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COMPLAINTS AND APPEALS PROCEDURE V 1.0

A handwritten signature in black ink, appearing to read 'Jonathan Taylor', is enclosed in a light grey rectangular box.

John Taylor
Group Director

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WEBLINK <https://www.apthealthandsafety.co.uk/wp-content/uploads/2019/04/Complaints-Policy.pdf>

Change History		
Version	Issue Date	List of Amendments or remarks as applicable
1.	23/06/2021	Policy Created to comply with ESFA requirements

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1. Complaints Policy

APT Health and Safety Training Solutions Ltd is dedicated to providing excellence in service to both employers and apprentices. We recognise that superior complaints management – including ease of access for complainants, senior business engagement and timely resolution – will help us with service improvements and changes that positively impact upon our employers and apprentices.

1.1. For Apprentices

If an Apprentice feels as though they would like to make a complaint about their experience, they should follow the three-stage process outlined below. Each stage must be fully complete before proceeding to the next. Complainants are advised to keep copies of all the documents used in the complaint's procedure.

Stage 1 (On-the-spot solutions)

If you are still completing your course or actively taking part in one of our other programmes, you must first contact your Tutor who will ensure that your concerns are dealt with fairly and quickly. You should raise your concerns within 7 days of the matter in question. Your Tutor will investigate your concerns and address these accordingly or refer the complaint to a relevant member of staff. You will receive a response to your complaint within 7 days of submission. If your complaint is about your Tutor and it would be inappropriate to discuss the matter with him/her you may begin with Stage 2.

Stage 2 (Appeal to Management)

If you are not satisfied with the outcome of stage 1 or if you are no longer on your course, please contact the Head of Apprenticeships who will investigate what's happened. This may include:

- Talking to the employee about the issue.
- Writing to the employee with details of the alleged problem.
- Holding a meeting to discuss and decide what to do.
- After the meeting, writing to the employee, confirming the decision and the reasons for it, and if it goes against them, that they have the right to appeal and start stage 3.
- Due to the depth of research into the complaint, you will receive a response within 14 days of escalation from Stage 1.

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Stage 3 (Formal complaint to a Director)

If you are not satisfied with the outcome of Stage 2 you will need to send in a complaint in writing to APT Health and Safety Training Solutions Ltd at the address below. This may be in writing in the post or via email. You are likely at this stage to be requested to substantiate any complaints or allegations with written factual evidence and/or statements from witnesses. This will assist in reaching a speedy conclusion to the complaint. A response to your complaint will be sent to you within 7 days of the receipt of the Stage 3 complaint.

Any **Stage 3** complaints should be addressed to:

Directors, APT Health and Safety Training Solutions Ltd, Lakeview, Festival Park, Stoke on Trent, Staffordshire, ST1 5BJ sales@apthealthandsafety.co.uk

All complaints at all stages will be dealt with fairly and you not will be discriminated against based on the complaint. If your complaint reaches Stage 3 and it cannot be dealt with by a Director due to their prior involvement in the matter, another Director will hear and respond to the complaint to maintain our impartiality. We aim to resolve all complaints within 28 days from original submission.

Please note: *The Directors will very rarely consider complaints if they do not follow the above process. We have absolute confidence in our staff, who are trained to deal professionally with legitimate complaints as they arise. In the unlikely event that your cause for complaint is not dealt with appropriately by a member of our team, then please follow the above procedure to ensure that your complaint is given due consideration and that your concern is addressed.*

2. For Employers

2.1. Making your complaint

If you are an employer working with APT Health and Safety Training Solutions Ltd and you wish to make a complaint, you should make your complaint in writing. This helps us to ensure that your concerns are understood in full and investigations are undertaken on the root cause of the issue. Please send your complaint to sales@apthealthandsafety.co.uk and include the words “EMPLOYER COMPLAINT” in the subject line of the email.

This email address is constantly monitored. Any complaints received will be reviewed within 24 hours and will be assigned to a Director who will respond to you.

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2.2. Apprenticeships commits to the following timelines

You will get a call back within 36 hours of receipt of your complaint. This is an opportunity for us to discuss your experience, gather additional information and set timelines for looking into and resolving the problem. By working day 5 from complaint submission, we will contact you to update you on our findings and any action we have taken.

2.3. Commitments

We will always attempt to contact you by telephone, where a phone number is available.

For complex complaints we may need longer than 5 days in order to provide a robust and effective resolution, if we think we will exceed 5 days to resolve your complaint we will try to let you know in advance. When looking into a complaint, we will investigate the specific occurrence or circumstance as well as considering the likelihood of the occurrence or circumstance occurring again. We will comply with a number of other APT Health and Safety Training Solutions Ltd's policies when considering what action to take in the management of complaints – these include:

- Staff Code of conduct
- Safeguarding policy
- Equality, Diversity and Inclusion Policy

Once an investigation has been completed, we will contact you to report back on our findings and, where appropriate, the actions we have taken.

2.4. Appealing the outcome of a complaint

In the unlikely event that you are unhappy with the way in which we have managed your complaint, you can appeal the outcome. You appeal the outcome with QA by emailing our CEO the details of your case:

Gareth Jones

Gareth.jones@aptapprenticeships.co.uk

Please note, you will not be successful unless you have fully engaged with the APT Health and Safety Training Solutions Ltd complaint process and discussed your dissatisfaction about the management of your complaint with us so that we can attempt to resolve the issue.

