

# Break in Learning, Cause for Concerns, Formal Warnings and Disciplinary Processes

## Change of Circumstances

It is important that Profile is notified of any changes of details relating to the list below:

Change of company details such as address.

Change of contact within the company.

Change of mentor/supervisor.

When an apprentice leaves.

An apprentice changing their job role or location.

All changes should be reported to the tutor or emailed to: **admin@profiledt.co.uk**.

A Change Notice can be obtained on request.

## Breaks in Learning

The apprentice can request a break in learning where there is no plan for any learning to take place for at least one calendar month, (if the apprentice is term time only this does not apply over the summer holidays) but they must be planning to return to the same programme later.

A break in learning can be taken either with or without a break in employment. Reasons to take a break in learning may include but are not limited to medical treatment, parental leave or leave for other personal reasons.

## Disciplinary Process

This process will only be followed if the apprentice does not meet the agreements set by their tutor and which they have signed up to in the Learner Handbook, the Training Plan and Apprenticeship Agreement.

This process is intended to be positive and to support the apprentice to complete their apprenticeship, but from time to time, inappropriate behaviour and lack of commitment mean we need to implement the disciplinary process.

This process will be put into action if any of the following situations are not met on two occasions, or the apprentice fails to comply with the terms that they have agreed to in the sign-up paperwork:

Failure to provide/produce the planned evidence by the planned date on the assessment/task sheet.

Failure to inform your tutor that you are unable to attend your meeting.

Failure to meet any other planned activity in relation to your apprenticeship.

Plagiarism.

### **Cause for Concern**

A Cause for Concern email will be sent to the apprentice and copied to their line manager by email. This will set out the concerns and the tasks/conditions that they must meet in a set period of time to rectify them. If these tasks/conditions are not met by the deadline given or if they do not meet one of the situations above, they will be issued with a first formal warning.

### **First Formal Warning**

The first formal warning will be sent to the apprentice and their line manager by email. This will be a formal warning and a copy will be kept on file. The email will identify the issues/concerns and set out a plan as to what needs to be done to get back on track. If the apprentice fails to meet the actions from the first warning by the deadline given, or if they do not meet one of the situations above, then a second and final warning will be issued.

### **Second and Final Formal Warning**

The second warning will be sent to the apprentice and their line manager by email. This will be the final formal warning and a copy will be kept on file. The email will identify the issue/concerns and set out a plan as to what they need to do to get back on track. If they fail to meet these actions, or fail to meet the above situations, they will be automatically withdrawn from the programme.

Any subsequent implications of their employment following withdrawal, will be dealt with by you, the employer and are outside the remit of Profile, however we must advise that unless another training provider can be arranged to take over the apprentices training, then they will be unable to continue employment as an apprenticeship, should they be withdrawn from the programme.

## **Complaints**

Profile is always keen to hear suggestions for improving our service. We also want to discuss any concerns that you may have and if you think something is wrong, we want to address your concerns. All suggestions, concerns, complaints and compliments are recorded by

Profile. This helps improve the quality of our services and ensures that all staff and Awarding bodies maintain the highest level of professionalism. The policy and procedure for dealing with complaints are detailed below and we aim to ensure that, wherever possible, a resolution is found to a problem quickly and fairly. Complaints and all information relating to the complaint will be treated in confidence in line with our Data Protection/GDPR Policy.

Any complaints that an apprentice or employer may have should be first raised with the tutor. They should listen and, if there is a simple solution, they should try to put it right immediately.

If you would prefer to raise your complaint with someone who is not directly involved with the situation you may contact one of our management team or a director.

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All complaints will be taken seriously, and we aim to respond to all concerns and complaints within two working days and to have answered or resolved questions/concerns within seven working days if it is an internal issue or within ten working days if it relates to the awarding body. Complaints may be made to whoever is appropriate depending on the nature and severity of the complaint. Awarding bodies have their own individual complaints procedure and a member of the Profile team will support anyone by acting on their behalf or support and guide them if they feel they wish to make their own complaint.

