

**University of Hull**

**Higher and Degree Apprenticeships**

**Issue Escalation and Resolution Policy**

**Note –** this policy is to be used for all issues raised relating to the progress of apprentices. It may be used alongside and in addition to other policies, in particular ‘[The Investigation and Determination of Concerns about Fitness to Practise](https://www.hull.ac.uk/choose-hull/university-and-region/key-documents/docs/quality/assessment/regulations-governing-the-investigation-determination-of-concerns-about-fitness-to-practise-v2-07.docx)” and the specific requirements detailed in Programme Handbooks. For FoHS apprentices, this policy may also be used alongside the requirements of the [Placement Learning Unit](https://www.hull.ac.uk/faculties/fhs/shsw/placement-learning-unit) .

**July 2023 – V8**

**Issue escalation and resolution policy and process**

**Policy Statement**

The University of Hull is committed to providing high quality education and services to all its learners and client organisations. We aim to act swiftly upon the identification of any issues or concerns that may jeopardise an Apprentice’s opportunity to successfully complete their apprenticeship.

An apprenticeship is a three-way partnership between the Employer, the Apprentice and the University. As such, we welcome the opportunity to work with these stakeholders to resolve any issues that may arise as quickly as is practicable; for the benefit of all parties involved.

**Purpose**

As a provider of higher and degree apprenticeships, the University of Hull seeks to resolve any risk to an apprentice’s successful completion in a timely manner for the benefit of all concerned.

The Education and Skills Funding Agency (ESFA) sets out the regulations that all parties must meet for the continued eligibility for Apprenticeship funding (<https://www.gov.uk/guidance/apprenticeship-funding-rules>). The University of Hull also has its own methods to aid in evidencing continued compliance to these requirements; these are set out in the Apprentice / Employer contractual documentation that all parties have agreed.

This policy sets out a standardised way in which the University of Hull will address any identified risk of or breach of apprenticeship requirements (or any other issue that is deemed to pose a risk to the successful completion of an Apprentice’s programme). However, there may be occasions where the University may be required to deviate from this policy. These occurrences will be assessed on a case-by-case basis, and deviation from this policy will only occur if deemed necessary and appropriate by either the Head of Apprenticeships (Quality of Education) or the Head of Apprenticeships (Funding and Compliance).

**Scope**

This policy applies to all apprentices and employers engaged by the University in its role as a training provider for apprenticeships. While any individual is able to raise an issue, the policy is to be used by University staff responsible for ensuring the progress of apprentices through their programme.

This process can be used for most apprentice / employer issues arising from non-compliance with the funding rules and / or the terms of the Apprenticeship contractual documentation. Where this process is not appropriate, the most suitable course of action will be agreed by either the Head of Apprenticeships (Quality of Education) or the Head of Apprenticeships (Funding and Compliance).

For clarity, the scope of this policy is restricted only to progress concerns relating to apprenticeship students. Apprentices, in particular health related apprentices, must familiarise themselves with their Programme Handbook for information about processes and policies that may apply to their programme – for example in relation to the escalation of practice concerns. Where an issue is raised relating to a placement learning issue, as this also affects the progress of an apprentice through their programme, a Cause for intervention form (Appendix A) must be completed as well as the necessary processes detailed by the Faculty for [Raising Practice Concerns](https://www.hull.ac.uk/choose-hull/university-and-region/key-documents/docs/quality/assessment/regulations-governing-the-investigation-determination-of-concerns-about-fitness-to-practise-v2-07.docx).

Should an apprentice be dissatisfied with this process, or outcome of the process, they should refer to the University’s [Student Complaint Regulations](https://www.hull.ac.uk/choose-hull/student-life/student-support/complaints/student-complaints).

Where an employer is dissatisfied with the process, or outcome of the process, they should refer to the University of Hull Higher and Degree Apprenticeship Employer Complaints policy.

