, the Head of Apprenticeships Development will discuss the delay with the appropriate personnel.

If a more extensive investigation is required which may be lengthy, the complainant should be informed, with a clear indication of when they can expect to hear from the University with an outcome.

The Stage 2 Outcome Letter will notify the complainant that if they are dissatisfied with the outcome of their Stage 2 complaint they may ask for the decision to be reviewed at Stage 3 of the procedure.

If there is no response from the complainant within 10 working days of the Stage 2 Outcome letter being sent to the complainant the complaint will be closed.

## **6. Dissatisfaction with the Outcome of a Formal Complaint – Request for Review – Stage 3**

Complainants who are dissatisfied with the outcome of the formal complaint should advise the Standards and Enhancement Office (SEO@bolton.ac.uk) within 10 working days of the Stage 2 Outcome letter being sent. The review should be requested on a Stage 3 form (Annex B).

The Standard and Enhancement Office will assess whether the Request for Review has grounds for consideration at stage 3. The grounds for a review are:

- i. that there was a procedural irregularity at Stage 2 of the Complaints Procedure which has materially disadvantaged the apprentice/employer;
- ii. the emergence of new and relevant evidence which, for good and reasonable cause, was not available during Stage 2;
- iii. that evidence is available to show that the outcome reached at an earlier stage was unreasonable. In this context, unreasonable shall be taken to mean perverse, i.e. that the outcome was not a possible conclusion which a similar process of consideration might have reached.

The Standards and Enhancement Office will acknowledge receipt of the Stage 3 form and will confirm the status of the complaint within 5 working days of receipt of the Stage 3 complaint form.

If assessed to be within scope, the matter will be passed to the appropriate member of the University Senior Manager Team who will be requested to respond to the complainant normally within 10 working days.

A Stage 3 Outcome Letter will be sent to the complainant, copied to the Group Director of Apprenticeships and the Head of Apprenticeship Development. The Stage 3 Outcome Letter will also explain that the Universities procedures have been exhausted and that, should the complainant remain dissatisfied, they are able to refer their complaint to the ESFA at the following link:

[Complaints about post 16 education and training provision funded by ESFA - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The University aims to successfully resolve all complaints within 50 working days of the Standards and Enhancement Office receiving the Stage 2 Formal Complaint Form, however, this may be extended where an investigation is complex and will take longer to resolve, or where there are time constraints due to end of semester term holidays / annual leave / University shutdown etc.

## **7. Whistleblowing (Public Interest Disclosure)**

The University has a Public Interest Disclosure Policy which enables staff to raise concerns internally in a confidential fashion about fraud, malpractice, health and safety, criminal offences, miscarriages of justice, failure to comply with legal obligations or unethical conduct. The full Public Interest Disclosure Policy can be found via the intranet or by contacting the Human Resources Team.

## **8. Confidentiality**

If information within a complaint is to be kept confidential, the complainant should make this clear when making the complaint. However, it should be noted that in exceptional circumstances it may not be possible for confidentiality to be assured, e.g. where a criminal offence or potential gross misconduct has been disclosed or if there are any safeguarding concerns. Additionally, the demand for confidentiality may make it difficult for the University to assist the complainant or to resolve the issue in question.

## **9. Safeguarding Children and Adults at Risk**

Any incidents which cause concern in respect of a child or adult at risk are required to be reported immediately to your relevant Designated Safeguarding Champion (DSC), to note there are two Designated Safeguarding Champions for Apprenticeships, your champion will complete the Reporting a Concern Form at Appendix 5 of the University of Bolton Safeguarding Policy and Procedure (available here: Student Policy Zone | University of Bolton) and will inform the Senior Designated Safeguarding Champions (SDSCs) in Student Services. Examples of incidents that you may want to report are at Appendix 6 of the Safeguarding Policy and Procedure but include by way of example:

- physical abuse such as beating, hitting, pushing, shaking
- sexual abuse such as fondling, touching, sexual exploitation, indecent exposure
- neglect such as failing to provide adequate food or clothing, failing to protect a child from harm
- emotional abuse such as ignoring, rejecting, threatening or bullying
- domestic violence including psychological, physical, sexual, financial and emotional
- financial or material abuse, theft of money, fraud, scamming
- modern slavery such as human trafficking, forced labour, domestic servitude
- discriminatory abuse, unequal treatment based on a protected characteristic
- organisational or institutional abuse such as failing to respond to complaints, failure to respond to abuse
- neglects and acts of omission, failure to administer medication as prescribed, refusal of visitors
- self-neglect, lack of self-care, unwillingness to manage one's personal affairs
- exploitation such as unfairly manipulating someone for profit of personal gain

The Senior Designated Safeguarding Champions will share any concern direct with the Safeguarding Officer (SO) or Deputy Safeguarding Officer (DSO).

