



ACADEMIC POLICY FRONT COVER SHEET

Name of Policy:	Employer Complaints and Disputes Policy and Process
Scope of Policy:	Written policy detailing the University's approach to resolving complaints and disputes with employers working with the University (or its subcontractors) in the delivery of apprenticeships.
Author:	Owner: Linsey Woodcock, Director of Quality, Enhancement and Standards Author: Patrick Leonard, Higher and Degree Apprenticeships Manager
Applicable to:	Employers of apprentices in receipt of funding through the University's contract with the ESFA. The University and any other providers delivering apprenticeship training on its behalf through a subcontracting arrangement
Consultation Process:	Internal quality and curriculum meetings
Approval Body:	Academic Affairs Committee, Academic Board
Date of Approval:	17 October 2019
Date of Implementation (if different from date of approval):	17 October 2019
Review Date:	Annual review to align with University's needs and publication of ESFA Funding Rules
Version:	Version 2
Contact for Further Information:	Patrick Leonard, Apprenticeships Manager Email; pleonard@lincoln.ac.uk Phone: 01522 886788



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APPRENTICESHIP PROVISION EMPLOYER COMPLAINTS AND DISPUTES POLICY AND PROCESS

Apprenticeship Provision

The scope of this policy covers Higher and Degree Apprenticeships and Apprenticeships at Levels 2 and 3 delivered as part of the University's Further Education offer to employers.

Policy Statement

The University of Lincoln is committed to providing high quality education and services to all its students and business partners. We aim to be responsive to concerns when they are raised. Employers of apprentices and subcontractors who work with us to deliver apprenticeship provision are important stakeholders in enabling the University to provide high quality apprenticeships and we welcome their feedback and cooperation to resolve issues for the benefit of apprentices. We also recognise that true partnership involves the University, its Subcontractors, where used, and Employers working together to improve provision. This policy is therefore intended to enable all partners (the University, its Subcontractors and the Employer) to openly raise and address concerns with each other.

Purpose

The University of Lincoln is responsible for resolving issues and concerns raised by employers with whom we work to deliver apprenticeships. The Education and Skills Funding Agency (ESFA) requires that Training Providers provide employers with a written complaints and dispute resolution policy and process which this policy provides. Action taken as a result of complaints will help the University to improve the quality of education that it provides for apprentices and our level of service to our business partners. Disputes between the University and its subcontractors are covered in the University's sub-contracting apprenticeship sub-contracting agreement.

Scope

This process can be used for all complaints that employers wish to raise with the University, including complaints about any subcontracted delivery, in relation to apprenticeship provision. It also allows for disputes resolution on the part of both partners (the Employer and the University). Complaints from apprentices are outside the scope of this policy and subject to the University of Lincoln's Student Complaints Procedure contained in Part E of the [University of Lincoln General Regulations](#) and as signposted in the Commitment Statement.

Objectives

The objectives of the policy are to:

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

Complaints and Dispute Resolution Procedure

Stage 1 – Informal Resolution

In the event of a dispute arising between the University, including its subcontracted provision, and the Employer, either party shall seek to resolve the dispute in good faith through open discussion. The initial discussions should be progressed via the School's and the Employer's key contacts as named in the Apprenticeship Training Service Agreement.

Stages 2 - Formal Resolution

If the key contacts are unable to resolve the dispute within 10 working days of initial discussions concluding, the Employer and the Training Provider may formally refer the dispute in writing to the next stage. Employers should write to or email the Director of Quality, Enhancement and Standards at the University of Lincoln, who should formally refer the dispute to the Employer's key representative as identified in the Apprenticeship Training Service Agreement. The Director of Quality, Enhancement and Standards and the Employer's representative will conduct further investigation into the dispute and facilitate further mediation.

Contact information: The Director of Quality, Enhancement and Standards

Email: lwoodcock@lincoln.ac.uk

Address: Director of Quality, Enhancement and Standards, University of Lincoln, Brayford Campus, Lincoln, LN6 7TS

Stage 3 – Formal Resolution

If the dispute cannot be resolved at Stage 2, then the Chief Executive Officer for the Employer and a Deputy Vice Chancellor for the University of Lincoln shall meet within 15 working days from the conclusion of Stage 2 of the process to attempt to settle the dispute.

Stage 4 – External Mediation

If the parties cannot reach a satisfactory resolution within 20 working days of the commencement of Stage 3, either party may refer the matter to mediation in accordance with the model procedure of the Centre for Effective Dispute Resolution (CEDR), such mediation to be completed within thirty working days of signature of the CEDR Mediation Agreement. The costs of external mediation will be shared between the parties.

If no settlement can be reached, the dispute can then be passed by either party to be determined by the English High Court and the parties submit to its exclusive jurisdiction.

National Apprenticeship Helpline

In addition to the process set out in the University's Policy, Apprentices and Employers can contact the National Apprenticeship Helpline regarding apprenticeship concerns, complaints and enquires:

Email: nationalhelpdesk@apprenticeships.gov.uk

Telephone: 08000150400

Review

This policy has been drafted with reference to ESFA Funding Rules for 2019-20 and is subject to annual review by the University's Academic Affairs Committee to ensure it continues to meet the University's needs and the ESFA's regulations and contract requirements.