



# The Apprenticeship Complaint Procedure

The information below regarding the Apprenticeship Complaint Procedure should be read in conjunction with the [Apprenticeship Complaints Policy](#).

## Making a Complaint

The following sections explain what this means, and what to do if a complaint is not resolved satisfactorily.

Level 1: Local Level (informal resolution). To make a complaint an apprentice must start at Level 1

Level 2: Head of School/Service, or equivalent, review

Level 3: Faculty Pro Vice Chancellor/Registrar

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).



## Expected Time Limits

The OIA Good Practice Framework stipulates that the handling of complaints will normally be completed within 90 calendar days of the start of the formal stage (Level 2).

	Apprentice	Complaints and Conduct Team	Investigation
Level 1	Complaint should be raised within 1 month of cause for complaint	No involvement	Response will be communicated within 6 weeks of notification of complaint. If this is not possible, an alternative timescale will be issued to the complainant within the 6 weeks.
Level 2	Complaint should be raised within 1 month of outcome of Level 1	Will acknowledge receipt of complaint within 5 working days of receipt	*Indicative timescales for this stage are that a response will be sent within 6 weeks of receipt of complaint form in Academic Services. If this is not possible, an alternative timescale will be issued to the complainant.
Level 3	Complaint should be raised within 10 working days of outcome of Level 2 complaint	Will acknowledge receipt of complaint within 5 working days of receipt	*Indicative timescales for this stage are that a response will be sent within 4 weeks of receipt of complaint form in Academic Services. If this is not possible, an alternative timescale will be issued to the complainant.
OIA	Complaint should be raised within 12 months of the date of the Completion of Procedures letter	No direct involvement with complainant	Variable



If an apprentice fails to proceed within the given deadlines of the complaints procedure they may not be able to progress through the internal complaints mechanisms of the University.

The procedure has been separated into Responsibilities of Apprentices and Responsibilities of those involved in the handling of the complaint on behalf of the University.

## Responsibilities of Apprentices

### Level 1: Local Level (informal resolution)

You are expected to try to resolve a complaint directly, informally and quickly with the person/department concerned. In some circumstances, in the first instance, you may prefer to approach a different member of staff e.g. Personal Tutor, Course or Module Convener.

You should raise the complaint within 1 month of the unsatisfactory circumstances occurring, at the latest. The sooner the matter is raised, the better.

You are expected to explain clearly what the problem is and what outcome you are seeking.

If you are dissatisfied with the outcome, you can escalate your complaint to level 2.

### Level 2: Head of School/Service, or equivalent, formal review

You should complete the [Level 2 Complaint Form](#) within 1 month of notification of the outcome of Level 1.

You must provide a clear explanation of how you attempted to resolve your complaint informally at Level 1. As a minimum, your explanation should include a specific date, a named member of staff to whom the complaint was reported and why the complaint was not resolved to your satisfaction at Level 1.

Your complaint must be substantiated by evidence. This may comprise one, or a series of the following types of evidence: a timeline of events, reference to relevant policies, procedures and/or regulations, letters, emails, independent medical evidence, reports by professionals, witness statements, screenshots, the outcome of an investigation under the University's Dignity Policy etc. Any evidence or appendices relevant to the complaint must be submitted at the same time as the complaint form and clearly referenced and labelled.

If you are making a Subject Access request as part of your complaint, you are expected to submit this as soon as practicably possible after the outcome of your level 1 complaint and to provide evidence of submission as part of your level 2 complaint.

It is your responsibility to make your case. Complaints will not be accepted for further investigation if:

- your rationale for complaint is unclear
- you don't provide evidence
- you fail to include important dates, times and other details necessary for determining the eligibility of the complaint.

If your submission is unclear or unnecessarily long, you will be asked to resubmit the form in a manner that enables proper consideration of the complaint to take place.



You should send the completed form to the Complaints and Conduct Team via the following email address; [studentcomplaints@nottingham.ac.uk](mailto:studentcomplaints@nottingham.ac.uk)

Should you wish to request any adjustments on the basis of a disability which will enable you to access the procedure effectively, please contact the Complaints and Conduct team.