If you wish to seek further advice please email [safeguarding@bolton.ac.uk](mailto:safeguarding@bolton.ac.uk) or speak with a Senior Designated Safeguarding Champion as identified in the policy.

## **10. Aggressive, Abusive or Mischievous Complaints**

The University will not tolerate aggressive behaviour, bad language, racist, sexist or discriminatory comments within complaints or complaints which are vexatious or mischievous. Such complaints at any stage of the procedure will not be considered.

## **11. Anonymous Complaints**

We understand it could be difficult for complainants to feel confident when making a complaint, however, if complainants do not provide us with a contact name and address/telephone number/e-mail address the complaint will not normally be processed.

## **12. Complaints Monitoring and Reports**

The Standards and Enhancement Office write a report routinely for the Senate Committee providing anonymous details of the number and nature of complaints dealt with during the academic year.

## **13. Referring your complaint to the ESFA**

If, after exhausting the University complaints procedure, the complainant remains dissatisfied the complainant can raise their complaint with the ESFA at the following link:

Complaints about post 16 education and training provision funded by ESFA

[Guidance overview: Complaints about post 16 education and training provision funded by ESFA - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complaints-about-post-16-education-and-training-provision-funded-by-esfa)

or in writing to:

Customer Service Team,  
Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

Or by email to: [complaints.esfa@education.gov.uk](mailto:complaints.esfa@education.gov.uk)

This and all other University of Bolton Policies and Procedures are available via the University of Bolton Policy Zone at the following link:

<https://www.bolton.ac.uk/student-policy-zone>

**APPRENTICE AND EMPLOYER COMPLAINTS POLICY AND PROCEDURE**

Policy ref: APP-02

Version number	02
Version date	151121
Name of Developer/Reviewer	David Haslam
Policy Owner (Group/Centre/Unit)	Apprenticeship Team
Person responsible for implementation (postholder)	All Staff, Investigating Officers, Heads of Schools, Division and Professional Services, Deans of Faculty
Approving committee/board	Senate
Date approved	December 2021
Effective from	December 2021
Dissemination method e.g. website	Website
Review frequency	Annually Next review date: June 2022 for implementation academic year 2022-23
Reviewing committee	Enhanced Performance Board for Degree Apprenticeships
Consultation history (individuals/group consulted and dates)	Drafts of the procedure have been considered by Apprenticeship Team
Document history (e.g. rationale for and dates of previous amendments)	March 2019 – original draft November 2021 – technical changes to align with other policies and procedures and to better reflect ESFA requirements



SEO Reference Number:
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### APPRENTICE/EMPLOYER (STAGE 2) FORMAL COMPLAINT FORM

This form is to be completed for all Apprentice and/or Employer complaints, complaints will be dealt with following the Apprentice and Employer Complaints Procedure and should be sent to:

Standards and Enhancement Office, Deane Road, Bolton BL3 5AB                      Email: [SEO@bolton.ac.uk](mailto:SEO@bolton.ac.uk)

Independent help and advice about completing this form can be obtained from the ApprenticeshipTeam. Please telephone 01204 903940 or e-mail [Connected@bolton.ac.uk](mailto:Connected@bolton.ac.uk)

*Complete in block capitals or type.*

The Apprentice and Employer Complaints Procedure is available on the University website at the following link:

<https://www.bolton.ac.uk/student-policy-zone/>

#### DETAILS OF COMPLAINT – TO BE COMPLETED BY APPRENTICE OR EMPLOYER AS RELEVANT

Your Name:	Student Name if applicable:
Programme:	Level:
Address for correspondence in connection with the complaint ..... ..... Postcode..... Telephone Number ..... E-mail.....	
Outline of complaint	

Please indicate below, without prejudice, what outcome or further action you are expecting. The University can only consider outcomes which are reasonable and which are allowed by the University's Regulations, Policies and Procedures.

Element of complaint	What outcome are you hoping for?

As part of the investigation of your complaint, any member of staff mentioned will be made aware of the complaint, as will the Head of School or Professional Services Unit involved.

Due to data protection legislation action may result from the complaint which the University will not be able to make you aware of because the University cannot breach an individual's right to data protection and anonymity (such as where disciplinary action against a fellow student or member of staff results from a complaint).

Declaration

I declare that the information given in this form is true, and that I would be willing to answer further questions if necessary.

