




# **Complaints Procedure for Employers of Apprentices**

**August 2024 : Version 2**

<b>Purpose of Policy</b>	<p>This procedure sets out the process for employer complaints as part of the quality assurance procedure for the degree apprenticeship provision.</p> <p>The objective of the procedure is to ensure the University commits to a high quality of service to the employer and partners and has a supportive and responsive approach to dealing with complaints.</p>
<b>Internal services involved</b>	Research and Enterprise Service, Academic Quality Unit, Academic Registry
<b>External rules relevant to policy</b>	ESFA, OFS
<b>Enquiries to</b>	Head of Workforce Development and Skills
<b>Senior Manager responsible</b>	Director, Research and Enterprise Service
<b>VCG Lead</b>	Pro-Vice Chancellor Research and Enterprise

<b>Version</b>	<b>Approved</b>	<b>Effective from</b>	<b>Revisions made</b>	<b>Next Review</b>
1	Yes	01.01.2023	n/a	August 24
2	Yes	14.08. 24	Yes	August 26

<b>Professor StJohn Crean</b>  <b>Pro Vice-Chancellor Research and Enterprise</b>	
<b>Date</b>	<b>14.08.24</b>

The University of Central Lancashire (UCLan) is committed to providing high quality services to its employer partners. Our aim is to provide a supportive partnership and to be responsive to concerns when they are raised. Feedback from employers is welcomed as part of the University's approach to the development and enhancement of the quality of its services.

There are many local routes whereby concerns and issues can be raised and addressed and you are encouraged to make full use of these routes. In particular, you should ensure that you are familiar with the quality assurance procedures that exist within academic schools.

The University does, however, recognise that there may be occasions when you have cause for complaint about the service you have received, when this happens, the Employer Complaints Procedure is intended to provide an accessible, fair and straightforward system which ensures an effective, prompt and appropriate response.

**The University aims to handle complaints in a way that:**

- encourages informal conciliation and facilitates early resolution;
- ensures a full and fair investigation;
- addresses all the points at issue and provides an effective response and appropriate redress;
- provides a prompt resolution within established timescales;
- positive actions can be taken to continuously improve services.

I hope that you will have a positive and rewarding experience working with the University. If, however, concerns are brought to our attention, you can be assured that they will be treated in a serious and constructive manner and every effort will be made to ensure a satisfactory resolution.

Professor Graham Baldwin

Vice-Chancellor

## **Employer Complaint Procedure**

### **1. What is a complaint?**

- 1.1 A complaint is defined as an expression of dissatisfaction by an employer about any apprenticeship programme of study, apprenticeship related facility or any other service provided by or on behalf of the University, which has materially affected your experience as an employer partner of the University.

### **2. Scope of the Procedure**

- 2.1 This Procedure applies to complaints about the University raised by employers of learners registered with the University.
- 2.2 A complaint may relate to the quality and standard of service, failure to provide a service, the quality of facilities or learning resources, treatment by or attitude of a staff member, student or contractor/sub-contractor, inappropriate behaviour by a staff member, student or contractor, the failure of the University to follow an appropriate administrative process or dissatisfaction with institutional policy.

### **3. Who can complain?**

- 3.1 An employer who employs degree apprentices that are registered on a University programme of study can complain. This does not apply to complaints made by registered learners who need to refer to the Student Complaints Procedure where there are separate mechanisms in place. The University reserves the right to refer complaints to the appropriate alternative processes where these exist.
- 3.2 Anonymous complaints will not be dealt with under this Procedure. It is at the discretion of the University as to how these are handled e.g. enquiries may be initiated where the University considers there is a serious and compelling case supported by evidence.

## **4 Vexatious, malicious or frivolous complaints**

4.1 The University may decline to deal with complaints which are frivolous, vexatious, defamatory or abusive;

- complaints arising from the result of the private endeavours of staff or students or employees of the employer;
- complaints arising from commercial relationships between the complainant and the University where the University deems that there is a more appropriate mechanism for dealing with such disputes;
- complaints which are the subject of a legal claim or criminal investigation.

## **5. Complaints**

5.1 In the event of a complaint relating to the delivery of the Apprenticeship Programme, the employer may contact the Student Casework team, as follows:

Name: Student Casework Team

Department - Academic Registry Email:

studentcasework@uclan.ac.uk Telephone: 01772 896401

5.2 Learners and Employers can contact the Apprenticeship helpline regarding apprenticeship concerns, complaints and enquiries:

National Apprenticeship Helpline

email: nationalhelpdesk@apprenticeship.gov.uk

tel: 0800 015 0400

5.3 If the employer complainant is still not satisfied, they can escalate their complaint to the Complaints Adjudicator at the Education and Skills Funding Agency (ESFA).

Email: complaints.esfa@education.gov.uk

Address: Customer Service Team, Education and Skills Funding Agency

Cheylesmore House, Quinton Road, Coventry CV1 2WT

Please note that the ESFA will not usually investigate complaints more than 12 months after the original decision or action has been taken.

The ESFA outline in their guidance which complaints they will investigate which include:

- the quality, management or experience of education and training;
- undue delay or non-compliance with published procedures;
- poor administration by the provider; or
- equality and diversity issues (except where there is a more appropriate mechanism for dealing with the matter through the court, tribunals or other organisations).

The ESFA complaints procedure is available on .Gov.UK

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

5.4 Nothing in this Procedure shall prevent either the employer or the University taking steps in accordance with the dispute resolution procedure set out in the Apprenticeship Training Services Agreement entered into between the employer and the University to govern delivery of the apprenticeship programme.

## **6. Confidentiality**

6.1 Confidentiality will be preserved during the investigation of a complaint in the interests of everyone concerned unless disclosure is necessary to progress the complaint. The University expects that all parties will respect the confidentiality of the process.

6.2 Any individual about whom a complaint is made will have the right to be informed of the fact and nature of the complaint by their line manager.

- 6.3 Please be aware that we may not be able to disclose outcomes about actions taken in respect of complaints about members of staff, due to the University's obligations regarding confidentiality in employment matters.

## **7. Data Protection**

- 7.1 Complaints will be handled with discretion and access to information will only be provided to those who have a legitimate interest for the purposes of facilitating investigations. In determining this, the University will have regard to legislative requirements for example, data protection and freedom of information legislation, as well as internal University policies and regulations.
- 7.2 Data Protection legislation specifies that individuals have a right to access information concerning them, except in limited circumstances. This means that any third party identified in a complaint, may have an entitlement to access the information that has been written about them on request. Equally, individuals that are the subject of a complaint have a right to understand the nature of the complaint about them in order that the complaint can be adequately investigated and to ensure they are afforded the opportunity to respond.

## **8. Monitoring the Procedure**

- 8.1 The University will monitor the effectiveness of this Procedure to enable the University to continuously improve its services and ensure an inclusive, consistent and constructive approach to complaints.