



**UNIVERSITY
OF HULL**

University of Hull

Higher and Degree Apprenticeships

Employer Complaints Policy

January 2022

University of Hull Higher and Degree Apprenticeships

Note that this policy relates to complaints from employers only. Students/Apprentices should follow the student complaints process available at: <https://www.hull.ac.uk/choose-hull/student-life/student-support/complaints/student-complaints>

Employer complaints policy and process

Policy Statement

1. The University of Hull is committed to providing high quality education and services to all its learners and client organisations. We aim to be responsive to concerns when they are raised. Employers of higher and degree apprentices are important stakeholders in enabling the University to provide high quality degree apprenticeships and we welcome their feedback and cooperation to resolve issues for the benefit of the employer and apprentices.

Purpose

2. As a provider of higher and degree apprenticeships, the University of Hull seeks to resolve any complaints that may arise from an employer of an apprentice registered on a course with the University of Hull in an appropriate manner for the benefit of all concerned.

3. The Education and Skills Funding Agency (ESFA) requires all providers to provide employers with a written complaints and dispute resolution policy and process. This policy addresses that requirement by setting out the framework for employers to raise and resolve complaints and disputes.

4. Action taken as a result of complaints will help the University to improve the quality of education that it provides for apprenticeships.

Scope

5. This process can be used for all complaints that employers wish to raise with the University in relation to higher and degree apprentice provision. Complaints from apprentices are outside the scope of this policy. Where an apprentice is dissatisfied with any aspect of their apprenticeship they should refer to their apprentice agreement and raise relevant matters with the University via the University's Student Complaint Regulations.

Objectives

6. The desired objectives of the policy are:

- to resolve concerns at the earliest opportunity
- to ensure that the decision-making processes for complaints and disputes are fair and transparent to the complainant, and
- to give all parties a clear procedure for escalating concerns that cannot be resolved at the level where they arise.

Complaints and dispute resolution procedure

7. In the event that any dispute arises between the University and the employer, or between the employer and any sub-contractor, the parties shall discuss in good faith a resolution to the dispute. For the University, the initial point of contact for discussions is the Apprenticeship Operations Manager:

Telephone +44 (0)1482 466373

Email: apprenticeships@hull.ac.uk

8. If the dispute continues for a period of five working days, either party may formally refer the dispute in writing to the authorised officer or lead contact nominated for their organisation. The authorised officer for the University is the Director of Apprenticeships and Skills.

9. The referral notice should include:

- the name and job title of the authorised officer to whom the referral is being made
- sufficient details of the nature of the dispute or complaint
- copies of any supporting documents
- details of what steps have already been taken to resolve the dispute or complaint
- what outcome(s) the referrer would like to address the complaint or resolve the dispute
- whether there are any special circumstances which need to be taken into account, including any reasonable adjustments which any party wishes to make to the complaints-handling process to ensure it is accessible and fair to those involved.

10. The authorised officer and employer contact shall discuss the dispute within five working days of the date of referral and attempt to resolve the dispute, or agree the next steps for working out a solution.

11. If no resolution can be reached, either of the authorised officers may refer the matter to the Pro-Vice Chancellor (Education) on behalf of the University and an alternative representative of the employer, who shall seek to resolve the dispute within ten 10 working days thereafter.

12. Where the parties cannot reach a satisfactory resolution within thirty days working days after commencing discussions, either party may refer the matter to mediation in accordance with the model procedure of the Centre for Dispute Resolution, London (“CEDR”), such mediation to be completed within thirty working days of signature of the CEDR Mediation Agreement.

13. Nothing in this procedure is intended to replace or repeal any rights of the employer or the University in accordance with the contractual agreements signed by the parties in connection with the apprenticeship and this procedure is intended to supplement the contractual arrangements between the parties. If there is any conflict between the terms of

this procedure and the contractual documentation between the Parties the contractual documentation shall take precedence over the terms of this procedure.

Roles and Responsibilities

14. Relevant roles on behalf of the University are:

(i) Apprenticeship Operations Manager is the initial point of contact for employers to raise issues and seek early resolution.

(ii) Director of Apprenticeships and Skills is the Authorised Owner and is the operational policy owner responsible for monitoring implementation of the policy as well as being responsible for signing off changes to the agreement. The Authorised Owner will also advise the Executive Policy Owner where there is a senior level resolution of a dispute.

(iii) Pro-Vice Chancellor (Education) is the Executive Policy Owner with responsibility for keeping under review the effectiveness of the policy via the University's Apprenticeship Governance Board and responsible for adjudicating senior level disputes.

15. The Lead Contact for the Employer is the signatory to the apprentice agreement with responsibility for oversight of the apprenticeship arrangements, or such other person as the Employer may reasonably notify to the University from time to time during the term of the apprenticeship agreement.

End Point Assessment Providers

16. The Employer acknowledges that the University does not exercise control over the End Point Assessment Provider. If the Employer has a complaint about an End Point Assessment Provider they should contact the University in the first instance to discuss the complaint by contacting the Skills and Apprenticeships Service on:

Telephone +44 (0)1482 466373

Email: apprenticeships@hull.ac.uk

17. If the University at its sole discretion considers it appropriate it may seek to mediate any complaints as between the Employer against an End Point Assessment Provider. The University may, however, determine that it is appropriate for a complaint against an End Point Assessment Provider to be raised directly with the End Point Assessment Provider by the Employer. If the Employer is directed to the End Point Assessment Provider to raise a complaint with them, the Employer shall keep the Apprenticeship Operations Manager informed of the progress and any resolution of the complaint.

18. In the event that the Employer is not able to reach a resolution of a complaint with an End Point Assessment Provider the University may provide such assistance to the Employer or the End Point Assessment Provider as it considers appropriate in order to resolve the complaint.

19. If the Employer has not been able to resolve a complaint with an End Point Assessment Provider in accordance with the above paragraphs 16-18 the Employer may raise a formal complaint with the University regarding the End Point Assessment Provider, using the procedure set out above at paragraphs 7-13 of this procedure.

Joint Complaints (Employer/Apprentice)

20. If the Employer and its Apprentice seek to raise a joint complaint against the University arising out of the apprenticeship provision the University shall consider the facts of the complaint and will determine, at its sole discretion, the appropriate procedure to be adopted in respect of the complaint and the complaint will either follow the process set out in this procedure or shall follow the process set out in the University's Student Complaint Regulations.

Escalation of Complaints

21. In the event that the Parties have been unable to resolve a complaint in accordance with the process set out in this procedure the Employer may escalate their complaints in accordance with the ESFA complaints process which can be found at:

<https://www.gov.uk/complainfurthereducationapprenticeship>

Definitions and Abbreviations

22. Abbreviations used in this policy are:

- "CEDR" means the Centre for Dispute Resolution London
- "HEI" means Higher Education Institution
- "ESFA" means the Education and Skills Funding Agency

Associated Documents

23. The Complaints Policy and Process has been written with reference to:

- Education and Skills Funding Agency 'Apprenticeship Funding Rules for Main Providers, August 2021 to July 2022'
- Education and Skills Funding Agency - Complain about a further education college or Apprenticeship.

Review

24. This policy is subject to annual review by the University to ensure it continues to meet the University's needs and the requirement of the ESFA regulations and contract.