

City Gateway

Complaints Policy

Apprentice and Employer

Reviewed by (name)	Date	Next review needed
Mark Pike	December 2021	December 2022

This policy will be reviewed on an annual basis

COMPLAINTS - APPRENTICE AND EMPLOYER COMPLAINTS

PURPOSE:

Ensure that all apprentice and employer complaints and 'concerns' are dealt with swiftly and appropriately.

SCOPE:

All members of staff, apprentices and employers.

DOCUMENTS:

- Complaints Log
- Complaints Policy – Staff and Learners
- Whistle Blowing Policy

1. PROCEDURE

1.1 This policy outlines the procedure to be followed by apprentices and employers, undertaking the apprenticeship programme, who have an issue or dispute with the services of City Gateway.

1.2 This policy does not form part of any employee's contract of employment and it may be amended at any time.

2 ROLES, RESPONSIBILITIES AND IMPLEMENTATION

2.1 The Head of Education & Inclusion has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. The Head of Education & Inclusion delegates day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Business development Manager- Apprenticeships.

2.2 Senior Leaders have a specific responsibility to ensure the fair application of this policy and all employees are responsible for supporting colleagues and ensuring its success.

3 AIMS

3.1 This policy aims to provide a process to resolve individual complaints in a manner which is as fair and expeditious as possible. It is City Gateway's objective to find a solution to individual complaints as early in the procedure as possible.

4 COMPLAINTS FROM APPRENTICES TO CITY GATEWAY

4.1 When an Apprentice has an issue or dispute relating to the provision of the delivery of services undertaken by City Gateway, the Apprentice shall make the matter known to them in writing by email to Mark Pike

Mark.pike@citygateway.org.uk – ensuring the phrase Apprentice Complaint is clearly visible within the title of the email.

4.2 The apprentice should fully document the complaint and provide evidence, if appropriate.

4.3 City Gateway will thoroughly investigate the complaint(s) raised and notify the apprentice in writing within 10 working days.

4.4 If necessary, an independent investigator will undertake a full review of the complaint and detail its findings.

4.5 If the Apprentice is dissatisfied with the processing of, or response received, in relation to any complaint submitted, the Apprentice has the right to escalate the complaint to the Education and Skills Funding Agency [ESFA].

4.6 Any complaint, concerns or enquiries regarding the apprenticeship may be escalated to the ESFA via the apprenticeship helpline on 0800 015 0400, or by email at nationalhelpdesk@apprenticeship.gov.uk.

5 COMPLAINTS FROM EMPLOYERS TO CITY GATEWAY

5.1 This policy sets out the process for employers of apprentices to make a complaint about the service provided by City Gateway. City Gateway is committed to delivering a high quality service and takes feedback from both learners and employers very seriously. It is the aim of City Gateway to settle complaints promptly, fairly and courteously in the best interest of all parties, and to address areas where improvement is needed. City Gateway is keen to ensure that the interests and well-being of all those associated with a complaint are properly safeguarded. City Gateway aims to handle complaints in a manner which:

- a. encourages informal conciliation nearest to the source of the complaint,
- b. is efficient and fair,
- c. treats complaints with appropriate seriousness, sympathy and confidentiality,
- d. facilitates early resolution,
- e. where relevant, ensures that City Gateway's practice improves as a result.

For effective oversight of processes and provision, City Gateway's Board of Trustees will monitor the complaints received to check for evidence of trends in failure of provision or delivery.

DEFINITIONS

An 'informal complaint' is defined as an issue which an employer wishes to raise with a member of City Gateway staff, without using the formal complaints process. Informal complaints are usually quick to resolve and unlikely to require an in-depth investigation.

A 'Complaint' is defined as 'an expression of dissatisfaction about City Gateway's action or lack of action, or about the standard of service provided by City Gateway.

An 'Appeal' is 'a request for a review of a decision taken by an individual or academic body charged with making decisions about learners' progression, assessment, and awards'.

Procedures for Appeals are dealt with through a different process, as detailed in the Complaints Policy – Staff and Learners.

6 PROCESS

6.1 The process for raising a complaint by an employer of an apprenticeship learner studying with City Gateway is detailed below.

Stage 1: Informal complaints

Where possible, complaints should be raised immediately with relevant staff at the source of the complaint.

The aim is to resolve the problem directly and informally at the earliest opportunity. It is anticipated that the vast majority of complaints will be resolved in this manner. Although Stage 1 is informal, the member of staff involved should provide a written outcome to the employer complainant, copying in the Head of Education & Inclusion Mark Pike Mark.pike@citygateway.org.uk and record the details of all informal employer complaints. Acknowledgement of the complaint will be provided within 48 hours, and a full response given within 4 weeks.

If the employer is unable to raise the complaint at the source, or is dissatisfied with the outcome, they should make a formal complaint (see next stage).

Stage 2: Formal complaints

To make a formal complaint an employer should put the matter in writing to City Gateway by email to Mark.pike@citygateway.org.uk , ensuring the word 'complaint' is in the title. The email should set out the details of the complaint in full and what would be an appropriate resolution. City Gateway will log the complaint. City Gateway will acknowledge receipt of the complaint within two working days, and the complaint will be forwarded to an 'Investigating Officer' who has not been previously involved with the complaint.

The Investigating Officer will be a member of the Senior Leadership Team. The Investigating Officer will review all information submitted, and meet with relevant members of staff to review the complaint. The Investigating Officer will also speak with the employer complainant to clarify facts where required. As part of the process, mediation may be offered to resolve the complaint.

If mediation is offered, revised timescales for the resolution of the complaint will be agreed in writing between City Gateway and the complainant. A written response relating to the findings of the inquiry will be issued by the Investigating

Officer within a maximum of four weeks from the date of receipt of the original complaint.

If the employer complainant is not satisfied with the action taken, they may proceed to Stage 3 of the procedure.

Stage 3: Review

Where employers are not satisfied with the response provided by City Gateway at Stage 2, the complaint can be escalated for investigation by an independent reviewer. The reviewer will not re-investigate the complaint unless new evidence is presented.

The independent reviewer will ensure that appropriate procedures are followed, the decision was reasonable, as well as considering any new evidence submitted.

Stage 4: Complaints Adjudicator

If after exhausting this process the employer complainant is still not satisfied, they can escalate their complaint to the Complaints Adjudicator at the Education and Skills Funding Agency (ESFA). Email: nationalhelpdesk@apprenticeships.gov.uk Phone: 0800 015 0400 .

Please note that the ESFA will not usually investigate complaints more than 12 months after the original decision or action has been taken.