

Apprentice Complaints Procedure

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Apprentice Complaints Procedure

Overview

Resurgo's Apprenticeship programme is committed to delivering a high standard of service to our apprentices and treating all apprentices in line with Resurgo's Equal Opportunities Policy. The complaints procedure is in operation to enable apprentices to be heard and to ensure that any complaints are dealt with fairly, quickly and confidentially. Apprentices are informed of the complaints procedure in their induction. Further details about confidentiality can be found in Resurgo's Confidentiality Policy.

The Designated Person responsible for dealing with any complaints that are brought against Resurgo staff members is the Apprenticeship Projects Leader. Where the complaint is brought against the Apprenticeship Projects Leader, these will be dealt with by the People and Culture Team (in conjunction with the Senior Leadership Team) of Resurgo Trust. Where a complaint is made against a member of the Senior Leadership Team, this will be dealt with by the Chair of the Trustees.

Receiving an allegation from an apprentice

1. A member of staff who receives an allegation about another member of staff from an apprentice should:
 - Make notes as soon as possible writing down exactly what the apprentice said, when they said it, and what was happening immediately beforehand. If possible, write notes whilst the apprentice is present using the Apprentice Complaints Form. If it is not appropriate to take notes at the time (for example if the apprentice is very upset), then aim to make notes shortly after the meeting using the above form.
 - Record dates and times of these events and when you wrote the notes.
 - Keep all handwritten notes (in accordance with the Data Protection Policy), even if they are subsequently typed up, and sign and date the notes and/or the Complaints Form.
 - Ask the apprentice to sign the Complaints Form.
2. The allegation should be reported immediately to the Designated Person
3. The notes taken by the staff member who received the complaint, should be given to the Designated Person. The Designated Person should countersign the notes, date them and give to the People and Culture Team.
4. The Designated Person should ask the staff member who brought the complaint to their attention about times, dates, locations and names of potential witnesses. All of this should be added to the notes.

Initial assessment

The Designated Person should make an initial assessment of the allegation and decide whether the matter needs to be treated formally or can be resolved informally. Where the complaint does not appear to be of a serious nature (is not impacting on the apprentice's wellbeing or ability to complete their apprenticeship), the complaint should be heard by the designated person and addressed by talking to the relevant parties. Once all the information has been gathered the Designated Person should where possible implement a solution which is agreeable to all parties. If the parties cannot reach a solution apprentices can continue their complaint with the ESFA.

Where the allegation appears to be of a more serious nature (for example, a claim is made that is of a physical, sexual or emotional nature, bullying etc.) it will be necessary to treat the complaint in a formal manner. This is to protect all parties concerned: the apprentice, the staff member and Resurgo Trust. In these situations, the Designated Person will carry out a full investigation into the complaint.

Where the allegation is considered to be either a potential criminal act or indicates that the apprentice has suffered, is suffering or is likely to suffer significant harm, the matter should be reported immediately to the Police. In this case, refer to the Safeguarding Adults and/or Child Protection Policy for more details about how to proceed.

Enquiries and investigations

The Designated Person should carry out an investigation into the allegation made. This should be completed as soon as possible after the complaint has been received (and in any case within 4 weeks).

The Designated Person should invite the apprentice in writing to a meeting to give them the opportunity to outline the complaint. The apprentice should be informed in the letter who will be taking the meeting and that there will be a representative from the People & Culture team present to take notes. The apprentice should also be offered the opportunity to bring a companion along to the meeting as a support. This companion can address the meeting and confer with the apprentice during the meeting but may not answer any questions on their behalf.

Prior to the meeting, the Designated Person should also invite the staff member against which the allegation has been made to the meeting. The letter should contain details of the nature of the complaint and the nature of the meeting, which is to gather facts and that it is not a disciplinary meeting. They should be made aware that it will be a formal meeting with a representative from the People & Culture team present to take notes. During the meeting the staff member should be asked about the alleged incident, whether there were any witnesses who might have been present and for any other information that they think might be relevant to the investigation.

The Designated Person should then contact any witnesses. Where possible they should meet the witness in person and take notes of the meeting. They should invite the witness to sign and date the notes. If not possible, the interview can be conducted over the phone. Notes should be taken. These should be copied, and the originals sent to the witness to sign and date and return.

Following a full investigation, the Designated Person shall make a decision as to the outcome and best course of action. The apprentice will be informed in writing as to the outcome of the investigation. The letter should include details of the allegation, details of the investigation, the decision that has been made subject to this investigation, and what will happen going forward.

Where the allegation has not been substantiated the apprentice will be informed that no further action is being taken. Consideration will need to be given by the Apprenticeship Projects Lead and Managing Director as to whether the apprentice can continue on with their apprenticeship if they have made a false allegation; this decision will be included in the letter. Where the apprentice's complaint has been substantiated, the apprentice will be informed that the complaint will be dealt with under Resurgo's disciplinary procedures, and if appropriate that it has been referred to the necessary authorities. If the apprentice does not believe that their complaint has been dealt with, the complaint can be reviewed by the Managing Director of Resurgo. If the Managing Director of Resurgo carried out the investigation, then the complaint can be reviewed by the Chair of the Trustees.

Records

It is important that documents relating to an investigation are retained in a secure place, together with a written record of the outcome and, if disciplinary action is taken, details retained on the member of staff's personal and confidential file.

Please sign this document to indicate that you have read and understood the apprentice complaints policy.

Signature

Signed:

Date:

Complaints Process

