

## **2V: Apprentice Complaints Policy**

Quality Management

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## PRINCIPLES

1. The University is committed to providing a fulfilling, rewarding and enjoyable learning experience for all its apprentices and endeavours to provide an excellent standard and quality of service in all its activities.
2. There are several ways in which apprentices may put across their views about their learning experience and the services provided by the University. These include direct contact with members of academic or service staff, a system of representation at course level, membership of University committees, feedback surveys at course and module levels and in relation to services.
3. Occasionally, an individual or a group of apprentices may feel dissatisfaction with their learning experience or with the services provided by the University and will want to bring this to the attention of the University. It is expected that apprentices would try to resolve such dissatisfaction through the mechanisms outlined above in paragraph 2 before calling upon the formal Apprentice Complaints Policy.
4. The University defines a complaint as:

*‘An expression of concern about the University’s academic provision or a related service, or about the actions or a lack of action by the University, its partners or its staff.’*
5. Annex 1 includes examples of types of complaints that can be considered under this policy. Annex 2 includes examples of types of complaints not covered by this policy.
6. This policy applies to apprentices currently registered at Solent University or who have completed their course/module in the last month. The University will not normally accept complaints by a third party on behalf of an apprentice. Where a group of apprentices wishes to make a collective complaint, a spokesperson must be nominated as the point of contact and main representative of the group. Apprentices are also entitled to nominate an employer to make a complaint on their behalf.
7. The University will have in place support mechanisms and guidance for staff to enable local and early informal resolution to complaints.
8. Help and guidance on how to make a complaint is available from a student advisor in the Student Hub and the Students’ Union Academic Caseworker.
9. Where a matter raised under the Apprentice Complaints Policy needs to be referred to an alternative University policy or procedure (e.g. a serious complaint alleging misconduct of a member of staff may need to be dealt with under the University Staff Disciplinary Procedure) the apprentice will be advised.
10. Complaints must be made in a timely manner, usually within a month of the incident/event. Where a complaint is received outside of this timeframe, apprentices will be required to provide an explanation as to why they did not raise their concerns at the appropriate time. Consideration of a complaint received outside of the deadline will be at the discretion of the Complaints and Appeals Manager (or nominee).
11. Where a complaint is upheld, the University will seek to resolve the issues raised (normally within five working days) and put in place any measures necessary to ensure that the apprentice is not disadvantaged.
12. In determining whether a complaint is justified or not the standard of proof is on the ‘balance of probability’ rather than ‘beyond all reasonable doubt’.

13. This policy is based on the concept of reasonable behaviour and expects apprentices to submit any complaint in a responsible manner. Where the University receives a frivolous or vexatious appeal, the University will terminate consideration of the matter and inform the apprentice of the reasons for doing so and any right of appeal against that decision. Examples of such complaints include:

- i. complaints which are obsessive, harassing, or repetitive;
- ii. insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes;
- iii. insistence on pursuing what may be meritorious complaints in an unreasonable manner;
- iv. complaints which are designed to cause disruption or annoyance;
- v. demands for redress which lack any serious purpose or value;
- vi. malicious or knowingly untrue.

14. Where a complaint is found to be malicious or knowingly untrue the University will refer the matter to the Student Disciplinary Procedure.

15. The University will ensure that apprentice complaints will be:

- i. treated seriously, fairly, transparently and with impartiality;
- ii. addressed within a reasonable timescale;
- iii. fully investigated;
- iv. dealt with sensitively, in confidence and without fear of recrimination;
- v. considered within the framework of the University's policies and practices; and
- vi. dealt with having due regard to UK legislation.

16. The aim of the Apprentice Complaints Policy is to reach a conclusion which all parties find reasonable in the circumstances.

17. The Policy, Governance and Information Service will maintain a record of recommendations that arise from apprentice complaints and monitor faculty/school/service responses to those recommendations.

18. Summaries of suitably redacted appeal and complaint outcomes, together with decisions of the Office of the Independent Adjudicator, will be circulated to the Student Union and Deans of Faculties/Directors of Schools/Services for further dissemination and reflection as appropriate.

