

APPRENTICESHIP APPEALS & COMPLAINTS POLICY

LEAP is committed to the fair and equal treatment of our learners in addition to delivering a high-quality service. It is our policy to take all complaints and appeals seriously and to ensure they are promptly investigated at an appropriate level.

Policy Overview

This policy aims to provide a process for resolution in a manner that is as fair and expeditious as possible. It is our objective to find a solution as early in the procedure as possible with a suitable resolution. We aim to learn from incidents and use them to improve the service we are delivering.

Related Policies: E&D Policy, Code of Conduct

Responsibilities

All Learners will be provided with information on LEAP Apprenticeships Appeals and Complaints policies and process. These can be found on both the internal intranet and our external website. Learners will receive an overview of relevant processes during enrolment, with key points documented within the learner's commitment statement / training plan.

Coaches take the responsibility to inform learners of both complaints and appeals during their first day of learning and are also covered on their initial 1-1 reviews.

Appeals Process:

An **'Appeal'** is a ***request for a review of a decision taken by an individual or academic body charged with making decisions about learners' progression, assessment, and awards***'.

The Appeals process provides information on how to take further actions against an informal or formal complaint, about the delivery and quality, received, or the delivery and quality of teaching, support, assessment decisions or any other matters relating to a programme, delivery and support.

The main reason for an appeal is likely to be (but not limited to):

- You disagree with any assessment decisions or feedback given by your Coach
- You disagree with the final outcome of your assessment or exam
- You believe you are ready for your endpoint assessment and that your Coach has failed to consider all evidence provided to deem you as ready

Procedure

As part of the Apprenticeship Programme delivery there is an escalation and appeals process that the Learner can follow if they are unhappy with any aspect of the training or assessment decisions.

1. In the first instance, the Learner should speak to their Coach to discuss and try to find a resolution to the issue.
2. Following conversations, if the outcome is unsatisfactory the Learner is advised to contact their Apprenticeship Manager.
3. Further unresolved issues must be forwarded to the LEAP Quality Manager for investigation and follow up within 14 days (process below)



Apprenticeship Managers

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Process

A formal appeal should be made only after the Learner has exhausted informal means of resolving issues.

- The Learner must make an appeal in writing to the LEAP Quality Manager within 14 days of the Learner being notified of the assessment decision against which the appeal is being made.
- The written appeal must be copied by the LEAP Quality Manager to the Coach who made the decision and to the Apprenticeship Manager responsible for the Coach
- The LEAP Quality Manager must identify a member of the team to evaluate the evidence and give a judgement.
 - This Adjudicator must
 - hold units D32 and D33, A1 or a Level 3 Certificate in Assessing Vocational Achievements qualification.
 - be technically competent in the skill area being assessed.
 - be knowledgeable of the systems and procedures of the Awarding Body.
 - be unbiased.

- Adjudicators to review evidence and provide a judgement within 21 days, judgments to be communicated with Quality Manager
- Quality Manager to communication the outcome to relevant Apprenticeship Manager whom will then contact both coach and Learner

Where an appeal relates to the outcome of your endpoint assessment or functional skills exam, an appeal will be made to the relevant organisation which will be supported by the LEAP Team.

- The LEAP Quality Manager to seek advice from the relevant external body and follow their appeals process to escalate and raise an appeal.
- LEAP Quality manager to submit evidence to appeal assessment decisions where applicable.
- External awarding body to review appeal, submit and provide feedback/outcome decision.
- LEAP Quality Manager to share outcome updates with coach and Apprenticeship Manager.
- Coach to communicate the outcome to the learner

Conclusion

- The Appeals Adjudicator and where appropriate independent advisors will report back to the LEAP Quality Manager who will make the final judgement on the appeal.
- The Adjudicator's judgement must be communicated to the Learner by the LEAP Quality Manager in writing within 21 days of the written appeal being received.
- This communication is to be copied to the Coach against whom the appeal was raised, the Apprenticeship Manager and the Appeal Adjudicator.
- The LEAP Quality Manager must retain full details of the appeal within the LEAP centre file for a period not less than 5 years.
- If the appeal is successful the LEAP Quality Manager must document the specific failure in the centre's assessment and implement corrective actions.
- If the Learner is dissatisfied with the result of the appeal, they may escalate the issue to the Standard Verifier at the Awarding Body, contact details of which will be supplied by the LEAP Quality Manager upon request. They will have their own appeals process to follow.

The LEAP Quality Manager should seek advice from the Awarding Body on any aspect of the appeals process.

A successful appeal does not mean an automatic reversal of the original assessment outcome: to establish the Learner may need to be re-assessed.

