

Document Administration

Document Title:	Procedure for complaints in relation to externally awarded qualifications and apprenticeships
Document Category:	Procedure
Version Number:	2.0
Status:	Approved
Reason for development:	To provide a framework for the reporting and addressing of complaints in relation to externally awarded qualifications and apprenticeships.
Scope:	This procedure applies to staff, and apprentice/student and their employers
Author / developer:	Head of Quality and Regulatory Compliance
Owner	Registrar and University Secretary
Assessment: (where relevant)	<input checked="" type="checkbox"/> Equality Assessment <input type="checkbox"/> Legal <input type="checkbox"/> Information Governance <input type="checkbox"/> Academic Governance
Consultation: (where relevant)	<input type="checkbox"/> Staff Trade Unions via HR <input checked="" type="checkbox"/> Students via Bishop Grosseteste University Students' Union Any relevant external statutory bodies
Authorised by (Board):	Senate
Date first authorised:	13 December 2017
Date current version authorised:	25 May 2022
Date current version effect from:	25 May 2022
Date next review due to commence:	May 2026
Document location:	University Website
Document dissemination / communications plan	Emailed website link to key staff, the Students' Union, Student Advice
Document control:	All printed versions of this document are classified as uncontrolled. A controlled version is available from the University website.

Procedure for complaints in relation to externally awarded qualifications and apprenticeships.

Student Complaints - apprenticeships

1. The University's Procedure for dealing with Complaints by Students will apply to complaints received from apprentices/students undertaking an apprenticeship through BGU. The following will apply to complaints from apprentices:

1.1. Where an apprentice/student has made a complaint about an issue related to their study of an apprenticeship, and they are dissatisfied with the University's response to their complaint under the Review stage of University's procedure, they may request a review of the case by the Education and Skills Funding Agency (ESFA). ESFA will only consider complaints within 3 months of the apprentice receiving the review outcome. Details may be found on the ESFA website <https://www.gov.uk/complainfurthereducationapprenticeship> or from:

ESFA complaints team: complaints.esfa@education.gov.uk

Complaints team
Education and Skills Funding Agency
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

Employer Complaints – apprenticeships

2. The following is the University's procedure for dealing with complaints by an employer in relation to an apprenticeship through BGU. The following will apply to complaints from employers:

2.1. This policy outlines the process for employers of apprentices/students who study at BGU to make a complaint about the service provided by BGU. BGU has a complaints policy and procedure for apprentices/students who wish to make a complaint, which can be found on the University website.

2.2. BGU aims to settle complaints promptly, fairly and courteously in the best interest of all parties, and to address areas where improvement is needed. BGU works to ensure that the interests and well-being of all those associated with a complaint are properly considered.

2.3. BGU aims to handle complaints in a manner which:

- encourages informal conciliation nearest to the source of the complaint,
- is efficient and fair,
- treats complaints with appropriate seriousness, empathy and confidentiality,
- facilitates early resolution,

- where relevant, ensures that its practice improves as a result.

3. Definitions

- 3.1. An **'informal complaint'** is defined as an issue that an employer wishes to raise with a member of BGU staff, without using the formal complaints process. Informal complaints are usually quick to resolve and unlikely to require an in-depth investigation.
- 3.2. A **'Complaint'** is defined as *'an expression of dissatisfaction about BGU's action or lack of action, or about the standard of service provided by, or on behalf of BGU's'*.
- 3.3. The process for raising a complaint by an employer of an apprenticeship apprentice/student studying with BGU is detailed below.

4. Stage 1: informal complaints

- 4.1. Where possible, complaints should be raised immediately with relevant departments at the source of the complaint, or via the Apprenticeship Assessor. 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.
- 4.2. Although Stage 1 is informal, the member of staff involved should provide a written outcome to the Employer's complainant, copying in the Apprenticeship Assessor and the Governance and Compliance Office (regulatorycompliance@bishopg.ac.uk), who will record the details of all informal employer complaints.
- 4.3. Acknowledgement of the complaint will be provided within 5 working days, and a full response given within 1 month.
- 4.4. 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 Stage 2 below).

5. Stage 2: Formal complaints

- 5.1. To make a formal complaint an employer should put the matter in writing to BGU by email to the Governance and Compliance Office (regulatorycompliance@bishopg.ac.uk). The email should be titled as a complaint, and set out the details of the complaint in full and what would be an appropriate resolution.
- 5.2. BGU will acknowledge receipt of the complaint within 5 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 normally be a member of the Senior Management Group or be of equivalent seniority.

- 5.3. 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 BGU and the complainant.
- 5.4. 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.
- 5.5. If the employer complainant is not satisfied with the action taken, he/she may proceed to Stage 3 of the procedure.

6. Stage 3: Review

- 6.1. Where employers are not satisfied with the response provided by BGU at Stage 2, they should refer their complaint to the Registrar, who will consider the complaint for review where:
 - there was a procedural irregularity in the conduct of the complaint procedures
 - clear reasons why the complaint was rejected at the Formal Stage have not been effectively communicated to the apprentice
 - new evidence is now available which was not available upon reasonable enquiry or application at the time of the investigation during the Formal Stage
 - the decision reached was of such nature that it was one which no reasonable person could have reached on the available evidence
- 6.2. The Review Stage will not normally consider issues afresh or involve further investigation. A complaint must have been considered at the Formal Stage before it can be escalated to the Review Stage.
- 6.3. The Registrar may dismiss an appeal in writing to the employer within 5 working days. In such cases, a Completion of Procedures Letter will be issued by the Governance and Compliance Office.
- 6.4. If the Registrar considers the appeal to be well founded, they will allocate a request for review to a senior member of the University, normally a member of the Executive, who has had no previous involvement with the case. The Registrar will normally respond to the employer within 5 working days, detailing the process for the Review Stage and confirming the identity and contact details of the member of the Executive who will be conducting the Review.
- 6.5. When the review has been undertaken the employer will be issued with a letter/report from the Executive member detailing the final decision. Where a complaint is upheld or partially upheld, information will be provided on how and when the University will implement any remedies where appropriate and whether this includes an apology.

6.6. The Review Stage should normally be completed within 21 working days, though in the rare circumstance that a Review Panel is convened, it is expected that this will exceed the normal timings. Where there are clear and justifiable reasons for extending the timescales at the Review Stage then the apprentice should be notified in writing of the reason for the delay and the revised timescale for bringing the review to a conclusion.

6.7. The outcome of the Review stage represents the Final Stage of the University's internal procedures. The employer will be issued with a Completion of Procedures Letter by the Governance & Compliance Office within 28 days of the conclusion of the Review. If the employer remains dissatisfied, they will be directed to pursue the matter through the procedures of the Office of the Education Skills Funding Agency. ESFA will only consider complaints within 3 months of the apprentice receiving the review outcome. Details may be found on the ESFA website <https://www.gov.uk/complainfurthereducationapprenticeship> or from:

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Student Complaint – externally awarded qualifications (unfunded)

Students will be required to follow the University's Procedure for dealing with Complaints by Students until exhausted at which point the complaint may be raised to the appropriate external awarding body.