**Objectives**

The desired objectives of the policy are:

* to resolve issues impacting the Apprentice’s eligibility or ability to successfully complete their programme at the earliest opportunity.
* to ensure that the escalation processes are fair and transparent to all parties.
* to give all parties a clear procedure for escalating issues that cannot be resolved at the level where they arise.
* to ensure the University remains compliant with quality and funding regulations and policies.

**Issue escalation panel meetings**

Issue escalation panel meetings are held monthly. The function of the panel is to discuss existing and new risks relating the progress of apprentices. The panel also agrees any action that is to be taken in order to mitigate these risks. The panel is chaired by either the Head of Apprenticeships (Quality of Education) or Head of Apprenticeships (Funding and Compliance), and there is an expectation that Programme Directors and Portfolio Tutors attend the panel where their apprentices are in scope.

**Issue escalation and resolution procedure**

Issues that are to be escalated using this procedure may be classified as either a ***cause for intervention or critical cause for intervention****. The classification will be discussed and agreed at the relevant issues escalation panel meeting.*

Please refer to the list below for examples of the type of issues that would require escalation to the panel. Please note, this list is not exhaustive. Any issue that is deemed to pose a risk to apprentice eligibility or progression must be raised through this process.

Note that some issues may be dependent on the investigations that an employer may initiate, and the outcome dependent on their findings. However, in all cases where there is an impact on the progress of an apprentice, this process will still apply.

**Examples of where a cause for intervention should be raised**

* Missing “Off the job (OJT)” timesheets / workbooks
* Not achieving / recording minimum OJT required
* Non-attendance at lectures / workshops
* Issues with fitness to practice
* Failure to engage with progress reviews (apprentice OR employer)
* Failure to upload progress reviews / ILR / portfolio / workbook information
* Failure to achieve targets / complete work set during reviews
* Deferred modules (where this will cause an assessment burden OR impact planned progress)
* Apprentice placed on academic action plan
* Apprentice behind planned end date
* Non engagement with EPA processes and requirements (apprentice OR employer)

**Examples of where a critical cause for intervention should be raised**

* Failure to comply with the cause for intervention procedure and / or apprentice has not completed the agreed actions within the timeframe
* Serious concerns regarding fitness to practice
* Gross misconduct
* Academic misconduct
* Suspension from employment or ongoing investigation in the workplace

**“Cause for Intervention” escalation procedure**

In the event that a “cause for intervention” is identified the following procedure will be followed.

Upon an apprentice risk being identified, the “Cause for intervention” form appended to this policy will be completed by the initiator of the issue. The Portfolio Tutor and Programme Director will liaise to agree a provisional course of action to present to the panel. The form must be returned to the Apprenticeship Funding and Compliance Service.so that it may be logged and stored within the apprentice record.

The relevant Portfolio Tutor will seek to notify the Apprentice (if not present when the issue has been raised), the Apprentice’s Line Manager and / or Mentor/Practice Assessor (as appropriate) and the named Apprenticeship lead at the employing organisation of the issue within 3 working days. All parties shall use best efforts to find a resolution to the issue. All parties should use the Cause for intervention form to either;

* Resolve the issue within 10 working days or
* Create a resolution action plan detailing the steps that will be taken to resolve the issue, along with the timeframe for expected resolution (this can form part of the review document, if necessary).

In the event that the issue is not resolved within 10 working days OR as per the agreed timeline within the resolution action plan, the issue will be escalated to the Chair of the Issue escalation panel who will issue a formal written warning letter to the Apprentice (cc line manager) and to the Apprenticeship lead at the employing organisation. This letter will include as a minimum;

* Sufficient details regarding the nature of the problem
* The reason that action is required
* Details of any previous attempt at resolving the issue
* The desired outcome of the notification
* Deadline for desired resolution
* Next steps in the event of non-compliance

If the issue is not resolved within the specified timeframe within the warning letter, the issue will be reclassified as a “Critical cause for intervention and the necessary procedure followed.