You will normally receive an outcome letter within 6 weeks of receipt of your level 2 complaint form by the Complaints and Conduct Team. If the investigation will take longer than 6 weeks, you will be informed of the reason and an expected date of response.

If you are dissatisfied with the outcome, you can escalate your complaint to level 3 on the following grounds:

- you believe that a procedural irregularity has occurred in the handling and/or the investigation of the Level 2 complaint and/or;
- you are in possession of additional evidence which may have affected the outcome at Level 2 but was unavailable at the time of the original Level 2 investigation and/or;
- you have a compelling argument to demonstrate that the outcome at Level 2 was unreasonable. Claims of this nature must be supported by evidence and a clear rationale for the unreasonable nature of the decision. Claims that amount simply to an expression of dissatisfaction with the decision will not be considered.

### Level 3: Faculty Pro Vice Chancellor/Registrar review

You should submit the [Level 3 Complaint Form](#) within 10 working days of notification of the outcome of the Level 2 complaint.

You must set out the grounds of the complaint by making reference to the above standards, and must provide evidence to support your claim, including proof of why new evidence being presented was not available at the time of the submission of your level 2 complaint.

You should send the completed form to the Complaints and Conduct Team via the following email address; [studentcomplaints@nottingham.ac.uk](mailto:studentcomplaints@nottingham.ac.uk).

You will normally receive an outcome letter within 4 weeks of receipt of your level 3 complaint form by the Complaints and Conduct Team. If the review will take longer than 4 weeks, you will be informed of the reason and an expected date of response.

### Office of the Independent Adjudicator

Once the internal complaints procedure has been completed, if you are still not satisfied with the outcome, you may take your complaint to the Office of the Independent Adjudicator (OIA). The OIA operates externally to the University. It will not normally look at a complaint unless and until all relevant internal complaints procedures have been exhausted. Further information is available from the [OIA website](#).

### Completion of Procedures

As required by the OIA, if we are unable to resolve a complaint to your satisfaction, and there are no further steps available to you, we will issue a formal "Completion of Procedures" letter. This provides a formal confirmation that you have exhausted the internal complaints procedure, and is required before a complaint may be considered by the OIA.



## Other procedural points

Hard copies of forms are available to apprentices who, for reasons of disability, are unable to access the electronic form. Please contact [studentcomplaints@nottingham.ac.uk](mailto:studentcomplaints@nottingham.ac.uk) for further information. You have the right to bring a supporter to meetings arranged during the formal stages of the procedure. The supporter must be either; an Education Adviser from the SU, a fellow apprentice, a member of staff, or a Union representative (eg BMA, RCN). The supporter may take notes on your behalf, make representations on your behalf and ask questions, but may not answer questions on your behalf.

## Responsibilities of those involved in the handling of the complaint on behalf of the University

### Level 1: Local Level (informal resolution)

Staff dealing with complaints are encouraged, whenever practical, to meet with the apprentice to establish the precise cause of dissatisfaction, to explore the remedy sought by the apprentice and to foster a mutual understanding of the issues involved.

The member of staff is expected to listen to the complaint and to try to resolve it in a straightforward, reasonable and prompt manner.

Although informal, the member of staff should make notes of any meetings and keep a record of the agreed outcome. Notes should be shared with the apprentice. The apprentice should be notified that the matter is deemed to be resolved and advised of the availability of Level 2 of the complaints procedure, if the complaint is not upheld or the apprentice is dissatisfied with the attempt at resolution.

### Level 2: Head of School/Service, or equivalent, formal review

On receipt of a level 2 complaint the Complaints and Conduct Team (Service Development Department) will undertake an initial evaluation to check that the complaint is submitted under the right procedures, within the appropriate deadlines, and in the required format with supporting evidence.

The Complaints and Conduct Team will administer the complaint and will be accessible to complainants and staff at all stages of the process. The complaint will be referred to the appropriate person in the school, usually the Head of School/Service. If the subject of the original complaint is the Head of School, then another Head of School will conduct the review. If the subject of the original complaint is the Head of Service, then another Head of Service or their line manager will conduct the review. If the subject of the complaint is a member of the University's Management Board, another member of Management Board will conduct the review.