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3. Further escalation of complaints for learners and employers

Whether you are a learner or an employer, we recognise that there may be circumstances in which you feel we have not responded appropriately to your complaint. Should you find our response to your complaint unsatisfactory after it has been through all of the above stages, then you are able to appeal to our funders. Complaints that reach this stage should be directed as follows:

3.1. Provision funded by the Education and Skills Funding Agency:

Complaints to the ESFA must be made by following their procedure, which is available by following this link:

<https://www.gov.uk/complain-further-education-apprenticeship>

complaints.ESFA@education.gov.uk

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

4. Appeals policy

An appeal is a process through which a learner can appeal against an assessment decision made by the APT Health and Safety Training Solutions Ltd or an Awarding Organisation may be challenged on the outcome of results, assessment decisions or other procedural decisions affecting a centre or individual learner.

Please note: An appeal or enquiry about a result can give a positive, static or negative result change. Following an enquiry or appeal, the awarding body will action changes as appropriate, notify the centre or learner(s) and amend the centre and/or learner(s) records accordingly.

APT Health and Safety Training Solutions Ltd accepts appeals in relation to three areas:

- Appeals against results – when a learner/centre is dissatisfied with the outcome of an Enquiry about Results;
- Appeals against assessment decisions – where a learner is dissatisfied with the judgement or feedback from their APT Health and Safety Training Solutions Ltd tutor.
- Appeals against decisions made in respect of access arrangements and special consideration.

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There are three stages within the Appeals Procedure: Informal Appeal, Formal Written Appeal to IQA and the Appeals Panel.

An appeal will focus on whether the APT Health and Safety Training Solutions Ltd/Awarding Body has:

- Used procedures that were consistent with the relevant Code of Practice, Regulatory Conditions or assessment criteria for the qualification;
- Applied its procedures properly and fairly in arriving at judgements.

When an application for an appeal is received, the APT Health and Safety Training Solutions Ltd /Awarding Body will decide whether it will be accepted or not. The decision whether to accept the appeal is based on:

- The grounds for the appeal put forward by the learner;
- Whether an enquiry about results has been completed;
- The timescale of the application.

If an appeal is not accepted, the reason(s) for this will be given.

5. Grounds for appeal

Assessment decisions for all courses are based on criteria published by the awarding bodies.

As a learner, you have the right to appeal against any assessment decision if you believe that the decision is unfair or unreasonable. Your Tutor will explain the appeals process at the start of your course and reiterate at each training review. This is also included in the Learner Handbook.

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Stage 1: Informal Appeal

If you are unhappy with an assessment decision you should always discuss it first with your Tutor. You should be prepared to explain why you think you have met the required assessment criteria, and you should be prepared to listen to your Tutor’s reasons.

In exceptional circumstances, if you feel very unhappy about discussing the issue with your Tutor or you may raise it instead with the management team.

If you are still unhappy with the assessment decision, you may then proceed immediately to stage 2, the formal written appeal. If there is no internal assessment of your work, skip straight to stage 3.

Stage 2: Formal Written Appeal to Lead IQA

If you decide to make a formal appeal, you must do so within 10 working days of getting the original assessment decision.

The timescale does not make allowance for the time the centre may be closed for holidays. (Any working days following between 25 December and 1 January inclusive will be excluded from the allowed 10 working days.)

The written appeal will be sent to the Lead IQA. The Lead IQA will discuss the issue with the Tutor concerned, evaluate the evidence and give a judgement within 14 days of receipt. The Lead IQA will notify you of the decision, and the reasons for the decision, in writing and will give a copy to the Tutor.

Stage 3: Appeals Panel

If you are still unhappy after the Lead IQA’s decision, you may make a final appeal to the awarding body of your qualification following the specified appeals procedure within 7 days of the result of stage 2. Support is available from the Apprenticeship Director in composing your appeal to:

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[IOSH](#)

[Highfield](#)

[NCFE](#)

Please note: awarding bodies will have different timescales for the reporting of appeals outcomes.

The External Verifier reviews the case and will consider:

- The written submission from the appellant.
- A check on all Awarding Body procedures that were followed in arriving at the result(s) awarded or judgement(s) made;
- Whether those procedures were compliant with the relevant Code of Practice, Regulatory Conditions or assessment criteria
- And whether they were applied fairly.

To make an appeal to the panel you must apply in writing to the Apprenticeship Director within 7 days of receiving the Lead IQA's notification of recommended results.

The External Verifier will consider the evidence, establish whether all procedures have been correctly followed, and may make further enquiries for information from the learner(s) or centre, Examiners, Quality Advisors or staff as necessary and give a judgement.

The External Verifier's process is designed to ensure that they have a formal opportunity to present the case to an impartial body appointed in accordance with the relevant Code of Practice, Regulatory Conditions or assessment criteria. Appellants will be expected to attend the hearing in person. If, when notified of the date set for the hearing, the appellant does not attend the hearing, the hearing may proceed in his/her absence.

The appellant may call any representatives relevant to the case and names and addresses of all representatives must be provided to the awarding body no later than 14 days before the date of the hearing. The awarding body may also call any representatives relevant to the case. Please be aware that the Appeals process is an Awarding Organisation process and, as such, legal representation is not permitted. Their decision will be final and binding. You will be notified in writing of the decision, and the reasons for the decision.

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Appeal to Regulatory Body:

If appellants remain dissatisfied with the outcome following appeal to the awarding body, the appellant may appeal to the Qualifications Regulators. Depending on the Qualification Regulator for the award, the details are as follows:

- Escalate to Ofqual, the Qualification Regulator for qualifications, examinations and assessments in England and vocational qualifications, addressed to:

Office of Qualifications and Examinations Regulation

Spring Place, Coventry Business Park

Herald Avenue

Coventry

CV5 6UB

Email: info@ofqual.gov.uk