



# **Complaints for Employers of Apprentices**

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## Policy and Procedure

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Author:	Laura Brown
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# Complaints Policy and Procedure for Employers of Apprentices

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# **Complaints Policy and Procedure for Employers of Apprentices**

## **1. Introduction**

This policy sets out the process for employers of apprentices to make a complaint about the service provided by University of the Built Environment.

University of the Built Environment is committed to delivering a high-quality service and takes feedback from both students and employers very seriously. It is our aim to settle complaints promptly, fairly and courteously in the best interest of all parties, and to address areas where improvement is needed. The University is keen to ensure that the interests and well-being of all those associated with complaints are properly safeguarded.

University of the Built Environment aims to handle complaints in a manner which:

- encourages informal conciliation nearest to the source of the complaint,
- is efficient and fair,
- treats complaints with appropriate seriousness, sympathy and confidentiality,
- facilitates early resolution,
- where relevant, ensures that the institution's practice improves as a result.

For effective oversight of processes and provision, details of complaints, including outcomes, are reviewed on a quarterly basis by the University Senior Leadership Team and Board of Trustees. The Complaints Officer will monitor the complaints received to check for evidence of trends in failure of provision or delivery.

An anonymised summary of complaints and how they are managed are reported annually to University's Quality Standards and Enhancement Committee.

## **2. Scope**

The procedure is applicable to the following:

- Employers of apprentice students studying on an apprenticeship route at the University

The following are not in scope of the procedure:

- Employers sponsoring a student's studies
- Students. There is a separate complaints procedure for students that wish to make a complaint, which can be found on the Virtual Learning Environment (VLE) and on [University website \(opens in new window\)](#)

### 3. Definitions

A '**complaint**' is defined as '*an expression of dissatisfaction by one or more students about the University's action or lack of action, or about the standard of service provided by or on behalf of the institution*'.

An '**Appeal**' is '*a request for a review of a decision made by an individual or body (i.e. one of the University's committees) charged with determining applications for admission and making decisions about student progression, assessment and awards*'. Appeals are normally, but not exclusively, related to decisions of the Board of Examiners (i.e. results), decisions of the Academic Misconduct Panel or the Fitness to Study Panel, mitigating circumstances decisions, disciplinary decisions, decisions on the provision of reasonable adjustments, or decisions on admissions or registration. The University has separate procedures for dealing with complaints and appeals. **Only students are able to make an appeal**, using the [Student Appeals Procedure \(opens new window\)](#).

### 4. Guide to making a complaint

The University welcomes constructive complaints and encourages a positive environment where complaints can be dealt with effectively.

The process for raising a complaint by an employer of an apprentice studying with the University is detailed below. Please note:

- If as an employer you raise a complaint that the apprentice involved also raises with us, the issue will be investigated using both this procedure and the [Student Complaints Procedure \(opens new window\)](#). Separate responses will be provided to each party, taking in account the different perspectives, the level of information that can be shared, and the different resolutions appropriate for apprentices and employers.
- The University will work with employers to resolve any issues, even if they are raised outside the timescales outlined in this procedure. However, you should be aware that if a complaint is made outside the deadlines stated, this may hinder our ability to fully investigate the complaint or provide appropriate outcomes, and the University may deem it appropriate not to allow access to the later stages of this procedure.
- The Complaints Officer is happy to provide impartial advice on the complaint's procedure. You can contact the Complaints Officer on [complaints@ube.ac.uk](mailto:complaints@ube.ac.uk).

## 5. Stage 1: Informal Complaints

Complaints should be raised as soon as possible after the issue arises and normally within 20 working days or as a maximum **within three calendar months** of the incident, which is the cause of your complaint. You can raise a complaint with your Apprenticeship Outcomes Officer, with your contact in the Business Development Team, or by emailing [apprenticeshipmanagement@ube.ac.uk](mailto:apprenticeshipmanagement@ube.ac.uk) or [businessdevelopment@ube.ac.uk](mailto:businessdevelopment@ube.ac.uk).

Your complaint will be acknowledged within 2 working days. The aim is to resolve the problem directly and informally at the earliest opportunity. It is anticipated that the majority of complaints will be resolved in this manner. You will receive a full response within 20 working days. This may initially be provided verbally but will be followed up in writing.

If you are dissatisfied with the action taken at this level, you can make a formal complaint to the Complaints Officer, see [Stage 2 : Formal Complaints](#)

## 6. Stage 2: Formal Complaints

You can raise a Stage 2 complaint if you are not satisfied with the action taken at Stage 1 within 20 working days of the Stage 1 response by emailing the Complaints Officer at [complaints@ube.ac.uk](mailto:complaints@ube.ac.uk) .

The email should be set out the details of the complaint in full, actions already taken and what would be an appropriate resolution.

Your complaint will be acknowledged within 2 working days. The Complaints Officer will allocate your complaint to an 'Investigating Officer' to review your case. The 'Investigating Officer' will be a member of the University's Senior Leadership Team with no previous involvement in the case.

To investigate the complaint, the Investigating Officer will review all papers submitted and meet with relevant members of staff (including senior staff in the Apprenticeship Management Team and Business Development Team). The Investigating Officer may also speak with you if they need to clarify any facts of the complaint. A written response relating to the findings of the inquiry will be issued by the Investigating Officer within 20 working days of receipt of the formal complaint.

If you are not satisfied with the action taken at this level, you may choose to proceed to Stage 3 of the procedure within 20 working days of receiving the outcome of Stage 2. See [section 8. Review](#) for details on the next stage of escalation.

