



**ECITB Awarding Organisation
Complaints Policy and Procedure
RV2-1**

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Introduction

The ECITB Awarding Organisation value all Approved Centres delivering ECITB qualifications and the candidates who undertake them and aim to meet or exceed the expectations of ECITB customers and stakeholders. ECITB Approved Centres are expected to achieve the same in line with these values, and their undertakings as contained in the Approved Centre Agreement, as well as in accordance with the letter and spirit of ECITB's policies.

ECITB Awarding Organisation are confident of providing a high quality service and would be extremely disappointed if this is not the case. Therefore should you feel you have encountered a level of service from the ECITB Awarding Organisation that is below expectations you can use this procedure to raise any concerns that you may have so that they can be addressed and, if appropriate, lessons learnt from them, including considering the implementation of any changes to ways of working.

This document outlines the procedures that Approved Centres, candidates and all interested parties must follow should they may wish to make complaint in relation to the qualifications and associated services offered by the ECITB Awarding Organisation.

Scope

This Complaints Policy and Procedure is not to be used to address appeals against any decision made by the ECITB Awarding Organisation, decisions of this kind are covered by the '*ECITB Awarding Organisation Appeals Policy and Procedure*'. Should a complaint be submitted which is in fact an appeal against an ECITB decision, the relevant party will be informed that the issue is being considered, where appropriate, in accordance with the approach outlined in the Appeals Policy.

If your complaint is in relation to suspected malpractice or maladministration, you should send your concern in accordance with the guidance set out in the '*ECITB Awarding Organisation Malpractice, Maladministration, and Whistleblowing Policy*'.

All ECITB Awarding Organisation Policies and procedures can be downloaded from the ECITB website.

Approved Centres' Responsibility

Approved Centres should take all reasonable steps to ensure that their staff involved in the management, assessment and quality assurance of ECITB qualifications, and their candidates, are aware of the contents of this document.

Approved Centres are required to have a complaints and an appeals procedure in place to deal with complaints from candidates about the services provided and/or decisions made by an Approved Centre.

Approved Centres are required to report to ECITB without delay any complaints that they receive relating to:

- equality in the delivery of qualifications,
- the processing of personal data or compliance with data protection legislation,

- the integrity of the qualifications or their award
- any matter that may give rise to a potential Adverse Effect (as defined by the regulators)

Complaints about an Approved Centre

The Approved Centre is the organisation that manages the delivery and assessment of qualifications and which registers candidates with the ECITB Awarding Organisation for assessment. Approved Centres are responsible for ensuring that there are arrangements in place to support the effective delivery and assessment of ECITB qualifications. Candidates will usually have an agreement or contract with the Approved Centre.

If an individual is dissatisfied with any aspect of the Approved Centre delivery or assessment of an ECITB qualification, they should take this up directly with the Approved Centre in the first instance and must follow all stages of the Approved Centre's complaints and/or appeals process before bringing the matter to the attention of ECITB.

For this purpose ECITB requires Approved Centres to operate a complaints and an appeals procedure which should be made available to any individual on request and the Approved Centre should have informed candidates, during induction, where to access copies of these documents.

Complaints can only be referred to ECITB if the complaint has not been resolved through the Approved Centre's complaints and appeals procedures or in exceptional circumstances. ECITB reserves the right to refer any complaint to the relevant Approved Centre.

All complaints must be made in writing within **calendar one month** of the final outcome of the Approved Centre appeals process, following the complaints procedure outlined below. Complaints received outside of these timescales will not be investigated other than in exceptional circumstances.

A complaint can also be made directly to ECITB where you wish to raise the issue without disclosing your identity to the Approved Centre, however this may limit the ability to investigate the complaint.

Complaints against ECITB Awarding Organisation

If your complaint relates to a staff member of the ECITB Awarding Organisation, you should in the first instance try to resolve the issue directly with that member of staff. If this is not possible/appropriate, or if you are not satisfied or you consider that a more formal approach is appropriate then you should follow the complaints procedure below.

If a complaint is made which relates to or is connected with the substance or management of an appeal and/or malpractice investigation, and either the appeal or malpractice investigation is ongoing or the content of the complaint is substantially similar to that of an appeal or malpractice investigation (as determined by ECITB), then the appeal or malpractice investigation will take precedence in terms of hearing and timing. The processes will not run alongside each other and the appeal/malpractice investigation will be given priority.

All complaints must be made in writing within **one calendar month** of the event occurrence following the complaints procedure outlined below. Complaints received outside of these timescales will not be investigated other than in exceptional circumstances.

Complaints Bought to ECITB's Attention by the Regulators

Where the regulators notify us about concerns relating to an ECITB Approved Centre that have been discovered in the assessment process or the activities of another awarding organisation, these will be reviewed in the same manner as other complaints in accordance with the procedures in this policy to ascertain if the same issue could affect ECITB qualifications.