The Head of School/Service will ensure that an investigation is carried out. The investigation may be delegated to an appropriate member of staff. It will not normally be appropriate to keep the name of the person investigating the complaint confidential. The investigation and its outcome must be fair and reasonable.

It may be appropriate for the investigator to meet with the complainant and/or other parties named in the paperwork. Should the investigator wish to meet with the complainant, he/she will contact the apprentice to propose this course of action and secure an appropriate date to meet. The complainant will be offered the opportunity to bring a supporter to this meeting. The supporter must be either; an



Education Adviser from the SU, a fellow apprentice, a member of staff, or a Union representative (eg BMA, RCN). The supporter may take notes on the apprentice's behalf, make representations on the apprentice's behalf and ask questions, but may not answer questions on the apprentice's behalf.

If the Head of School/Service finds in favour of the apprentice, they may decide on whatever redress they think appropriate, bearing in mind the outcome sought by the apprentice.

A report of the investigation will be prepared before a written response is provided to the complainant. The report will be provided to the apprentice with the outcome letter.

If the complaint is not upheld, the apprentice will be notified of the availability of Level 3 of the complaints procedure.

All outcome responses to level 2 complaints will be issued by the Complaints and Conduct Team.

### **Level 3: Faculty Pro Vice Chancellor/Registrar review**

On receipt of a level 3 complaint form, the Complaints and Conduct Team will undertake an initial evaluation to check that the complaint is submitted within the appropriate deadlines, meets the criteria for level 3 review and is in the required format with supporting evidence. A complaint without adequate grounds and evidence will be dismissed.

If the apprentice provides evidence to support the criteria, the complaint will be referred to the Faculty Pro Vice Chancellor for review. If the Level 2 complaint was reviewed by the Faculty Pro Vice Chancellor, it will be referred to the Pro Vice Chancellor of a different Faculty. Where the Level 2 complaint was considered by a Head of Service, the Level 3 complaint will be considered by the Registrar, rather than a Faculty Pro Vice Chancellor. The Registrar/Pro Vice Chancellor may appoint an appropriate nominee to undertake the review on his or her behalf.

The review stage will not usually consider the issues afresh or involve further investigation. In reaching a decision, the reviewer is expected to be fair and reasonable.

If the complaint is upheld, both the apprentice and the Head of School/Service will receive a written explanation of the decision.

If the Faculty Pro Vice Chancellor/Registrar does not uphold the complaint, the apprentice will receive a written response giving reasons and a "Completion of Procedures" letter (see below) will be issued.

The Faculty Pro Vice Chancellor may decide to uphold part, but not all, of the complaint and will respond to the apprentice accordingly.

### **Office of the Independent Adjudicator**

Once the internal complaints procedure has been completed, if the apprentice is still not happy with the outcome, they may take their complaint to the Office of the Independent Adjudicator (OIA). The OIA operates externally to the University. It will not normally look at a complaint unless and until all relevant internal complaints procedures have been exhausted. Further information is available from the [OIA website](#).



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## Completion of Procedures

As required by the OIA, if we are unable to resolve a complaint to the apprentice's satisfaction, and there are no further steps available to the apprentice, a formal "Completion of Procedures" letter will be issued within 28 days of the outcome being determined. This provides a formal confirmation that the apprentice has exhausted the internal complaints procedure, and is required before a complaint may be considered by the OIA.

## Contacts

Complaints and Conduct Team

Student Services – Service Development

E Floor, Portland Building

[studentcomplaints@nottingham.ac.uk](mailto:studentcomplaints@nottingham.ac.uk)

## Help

Apprentices are encouraged to contact their local student advisory body for assistance at any stage of the procedure.

Apprentices may contact Students' Union Advice, Tel: 0115 8468730,  
Email [SUAdvice@nottingham.ac.uk](mailto:SUAdvice@nottingham.ac.uk)

Last updated June 2021