### 7. Complaints about staff conduct

- 7.1 Complaints relating to staff conduct are investigated at Stage 2: Formal Complaint. Any complaints of this nature should be raised directly with the Complaints Officer by emailing [complaints@ube.ac.uk](mailto:complaints@ube.ac.uk) .
- 7.2 The email should set out the details of the complaint in full, actions already taken, and what would be an appropriate resolution.
- 7.3 The complaint will initially be reviewed by the Director of HR who will determine who is the best person to investigate your complaint. In some cases, it may be appropriate for the Director of HR to lead the investigation, either informally or formally in accordance with the University Staff Disciplinary Procedure.
- 7.4 The Investigating Officer will review all papers submitted and meet with relevant members of staff. The Investigating Officer may also speak with you if they need to clarify any facts of the complaint.
- 7.5 The University will aim to provide you with a written response to your formal complaint within 20 working days of receipt of your complaint as required by Stage 2 of the procedure ([see section 6](#)). However, the nature of employment-related investigations can be complex and lengthy, and the University is required to adhere to employment legislation and statutory guidance throughout the process. In these cases, the University will provide you with a response as soon as reasonably possible and will keep you updated on progress.
- 7.6 The University will provide a formal written response outlining the University's position in as much detail as is possible to give. However, due to the confidential nature of employment investigations, the University may not be able to disclose the complete findings of the investigation, nor confirm what action may or may not be taken as a result of the outcome of the investigation. This includes whether the University will deal with the complaint on an informal or formal basis with the member of staff.
- 7.7 If it is stated that any part of the complaint response is provided on a confidential basis, you have an obligation to keep this information confidential.

If you are not satisfied with the action taken at this level, you may choose to proceed to Stage 3 of the procedure within 20 working days of receiving the outcome of Stage 2. See [section 8. Review](#) for details on the next stage of escalation.

## 8. Review

If you are dissatisfied with the response provided by the University at Stage 2, you can request the complaint to be escalated for review at Stage 3. To raise a Stage 3 review, contact the Complaints Officer on [complaints@ube.ac.uk](mailto:complaints@ube.ac.uk) within **20 working days** of receiving the Stage 2 response and request that your case is referred for Stage 3 Review

The Stage 3 review is completed by an external independent reviewer, normally an Independent Trustee from the Board of Trustees, who sits outside of the University's management structure. The Stage 3 Review is confined to:

- i. A review of whether the appropriate procedures were followed at Stage 2 of the complaint.
- ii. Consideration of whether the decision was reasonable in all circumstances.
- iii. A review of any new material evidence which was unable, for valid reasons (to be decided by the Reviewer), to be provided earlier in the procedure.

The reviewer will not re-investigate the complaint unless new evidence has been presented.

A member of the University's Executive will also consider the report from the Stage 3 Reviewer when providing the University's response to your Stage 3 complaint. The Complaints Officer will issue the Stage 3 response within **20 working days** of receipt of your request for a Stage 3 review.

This is the final stage of the University's internal complaint procedures. If you are not satisfied with the action taken at this level, see [section 9: External Escalation](#).

## 9. External Escalation

### Department for Education (DfE)

If you have completed all internal procedures and are still not satisfied, as an apprentice employer the Department for Education (DfE) may be able to consider your complaint under their [Complaints Procedure \(opens new window\)](#).

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

A complaint may be escalated to the DfE via their online [customer portal](#) (opens new window)

## 10. How will my information be dealt with

- 10.1 The University will treat any personal information gathered on complaints confidentially, in line with the General Data Protection Regulation (GDPR). Sensitive personal information gathered through the complaint will only be disclosed to those who need to investigate the complaint and provide a response.
- 10.2 Identifiable personal information on complaints will be retained for 3 years from the date of completion of the complaints process. Completion may occur at stage 1, 2, or 3, depending on whether you have decided to progress your complaint or not.
- 10.3 In line with guidance from the UK Quality Assurance Agency (QAA) and the Office of the Independent Adjudicator for Students in Higher Education (OIA), the Complaints Officer will record all complaint outcomes. Anonymised details of complaints, including outcome, are reviewed on a quarterly basis by University Senior Leadership Team and Board of Trustees. The complaint log is analysed for continuous improvement in processes and provision.
- 10.4 An anonymised summary of complaints and how they are managed are reported annually to University's Quality Standards and Enhancement Committee. Monitoring complaints is an effective way of helping the University to ensure that procedures are fair and are working as intended.
- 10.5 The University may be required to inform relevant Professional Statutory and Regulatory Bodies about information relating to complaints.
- 10.6 The Complaints Officer will keep the Apprenticeship Management Team and the Head of Business Development informed of the outcome of each stage of the process and of how the matter has been resolved.

## **11. Guidelines for Members of Staff**

- 11.1 Any member of staff responding to a Stage 1 employer complaint should provide a copy of the written response to the Complaints Officer on [complaints@ube.ac.uk](mailto:complaints@ube.ac.uk).
- 11.2 All members of staff must encourage a positive environment where contact with, and feedback from, employers is welcomed, and constructive complaints can be dealt with effectively.
- 11.3 All members of staff must have a good working knowledge of the Complaints Procedures and their underlying principles. The University will notify staff of where this procedure can be accessed and will advise of any updates.
- 11.4 All members of staff must have due regard to treating personal information gathered on complaints confidentially, in line with the General Data Protection Regulation (GDPR). Sensitive personal information gathered through the complaint should be appropriately stored and only disclosed to those who need to investigate the complaint and provide a response. Relevant case information can be disclosed within University of the Built Environment only to support continuous improvement.