

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

### **Introduction**

This policy sets out the process for employers of apprentices to make a complaint about the service provided by Datalaw. Datalaw has a separate complaints policy and procedure for apprentices that wish to make a complaint, which can be found on the Datalaw website.

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

Datalaw 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 Datalaw practice improves as a result.

For effective oversight of processes and provision, Datalaw's Apprenticeship Management Team will monitor the complaints received to check for evidence of trends in failure of provision or delivery. An anonymised summary of complaints on record and how they have been managed will also be reported annually to the Board.

### **Definitions**

An 'informal complaint' is defined as an issue which an employer wishes to raise with a member of Datalaw staff, without using the formal complaints process. Informal complaints are usually quick to resolve and unlikely to require an in-depth investigation.



A 'Complaint' is defined as 'an expression of dissatisfaction about Datalaw's action or lack of action, or about the standard of service provided by, or on behalf of Datalaw.

An 'Appeal' is 'a request for a review of a decision taken regarding an apprentice's progression, assessment etc.

## **Guide to Making a Complaint**

The process for raising a complaint by an employer of an apprenticeship student studying with Datalaw is detailed below:

### **Stage 1: Informal complaints**

Where possible, complaints should be raised immediately with relevant departments at the source of the complaint, or via the Apprenticeship Management Team ([accreditations@datalaw.org](mailto:accreditations@datalaw.org)). The aim is to resolve the problem directly and informally at the earliest opportunity. It is anticipated that the vast majority of complaints will be resolved in this manner.

Although Stage 1 is informal, the member of staff involved should provide a written outcome to the employer complainant. Acknowledgement of the complaint will be provided within 48 hours, and a full response given within 4 weeks.

If the employer is unable to raise the complaint at the source, or is dissatisfied with the outcome, they should make a formal complaint (see Stage 2 below).

### **Stage 2: Formal complaints**

To make a formal complaint an employer should put the matter in writing to Datalaw by email to the Complaint Officer, Jayne Cater ([accounts@datalaw.org](mailto:accounts@datalaw.org)) who will log the complaint on the Customer Relationship Management (CRM) system. The email should be titled as a complaint and set out the details of the complaint in full and what would be an appropriate resolution.

Datalaw will acknowledge receipt of the complaint within two working days, and the complaint will be forwarded to a manager who has not been previously involved with the complaint.

A member of the Apprenticeship Management Team will assume the role of Investigating Officer and will review all information submitted and meet with relevant members of staff to review the complaint. The Investigating Officer will also speak with the employer complainant to clarify facts where required.

A written response relating to the findings of the inquiry will be issued by the Investigating Officer within a maximum of four weeks from the date of receipt of the original complaint.

If the employer complainant is not satisfied with the action taken, he/she may proceed to Stage 3 of the procedure.

### **Stage 3: Review**

Where employers are not satisfied with the response provided at Stage 2, they should refer their complaint to the Commercial Director, who will investigate the complaint in line with Datalaw's complaints procedures to ensure that the appropriate procedures were followed, the decision was reasonable, as well as considering any new evidence submitted.

### **Stage 4: Complaints Adjudicator**

If after exhausting this process the employer complainant is still not satisfied, they can escalate their complaint to the Complaints Adjudicator at the Education and Skills Funding Agency (ESFA).

Email: [nationalhelpdesk@apprenticeships.gov.uk](mailto:nationalhelpdesk@apprenticeships.gov.uk)

Phone: 0800 015 0400 or 0247 682 6482

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