Complaints Process:

A '**Complaint**' is defined as '***an expression of dissatisfaction*** about Leap action or lack of action, or about the standard of service provided by, or on behalf of LEAP'.

An 'informal complaint' is defined as an ***issue that an employer wishes to raise with a member of the Apprenticeship team without using the formal complaints process***. Informal complaints are usually quick to resolve and unlikely to require an in-depth investigation.

A 'formal complaint' is defined as an **official completion made by the learner or staff in line with their apprenticeship delivery or misconduct leading to an in-depth investigation.** Formal complaints will be followed up with detailed investigations with those involved,

Complaints may relate to (though not limited to):

- The teaching and learning experience of the learner for apprenticeship delivery internally or by external providers, e.g. quality of teaching, teaching facilities, the experience of the Learner, e.g. quality of teaching, teaching facilities.
- You believe you have been mistreated and have not received equal treatment during the course of your programme.
- Support received throughout your Apprenticeship has been unsatisfactory.
- Service such as learning materials including delivery methods.

Informal

- The person complaining should raise their concerns firstly with their Coach to try and reach a satisfactory resolution.
- If the person complaining is unable to raise their concern with their Coach then the complaint should be made to their Apprenticeship Manager, who should try to achieve a satisfactory resolution.
- If the person complaining does not feel that their concerns have been resolved then they should make a formal complaint to the Apprenticeship Manager

If after following the informal route you do not feel your complaint has been dealt with satisfactorily, or if you feel the informal route is not appropriate for your specific complaint, we ask that you follow a formal procedure

Formal

- The person complaining should write a formal complaint to their Apprenticeship Manager outlining the nature of the complaint, any key dates and consequences for you as a result. On receipt of a formal complaint, the Apprenticeship Manager will log the complaint using the Complaint Record Log and acknowledge the complaint within 5 working days.
- The relevant Manager will then appoint an appropriate Investigating Manager who will conduct a full investigation. This Manager will not be involved in the original complaint and will be unbiased.
- Within 14 working days of receiving the initial complaint, the Investigation Manager will provide the Apprenticeship Manager with the results of the investigation and a response outlining the outcome and actions arising from the investigation.
- The individual may refer to the Awarding Body Complaints Procedure if they remain unsatisfied with the outcome of any complaint once all internal procedures have been followed.

Where a learner remains unhappy with the outcome of the complaint they will have the opportunity to raise an appeal for further investigation/review or alternatively have the option to report their complaints to an awarding body regulator or ESFA.

Escalation Process

If you are dissatisfied with the outcome of your complaint or appeal you will need to contact the LEAP Apprenticeships Quality Manager or equivalent where the Quality Manager has been involved to discuss your concerns, this must be submitted within 5 working days from receipt of the complaint response.

ESFA Escalation

You can complain to the Education and Skills Funding Agency (ESFA) about how your complaint was handled as long as your organisation is one of the following:

Info from the ESFA website:

If you have a problem with a training provider, or employer that we fund, you'll need to follow these three steps, before you get in touch with the ESFA:

1. Start by trying to resolve the issue, informally, as mentioned in the procedure above directly with your training provider or employer.
2. If you're not happy with their response, make a formal complaint (through to appeal), direct to them. Ask them for a copy of the Complaints procedure, or check their website. Keep copies of everything you send and receive.
3. If you're still not happy after that, [check](#) that we can handle your complaint.

<https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure#check-complaint>

ESFA complaints contact information:

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

If you would like to make a complaint, please refer to ESFA's [complaints procedure](#).

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

Equality & Diversity

Staff and Learners must advise anyone who feels that they may have been subject to any discrimination that they also have the right to use the provisions of the Equality Act 2010. In line with our Equality, Diversity, and Inclusion policy any complaints will be investigated to ensure no staff or learners are subjected to discrimination. The outcome of the investigation will highlight further steps relating to disciplinary or verbal warning deemed on what is most appropriate.

Monitoring and Reporting

The Quality department will oversee the tracking and monitoring of complaints progressed through the procedure. This policy is one aspect of our Quality Assurance procedures; therefore, termly reporting and analysis will be provided to the Senior Leadership Team and used to facilitate improvements to our provision.

POLICY REVIEW: This Policy will be reviewed annually or in the event of changes in legislation, or to take into account changes in working practices which may result from complaints and appeals occurring.

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Review Date: Feb 2024

Policy/Process Owner: Apprenticeship Quality Team

Signed by	Andy Rayner - Director of Apprenticeships and Early Careers
Signature	<p>Signed on behalf of Leap Apprenticeships</p> 