



Employer Complaints Policy (Apprenticeships)

1. Introduction

This policy is to inform employers that are engaged with the University of Bedfordshire of the process to follow in order to make a complaint about the service provided by the University. A group of employers may use this procedure to make a collective complaint provided that one employer identifies as the main contact for purposes of communication. Complaints will be treated seriously and employers will not suffer any disadvantage or recrimination as a result of making a complaint in good faith. However, it is expected that employers will conduct themselves responsibly and treat the process and those members of the university involved in the process with respect at all times.

The University has a separate complaints policy for apprentices, which can be accessed at <https://www.beds.ac.uk/media/264380/student-complaints-policy.pdf>.

After the internal University processes have been exhausted, complainants have the opportunity to have their raise their complaint with the Education and Skills Funding Agency (ESFA) if they are not satisfied with the University's response.

2. Definitions

Complaint

For the purposes of this policy a client complaint is "an expression of dissatisfaction by one or more clients about the University's action or lack of action, or about the service provided by or on behalf of the university."

Feedback

A client may provide feedback which will be useful to a school or service when reviewing its policies and operations, without invoking this policy. Employers are encouraged to provide feedback at a local level to the appropriate department or school or service provider in a prompt and constructive manner.

3. Process of making an employer complaint

There are three stages to the University complaints procedure:

Stage 1: Informal discussion between employer and apprenticeship coordinator, or the Innovation and Enterprise Service for matters relating to contracts or payment issues.

Stage 2: Formal complaint to the Academic Director of Apprenticeships

Stage 3: Dispute resolution escalated to the Deputy Vice Chancellor (Academic)

4. How to make an employer complaint

Stage 1: Informal discussion

We hope that the majority of complaints can be resolved in this manner. Complaints should be raised immediately with the relevant department.

We ask employers to seek to resolve their complaint informally prior to making a formal complaint. Complaints regarding the University's apprenticeship education and training made by employers should initially be raised with the apprenticeship coordinator so that most matters should be satisfactorily resolved at that level. Complaints relating to contractual matters or payment issues should be raised with your key contact in the Innovation and Enterprise Service at apprenticeships@beds.ac.uk

Stage 2: Formal Complaint

If an employer is unable to resolve their complaint informally, or he/she is unhappy with the response, the matter should be raised in writing by emailing the Academic Director of Apprenticeships, Dr Rhidian Lewis, at rhidian.lewis@beds.ac.uk

The email should be titled as 'formal complaint' and should set out clearly the details of the complaint in full; the action that has been taken to resolve the matter informally, and the resolution sought by the employer. The formal complaint must be raised within two months of receiving written response to Stage 1.

Stage 3: Dispute resolution

In the event of a dispute arising between the parties, either party may serve written notice on the other stating the nature of the dispute (a Dispute Notice). The University's Representative is Professor Mary Malcolm, Deputy Vice Chancellor (Academic), who can be reached at mary.malcolm@beds.ac.uk After service of the Dispute Notice, the following procedure shall be followed by the parties within five (5) days, the Training Provider's Representative and the Employer's Representative shall meet to attempt to settle the dispute (each party acting in good faith);

- if the Training Provider's Representative and the Employer's Representative are unable to reach a settlement within twenty one (21) days from the date of service of the Dispute Notice, the chief executive officers of each of the parties shall meet within the following fourteen (14) days to attempt to settle the dispute; and
- if no settlement results from the meeting, for the following fifty six (56) days the parties shall

attempt to settle the dispute by mediation (in accordance with the CEDR Model Mediation Procedure) by an independent mediator appointed by CEDR unless otherwise agreed between the parties, with costs to be shared equally between the parties.

- If no settlement is reached the dispute shall be determined by the English High Court and the parties submit to the exclusive jurisdiction of such court for such purposes.

5. Further action

Complainants have the opportunity to raise their complaint with the Education & Skills Funding Agency (ESFA) if they are not satisfied with the university's response.

The employer must contact the ESFA within 12 months after the issue happened. The complaint should be emailed or posted to the ESFA complaints team.

ESFA complaints team complaints

ESFA@education.gov.uk

Complaints team
Education and Skills Funding Agency
Cheylesmore House
Quinton Road
Coventry
CV1 2WT

The ESFA will reply to let you know what will happen next. If you're unhappy with the ESFA response you can contact the Department for Education if you're unhappy with how the ESFA has dealt with your complaint.