

**University of Westminster**

**Apprentice and Employer Complaints Guidance and Process**

Maintained by: Business Engagement  
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**1. Introduction**

- 1.1 The University's Apprenticeships Team strives to provide excellent service and training provision for all apprentices and their employers. However, we acknowledge that from time to time there may be an issue that needs special attention if it is to be resolved quickly and equitably.
- 1.2 As an Office for Students registered Higher Education Institution, the University of Westminster operates robust complaints handling procedures, providing assurances to all stakeholders that concerns and issues are managed according to clear processes.
- 1.3 Recognising the different complaints elements found in the tripartite relationship between the University, employer and apprentice, this document sets out the processes when making a complaint.
- 1.4 Where further guidance is required, do not hesitate to contact your assigned Apprenticeship Co-ordinator.

**2. Types of complaint**

- 2.1 Complaints are managed according to who makes the complaint and the nature of the complaint.
- 2.2 The processes for complaint management are differentiated as follows:

*a. Academic Programme Complaints*

We would expect complaints about the academic provision or other University services (excluding Apprenticeship Services) to be made by the apprentice, as the individual studying on the specific programme. For apprentices wishing to make a programme complaint please refer to the Student Complaints Procedure (attached).

Recognising that on occasion an employer may wish to complain about the programme, as per paragraph 4.4 of the Student Complaints Procedure, employers

may submit a complaint on behalf of their apprentice provided the apprentice gives written consent to do so.

*b. Apprenticeship Service Complaints*

Complaints regarding apprenticeship service provision should be submitted by the employer as the contracting party. Service complaints are managed under the process set out in this document.

*c. Apprentice Applicant complaints*

Complaints related to the application process for apprentices should be made by the apprentice, as the individual applying to study on the specific apprenticeship programme. For apprentices wishing to make a complaint related to their application, please refer to Clause 18 and Appendix A of the University of Westminster Admissions Policy: <https://www.westminster.ac.uk/about-us/our-university/corporate-information/policies-and-documents-a-z/admissions-policy>

Recognising that on occasion an employer may wish to complain about the application process, employers may submit a complaint on behalf of an apprentice providing the apprentice gives written consent to do so. Employers should also refer to Clause 18 and Appendix A of the University of Westminster Admissions Policy <https://www.westminster.ac.uk/about-us/our-university/corporate-information/policies-and-documents-a-z/admissions-policy>.

### **3. Service complaints**

- 3.1 In accordance with the terms of the service contract, employers are able to raise a complaint regarding the apprenticeship programme.
- 3.2 In the first instance employers are asked to informally raise their concerns with the Apprenticeships Team who will aim to resolve the issue within 3 working days of receipt.
- 3.3 Where a complaint is not resolved at the informal level employers may choose to escalate the complaint to the formal process. Formal Complaints are made in accordance with paragraph 7 of the apprenticeship service contract in the form of a **Dispute Notice** (referred to here as a '**formal complaint**').
- 3.4 All employer submitted formal complaints should be made in writing, preferably via e-mail.

### **4. Formal Complaint: Stage I**

- 4.1 Where an informal complaint has not been resolved to the satisfaction of the employer, the University operates a robust formal complaints procedure that provides transparent and equitable processes for all parties.
- 4.2 At stage I, complaints should be addressed to the Director of Business Engagement and submitted via to: [Apprenticeships@westminster.ac.uk](mailto:Apprenticeships@westminster.ac.uk) . Postal complaints may be sent to: Director of Business Engagement, Business Engagement Directorate, 309 Regent Street. London. W1B 2HW.
- 4.3 Within 5 working days of acknowledging receipt of a complaint the Director of Business Engagement and Employer Representative shall have a meeting or telephone call to discuss the complaint and set out the requirements for successful resolution.
- 4.4 Both parties should aim to reach an equitable settlement within 21 working days of the first meeting. During this time, the Director of Business Engagement and Employer Representative may wish to have further meetings or telephone calls to discuss the complaint and options for potential resolution.
- 4.5 In closing stage I of the formal complaint process, a full written response will be provided by the Director of Business Engagement to the employer. This is true whether the complaint has been successfully resolved or not.

### **5. Formal Complaint: Stage II**

- 5.1 Where a formal complaint has not been resolved to the satisfaction of the employer at Stage I, Stage II offers the opportunity for further review by the University's Chief Operating Officer or nominee.
- 5.2 If the Employer Representative would like to request a further review of the complaint by the University's Chief Operating Officer or nominee, they should respond to the written response from Stage 1 within 10 working days. Responses should be sent to the University's Chief Operating Officer via [apprenticeships@westminster.ac.uk](mailto:apprenticeships@westminster.ac.uk)
- 5.3 In managing the complaint, the University's Chief Operating Officer or nominee will refer to the Stage I resolution written response and any other information provided in seeking an equitable resolution.
- 5.4 The University's Chief Operating Officer or nominee will arrange to meet with the Employer Representative to discuss the formal complaint and seek to reach an equitable

settlement normally within 20 working days of the complaint being escalated to Stage II.

- 5.5 We expect that all complaints should be successfully resolved by completion of Stage II. In closing stage II of the formal complaint process, a full written response will be provided to the employer.

## **6. Unresolved Complaints**

- 6.1 In the unlikely event that all efforts to resolve a formal complaint through stages I and II of the formal complaints process have been unsuccessful, the University and Employer will seek dispute resolution through independent mediation services. This will be paid for by the University.
- 6.2 Where independent mediation processes are unsuccessful the formal complaint shall be determined by the English High Court as set out in section 7 of the service contract.

## **7. Escalating to the Education and Skills Funding Agency**

- 7.1 Employers may at any time escalate their complaint to the Education and Skills Funding Agency via the National Apprenticeship Helpline:
- E-mail: [nationalhelpdesk@apprenticeships.gov.uk](mailto:nationalhelpdesk@apprenticeships.gov.uk)
  - Tel: 0800 015 0400

## **8. Using Complaints Information**

- 8.1 As part of our efforts for continuous improvement across all aspects of the apprenticeship programmes, suitably anonymised and redacted complaints information is provided as a quarterly report to the University's Apprenticeship Board.
- 8.2 Complaints information received by the Apprenticeship Board is viewed as important in the drive to ensure service and training improvement. All complaints information received to the Apprenticeship Board is used for quality enhancement.

## **Student Complaints Policy and Procedure**

The Student Complaints Policy and Procedure can be found at:

[https://www.westminster.ac.uk/sites/default/public-files/general-documents/Student\\_Complaints\\_Procedure\\_V2.pdf](https://www.westminster.ac.uk/sites/default/public-files/general-documents/Student_Complaints_Procedure_V2.pdf)