**“Critical cause for intervention” escalation procedure**

If a “critical cause for intervention” is identified, and the Apprentice / Employer have not previously been notified (i.e. the issue has immediately been classified as “critical” and has not followed any prior escalation procedures), either the Portfolio Tutor OR Programme Director / Head of Academic are will notify the Employer and Apprentice within 3 working days, and arrange for a meeting to be held with the employer. This meeting should outline the risk to the apprentices programme as a result of the critical cause for intervention. It should be clearly outlined to the employer that failure to resolve the issue will result in the apprentice’s removal from programme.

All parties should aim to either;

* Resolve the issue within 10 working days or
* Create a resolution action plan detailing the steps that will be taken to resolve the issue, along with the timeframe for expected resolution (this can form part of the review document, if necessary).

In the event that;

* The issue is not resolved within 10 working days OR
* Resolved as per the agreed timeline within the resolution action plan OR
* The Employer / Apprentice have already received a warning letter;

The issue will be escalated to the Chair of the Issue escalation panel who will issue a formal notification of intent to terminate the programme, in line with the Apprenticeship contract. This written notification will give the Apprentice / Employer thirty working days in which to correct the issue before the termination clause is enacted. Where the parties cannot reach a satisfactory resolution within thirty working days, the Chair of the Issue escalation panel in conjunction the Faculty Apprenticeship Lead may choose to terminate the Apprenticeship contract and remove the Apprentice from their programme of study.

Please note; to allow the Chair to terminate the Apprenticeship, evidence must be provided that the Programme Director or University representative has engaged with the employer and worked to resolve the issue.

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.

**Definitions and Abbreviations**

Abbreviations used in this policy are:

* “EPA” mean End Point Assessment
* "ESFA" means the Education and Skills Funding Agency
* “OJT” means Off the job training

**Associated Documents**

The Issue Escalation and Resolution Policy has been written with reference to:

* Education and Skills Funding Agency Apprenticeship funding rules for August 2022 to July 2023 <https://www.gov.uk/guidance/apprenticeship-funding-rules>
* Education and Skills Funding Agency Apprenticeship funding rules for August 2023 to July 2024 <https://www.gov.uk/guidance/apprenticeship-funding-rules>

**Review**

This policy is subject to periodic review by the University Apprenticeship Quality and Compliance Committee and agreed by the Apprenticeship Governance Board to ensure it continues to meet the University's needs and the requirement of the ESFA regulations and contract.

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# Higher and Degree Apprenticeships : Cause for Intervention Form

The purpose of the Cause for Intervention Form is to ensure that apprentices, employers and university staff are aware of any risk to the apprentice or their progress at the earliest stage of the programme and that a supportiveaction plan is agreed. The form will be used to structure support, provide feedback, monitor apprentice progress and escalate these risks.

|  |  |
| --- | --- |
| **Apprentice Details** | |
| **Name of initiator:** |  |
| **Role of initiator:** |  |
| **Name of Apprentice:** |  |
| **Cohort : (if known)** |  |
| **Student ID No: (if known)** |  |
| **Apprentice’s Portfolio Tutor:**  **(if known)** |  |
| **Workplace** |  |
| **Name of workplace Line Manager** |  |
| **Date of form:** |  |

|  |
| --- |
| **Nature of issue** |
|  |

|  |  |  |
| --- | --- | --- |
| **Summary of discussion between Portfolio Tutor (or nominee) and apprentice** | | |
| **Agreed actions** | | |
| **Level of issue: *(Tick box as appropriate)*** | | |
| Cause for intervention – Follow the process in arranging a review meeting/discussion to resolve the issue(s) | |  |
| Critical cause for intervention – Refer immediately to the Chair of the Issue escalation panel | |  |
| **Signature of Portfolio Tutor (or nominee):** |  | **Date:** |
| **Signature of Apprentice:** |  | **Date:** |
| **Signature of workplace Manager/Supervisor (if appropriate)** |  |  |