Signed:

Date:

Following section of form to be completed by relevant University staff

To be completed by SEO

Date form received by SEO:	Date form acknowledged:
Date form sent to Head of School/Professional Service:	SEO Officer:

Head of School/Professional Service

Details (and date) of person appointed to investigate:

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Date investigation was completed:					
Head of School / Professional Service decision on complaint: <i>Please tick relevant selection below – if multiple decisions on multiple elements of a complaint please provide details as necessary</i>					
Upheld		Partially Upheld		Not Upheld	
Please include further details if relevant:					
Date of letter to complainant advising outcome: (NB letter should inform complainant of further stage of Complaints Procedure and grounds for taking the matter further)					

Once the complainant has been advised of the outcome of the investigation, a copy of this form and a copy of the letter advising the complainant of the outcome of the complaint should be sent to the Standards and Enhancement Office [SEO@bolton.ac.uk](mailto:SEO@bolton.ac.uk)

Annex B



SEO Reference Number:

**APPRENTICE/EMPLOYER COMPLAINT FORM  
FORMAL PROCEDURE STAGE 3/REVIEW**

This form is to be completed for all complaints to be dealt with under Stage 3/Review Stage of the Apprentice and Employer Complaints Procedure and should be sent to:

Standards and Enhancement Office, Deane Road, Bolton BL3 5AB

Email: [SEO@bolton.ac.uk](mailto:SEO@bolton.ac.uk)

This form should only be used if you have received the outcome of a Stage 2 complaint and you are dissatisfied with the outcome.

Independent help and advice about completing this form can be obtained from the Apprenticeship Team. Please telephone 01204 903940 or e-mail [Connected@bolton.ac.uk](mailto:Connected@bolton.ac.uk)

*Complete in block capitals or type.*

The Apprentice and Employer Complaints Procedure is available on the University website at the following link: <https://www.bolton.ac.uk/student-policy-zone/>

**DETAILS OF COMPLAINT – TO BE COMPLETED BY APPRENTICE OR EMPLOYER AS RELEVANT (Please attached the Stage 2 form if all your details have remained the same)**

Name:	Student Number:
Programme:	Level:
School/Partner Organisation:	Year of Study:
Address for correspondence in connection with the complaint ..... .....Postcode..... Email..... Telephone Number .....	

<b>A request for review can only be submitted on one or more of the following grounds. Please indicate the ground(s) for your request for review by ticking the appropriate box.</b>	
<b>A.</b> There was a procedural irregularity at Stage 2 of the Apprentice and Employer Complaints Procedure which has materially disadvantaged the student or employer;	
<b>B.</b> the emergence of new and relevant evidence which, for good and reasonable cause, was not available during Stage 2	
<b>C.</b> Evidence is available to show that the outcome reached at an earlier stage was manifestly unreasonable. In this context, unreasonable shall be taken to mean perverse, i.e. that the outcome was not a possible conclusion which a similar hearing or process of consideration might have reached.	
<b>In relation to the ground(s) you have indicated above (A, B or C), please explain for each relevant ground why you are dissatisfied with the response you have received from the School or Professional Service at Stage 2 of the Apprentice and Employer Complaints Procedure.</b>	
<b>Ground A</b> Please explain why you believe that there was a 'procedural irregularity' in how your complaint has been considered at a previous stage of the process and how you believe this has affected the outcome.	
<b>Ground B</b> Please list the evidence you intend to use, explain why this was not available at an earlier stage of the complaints procedure and its relevance to your complaint (attach any relevant information).	
<b>Ground C</b> Please explain why you believe the outcome reached at an earlier stage was 'manifestly unreasonable' and list the evidence you wish to use to support this (attach any relevant information).	

<b>Please indicate, without prejudice, what outcome or further action you are expecting:</b>

<b>Declaration</b> I declare that the information given in this form is true and that I would be willing to answer further questions relating to it if necessary.	
Signed:	Date:

Following section of form to be completed by relevant staff

**To be completed by SEO**

Date form received by SEO:		Date form acknowledged:					
Date reviewed for eligibility:		SEO Officer:					
Eligibility decision – please tick							
Not eligible		Eligible – Grounds A		Eligible – Grounds B		Eligible – Grounds C	
SEO Officer		Reason for decision					
Date of notification to complainant							

**Review Officer**

Details (and date) of person appointed as Review Officer:					
Decision of Review Officer <i>Please tick relevant selection below – if multiple decisions on multiple elements of a complaint please provide details as necessary</i>					
Upheld		Partially Upheld		Not Upheld	
Please include further details if relevant:					
Date of letter to complainant advising outcome:					
NB letter should inform complainant of their right to submit their complaint should they continue to be dissatisfied to the ESFA and should clearly confirm that the University's internal procedures have now been exhausted.					

The letter advising the apprentice and/or employer of the Review outcome will be sent to the student by SEO with guidance regarding further steps as appropriate.