

Complaints Policy and Procedure for Employers and Apprentices

1 – Introduction

This policy sets out Lancashire Teaching Hospitals (LTHs) process for employers or apprentices that wish to make a complaint about the service provided by LTH.

LTH is committed to delivering a high-quality service and takes feedback from both students and employers very seriously. It is LTH's aim to settle complaints promptly, fairly and courteously in the best interest of all parties, and to address areas where improvement is needed. LTH is keen to ensure that the interests and well-being of all those associated with a complaint are properly safeguarded.

LTH aims to handle complaints in a manner which:

- encourages information conciliation nearest to the source of the complaint
- is efficient and fair
- treats complaints with appropriate seriousness, sympathy and confidentiality
- where relevant, ensures that LTH practice improves as a result

For effective oversight of processes and provision, LTH's Senior Leadership Team will monitor the complaints received to check for evidence of trends in failure of provision or delivery. An anonymised summary of complaints on record and how they have been managed will also be reported annually to the Education, Training & Research Committee.

2 – Definitions

An 'Informal Complaint' is defined as an issue which an employer wishes to raise with a member of LTH 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 LTH's action or lack of action, or about the standard of service provided by, or on behalf of LTH'.

An 'Appeal' is 'a request for a review of a decision taken by an individual or academic body charged with making decisions about student's progression, assessment, and awards'. Procedures for Appeals are dealt with through a different process, as detailed in the Student Appeals Guidance Notes, which are available to students on e-portfolio.

3 - Guide to making a complaint

The process for raising a complaint by an employer of an apprenticeship student studying with LTH is detailed below.

Stage 1: Informal complaints

Where possible, complaints should be raised immediately with relevant departments at the source of the complaint, or via the Apprenticeship Team (apprenticeships@LTHTR.nhs.uk). 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 Apprenticeship Team at (apprenticeships@LTHTR.nhs.uk) who will 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 Stage 2 below).

Stage 2: Formal complaints

To make a formal complaint an employer should put the matter in writing to LTH by email to apprenticeships@LTHTR.nhs.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.

The Apprenticeship Team will log the complaint.

LTH 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 LTH and the complainant.

A written response relating to 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, he/she may proceed to Stage 3 of the procedure.

Stage 3: Review

Where employers are not satisfied with the response provided by LTH at Stage 2, they should refer their complaint to the Strategy, Workforce and Education Director who will investigate the complaint in line with the complaints procedure.

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).

Learner Guidance Notes for Appeals & Complaints Procedure

Any Learner has the right to appeal or complain against an assessment or internal quality assurance decision if they believe that the decision is unfair or unreasonable. Learners are issued with a copy of the appeals procedure at the point of induction. The assessor must discuss this with the Learner and state that this has taken place in the assessment plan/contact diary.

It is the policy of LTH to try and find solutions that make formal appeal unnecessary. To this end, it is the responsibility of the Learner, Assessor and the IQA to discuss objections to assessment decisions in an attempt to find a solution before the formal process of appeal is invoked. Learners wishing to appeal against assessment decision must do so in writing to the IQA within **21 working days** following the assessment decision. If the appeal is regarding an IQA decision then the 1st stage would be to the Head of Education Governance.

Appeals Process

In the first instance, a Learner can discuss the assessment decision with the assessor to try to resolve the assessment disagreement with the assessor. If the appeal/complaint cannot be resolved the 1st stage of the appeals process will be invoked.

The first stage: The learner will be required to submit in writing (Form A) their appeal/complaint within 21 working days to the IQA. The IQA will respond to this complaint/appeal within 21 working days following an investigation with regards to the evidence submitted by the learner. If however the issue remains unresolved, then the Learner will be supported to progress to the second stage.

The second stage: If the appeal/complaint has not been satisfactorily resolved at the first stage of the appeals process then the appeal form A will be forwarded by the learner within 21 working days of the learner receiving the response from the IQA to the Head of Educational Governance for review/investigation.

The Third stage: The Head of Education Governance will respond to the learner complaint/appeal following their investigation within 21 working days. If the complaint/appeal is not resolved the learners appeal form A & Reply to appeal by the Head of Educational Governance (Form B) will then be escalated to the Deputy Director of Education.

The Fourth stage: On receipt of forms A&B, the Deputy Director of Education will carry out their own investigation of the complaint/appeal and will respond to the learner with their decision within 14 working days. This will be with two Internal Quality Assurers not involved in the dispute who will form the appeals panel. The Provider will maintain a list of Internal Quality Assurers willing to serve on Appeal Panels as well as carrying out verification duties. The Qualification Consultant associated with the learner must also be

informed that an appeal or complaint has occurred when it reaches the Deputy Director of Education and allowed to observe the appeals panel.

If the learner still does not feel that their complaint/appeal has been resolved, then they will be supported to escalate their complaint/appeal to the awarding/EPAO associated with their award.

LTH can appoint an adjudicator who can discuss the appeal or complaint with both the Learner and the assessor/IQA if they feel the relationship between both parties has diminished. The adjudicator will be independent to the assessment process and can be incorporated at any point of the appeals/complaint process to make an impartial judgement. Their investigation report will be fed back to the Head of Education Governance and the Deputy Director of Education of his/her judgement in writing. This decision will be given to the Learner in writing and copied to the Assessor and IQA

A record of appeal shall be kept for 5 years in a secure and confidential place and adhere to LTH's Records Management Policy.

The guidance of the Qualification Consultant may be sought at each stage of appeal by the Head of Educational Governance and the Deputy Director of Education.

Assessor Signature:

Learner Signature:

Stage 1- Complaint/Appeal to IQA

| | | | |
|--|------------------------------------|--------------|-------------|
| Candidate Name | | D.O.B | |
| Candidate Address | | | |
| Title of Qualification | | | |
| Unit Title | | | |
| Date of Appeal | | | |
| Assessors/IQA Name | | | |
| I wish to appeal against the assessment of the unit(s) as detailed above. | | | |
| Candidate reason for appeal | | | |
| | Candidate Signature | | Date |
| Assessors Comments (if appropriate) | | | |
| | Assessor Signature | | Date |
| Internal Verifiers Comments (if appropriate) | | | |
| | Internal Verifier Signature | | Date |

Stage 2- Reply to Appeal

| | | | |
|---|------------------|--------------|-------------|
| Candidate Name | | D.O.B | |
| Candidate Address | | | |
| Title of Qualification | | | |
| Date of Assessment | | | |
| Assessors/IQA Name | | | |
| Reason for candidate appeal | | | |
| Independent Opinion Comments | | | |
| | Signature | | Date |
| Lead for Learning and Development Comments | | | |
| | Signature | | Date |

| | |
|--|---------------|
| Refer to Qualification Consultant and Awarding Body | Yes/No |
| Date of Referral | |