## ANNEX 1 EXAMPLES OF TYPES OF COMPLAINTS

The Apprentice Complaints Policy covers complaints that relate to:

- i. Concerns about the delivery of courses and related services (e.g. standard of supervision and tuition received, assessment arrangements), including where applicable that provided by a partner institution or subcontractor. (Please note normally the apprentice would be expected to follow the partner institution's complaints procedures in the first instance). The University cannot accept any complaints relating to an End Point Assessment (EPA) Provider as it does not exercise any control over the EPA Provider, but would consider and may at its discretion, agree to mediate over any dispute between the student and the EPA Provider. Complaints against an EPA Provider should be raised directly with the Provider using their published complaints procedures.
- ii. Shortfalls in standards of service and/or failure to apply procedures in relation to service departments of the University.
- iii. Failure to meet obligations including those outlined in prospectuses, course/apprentice handbooks and correspondence from the University.
- iv. Misleading information in prospectuses or in advertising or promotional material.
- v. Complaints over any aspect of an apprentice's experience at the University in relation to communication with and service delivery of administrative or support services.
- vi. Complaints concerning discrimination in contravention of the University's equality and diversity policies.

## ANNEX 2 AREAS NOT COVERED BY THE APPRENTICE COMPLAINTS POLICY

The Apprentice Complaints Policy does not cover complaints that relate to:

- vii. **Assessment** - please refer to the Academic Appeals Procedure;
- viii. **Outcomes of disciplinary action** - please refer to the student disciplinary procedure for appeal procedure;
- ix. **Admissions** - please refer any complaints to the Head of Admissions & Recruitment;
- x. **The Solent Students' Union** - please refer to the Students' Union Complaints Procedure;
- xi. **Behaviour of another student/apprentice** - in such instance's apprentices should inform a relevant member of staff who will consider whether to refer to the Student Disciplinary Procedure.

## **SUPPORT CONTACT DETAILS**

For help and advice in resolving or making a complaint please contact:

Student' Union Academic Caseworker

T: 023 8201 6432

E: [su.advice@solent.ac.uk](mailto:su.advice@solent.ac.uk)

Student Hub

T: 023 8201 5200

E: [student.hub@solent.ac.uk](mailto:student.hub@solent.ac.uk)

Complaints and Appeals Manager

Policy, Governance and Information Service

T: 023 8201 6808

E: [appeals.complaints@solent.ac.uk](mailto:appeals.complaints@solent.ac.uk)

## Overview of the Apprentice Complaint Procedure

There are three Levels to the University complaints procedure:

### Level 1: Informal Complaint Resolution

- i. All parties involved shall discuss in good faith a resolution, for the University the initial contact for discussions is the Complaints and Appeals Manager. If the dispute is not expected to be resolved within five working days, then the apprentice may submit a formal complaint and proceed to level 2 of the process.

### Level 2: Formal Complaint

- i. To make a formal complaint the apprentice should put the matter in writing to the University by email to the Complaints and Appeals Manager at [qa@solent.ac.uk](mailto:qa@solent.ac.uk), setting out full details of the complaint and what would be an appropriate resolution.
- ii. An investigating officer will be assigned to review all the information and a written response will be issued by the investigating officer within 20 days from the date of receipt of the original email.
- iii. If the apprentice is not satisfied with the action taken, they may proceed to level 3 of the process.

### Level 3: Independent Review

- i. Where the complaint is not resolved to the satisfaction of the apprentice, they may request a review by the Head of Quality Management [qa@solent.ac.uk](mailto:qa@solent.ac.uk).
- ii. The Head of Quality Management will assess the request and agree to a review where the apprentice has demonstrated they have valid grounds (new supporting evidence and/or evidence of procedural impropriety at the level 2 investigation).
- iii. The Head of Quality Management will either conclude there are no grounds for appeal, (this marks the end of the University's internal procedures) or confirm grounds for appeal and appoint an 'independent reviewer' to investigate the complaint.
- iv. A written response will be issued within 20 working days from the date of receipt of the original email, setting out as appropriate any actions that will be undertaken by the University in order to resolve the issues complained about. This marks the end of the University's internal complaints procedures.

After the internal university processes have been exhausted, complainants have the opportunity to raise their complaint with the Education & Skills Funding Agency (ESFA) if they are not satisfied with the university's response. You must contact the ESFA within 12 months after the issue happened.

Email or post your complaint to the ESFA complaints team.

ESFA complaints team  
[complaints.ESFA@education.gov.uk](mailto:complaints.ESFA@education.gov.uk)

Complaints team  
Education and Skills Funding Agency

Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT

The ESFA will reply to let you know what will happen next.

**If you're unhappy with the ESFA response**

You can contact the Department for Education if you're unhappy with how the ESFA has dealt with your complaint.

Complainants also have the opportunity to have their complaint independently reviewed by the Office of the Independent Adjudicator (OIA).