Once a complaint has been received details will be recorded by the person receiving the complaint and they will be passed to the appropriate person following the agreed procedure. Whoever handles the complaint will contact the Managing Director who will update the complaint log and ensure that the complaint is handled in a timely manner. Complaints made regarding a Profile member of staff will be recorded and dealt with as above. Awarding body complaints will be managed by the appropriate member of staff following the individual awarding body procedures.

Complaints may be made in writing, email or verbally, but they will be recorded and tracked electronically to ensure that an auditable trail may be followed to ensure that appropriate actions within the agreed timescales are followed, in accordance with our Data Protection Policy.

### **Stage 1: Looking for a Solution.**

Wherever possible, we aim to put things right straight away. If this is not possible, you will be contacted within 7 working days to discuss the problem and how to resolve it. Normally, finding a solution should take less than 14 days. If it is likely to take longer, you will be informed of the timescales and the reasons for it. You will be kept informed of progress. If

you are not satisfied or the complaint is very serious, the complaint will enter the second stage of the process.

### Stage 2: Making it Formal.

If Stage 1 has not resolved a complaint to your satisfaction, it will go to Stage 2. You may decide that you want to make a formal complaint straight away, but generally it will be easier to try to resolve it more informally first. To make a formal complaint, you can speak directly to the Managing Director. When a complaint becomes formal, an investigation is arranged and someone independent of the situation from within Profile will undertake the investigation. The investigator will discuss the complaint fully with you and consider your views. The investigator will recommend to the Managing Director any action that needs to be taken and you will be contacted personally about this. A record will be made of whether you are satisfied with the outcome. If you are still not satisfied, you can ask for an Independent Review.

### Stage 3: Independent Review

If you are not happy with the outcome of a formal complaint, you may ask for an independent review by the organisation that works with Profile to fund our work. This is the Education & Skills Funding Agency (ESFA). The ESFA has its own procedures for investigating complaints and you will be put in touch with the appropriate ESFA contact who will advise you further. Profile will be informed by the ESFA of the result of the investigation and will comply with any recommendations unless we feel there are grounds for an appeal.

## Useful Contacts



Once the apprentices tutor has been allocated, they will be your first point of contact in most circumstances, but please find below some other useful contact details.

<b>Programme Lead for Specialist Teaching Assistant Apprenticeship &amp; Early Years Educators Apprenticeship</b>	Emma Rousell emma.rousell@profiledt.co.uk
<b>Programme Lead for Teaching Assistant Apprenticeship</b>	Amanda Jay Amanda.jay@profiledt.co.uk
<b>Programme Lead for Business Apprenticeships &amp; Functional Skills</b>	Meg Cotgrove megan.cotgrove@profiledt.co.uk
<b>Programme Lead for Early Years Practitioner Apprenticeship</b>	Jeanette Arnold jeanette.arnold@profiledt.co.uk
<b>Senior Centre Administrator</b>	admin@profiledt.co.uk
<b>Safeguarding Officer</b>	safeguarding@profiledt.co.uk

If you need to speak to someone you can contact us on 01843 609300. This number is only answered between 8am and 4pm Monday to Friday, but there is a message facility if you are calling outside of these hours.

## Useful links

[Gov.uk - Apprenticeship Standards \(Trailblazer Groups\)](#)

[Ofsted - The Office for Standards in Education](#)

[Apprenticeships - gov.uk](#)

[ACAS - The Advisory, Conciliation and Arbitration Service](#)

[Equality and Human Rights Commission](#)

[UCAS - Apprentices' Rights and Responsibilities](#)

[Why Does Employment Law Exist? - reed.co.uk](#)

[ACAS - Advice for Employees and Employers](#)

[HSE - COSHH Basics](#)

[HSE - RIDDOR Guidance](#)

[Confederation of British Industries](#)