Confidentiality and Whistleblowing

Sometimes a complainant will wish to remain anonymous. While the ECITB Awarding Organisation are prepared to investigate issues which are reported in confidence and/or by whistle blowers¹, anonymous reports will only be acted upon if there is supporting evidence, or if the nature of the allegation warrants it. It is always preferable to reveal your identity and contact details, and if you are concerned about possible adverse consequences please confirm that you do not wish your identity to be divulged. Whilst the ECITB Awarding Organisation will do their best to maintain confidentiality in such cases, it may sometimes not be possible to entirely anonymise individuals during the course of an investigation. There may also be circumstances where regulators seek copies of documentation, which could lead to revealing the identity of individuals and in such cases all reasonable steps will be taken to inform the affected party in advance.

At all times the ECITB Awarding Organisation will investigate such complaints from whistle blowers in accordance with relevant whistleblowing legislation and good practice.

¹ In the context of this policy, ECITB defines whistle blowers as current or ex members of staff (either permanent or contracted) or third party suppliers of an Approved Centre or ECITB and/or current or previous candidates who disclose information about malpractice/wrongdoing/dangers at work or the covering up of malpractice/wrongdoing/dangers at work.

Complaints Procedure

Submitting a Complaint

All complaints must be received as per the timescales outlined above.

All complaints must be received in writing using either the email or postal address details provided at the end of this document. The following details must be provided at the time of writing:

- your full name and contact details including a daytime telephone number;
- a full description of your complaint (including the subject matter and dates and times if known);
- the names of the people you have dealt with so far;
- copies of any documentation and/or correspondence relating to the complaint;
- how you would like to see the complaint resolved.

ECITB Investigation

Complaints will normally be acknowledged:

- no later than **5 working days** from receipt for complaints sent via email to: qualifications@ecitb.org.uk,
- no later than **15 working days** from receipt for any other correspondence and complaints sent via post.

The ECITB Awarding Organisation aim, where possible, to investigate and conclude findings in relation to the complaint within a further **30 working days**.

If your complaint is more complex or involves people who are not available at the time, the ECITB Awarding Organisation reserve the right to extend this timeframe and will keep you informed of any changes to the timeframe for the investigation of your complaint.

Complaints will be investigated by individuals who have no personal interest in the outcome.

The ECITB Awarding Organisation may contact you during this period to seek further information or clarification (in some instances may recommend a meeting).

At the end of the investigation you will be informed of the decision in writing by email and the reasons for it.

Upheled Complaints and/or Failures Bought to ECITB's Attention

If any part of a complaint is upheld or where an investigation following notification from a regulator indicates a failure in ECITB processes, the ECITB Awarding Organisation will give due consideration to the outcome and how improvements to service and arrangements can be made. The ECITB Awarding Organisation will take actions as appropriate, such as (but not limited to):

- identify any other candidate who has been affected by that failure;
- correct, or where it cannot be corrected, mitigate as far as possible the effect of the failure and the circumstances giving rise to it;

- review ECITB procedures to assess the impact of the complaint on ECITB qualification development, delivery or awarding arrangements and assessment process;
- arrange for staff training;
- if necessary, notify the relevant regulator(s) of the failure.

In exceptional circumstances, internal disciplinary procedures may be implemented where the performance or behaviour of ECITB staff is deemed inappropriate. However, the details of internal disciplinary procedures will not be shared externally other than the broad description of the outcome where confidentiality permits.

Right of Escalation

If you are dissatisfied with the outcome of a complaint or believe that the procedures have not been applied consistently, fairly and/or objectively you may appeal using the procedure outlined in the '*ECITB Awarding Organisation Appeals Policy and Procedure*' which can be downloaded from the ECITB website.

Right of Escalation for SQA Accreditation Accredited Qualifications Only

If for any reason you are not satisfied with ECITB's response to a complaint and subsequent appeal or believe that you have either not been provided with or unable to be provided with a satisfactory response, you can escalate the complaint to the regulator in Scotland, SQA Accreditation, referring to SQA Accreditation: Regulatory Complaints Handling Procedure.

For complaints that relate to a SQA Accreditation accredited qualifications being delivered by a Further Education or Public Service Body operating in Scotland, the Scottish Public Services Ombudsman (SPSO) is the final stage for complaints. You may submit your complaint to the SPSO once the complaints procedures within the ECITB Approved Centre, ECITB Awarding Body and SQA Accreditation have been exhausted.

If a complaint is in relation to staff behaviour within a Further Education or Public Service Body, a complaint may be escalated directly to the SPSO once the centre's complaints policy and procedures has been exhausted.

The SPSO will not consider complaints about academic decisions, such as the outcome of an assessment. These types of complaints are to be treated as an appeal and should follow the Appeals Policy.

In the event that you wish to instigate the right of escalation contact details for SQA Accreditation and Scottish Public Services Ombudsman (SPSO) can be provided on request.

Process for sending correspondence with personal or sensitive data

Before sending any information or data to ECITB that contains staff (including contractors) and/or candidate personal details that could be attributed to an individual and/or information that includes sensitive data about an individual, you are required to request a ShareFile link from qualifications@ecitb.org.uk.

The ECITB Awarding Organisation will respond by sending an email from qualifications@ecitb.org.uk containing the wording '[Click here](#) to upload files'. This enables you to upload your files to the ECITB secure ShareFile system.

No personal or sensitive data should be sent via email as this method of transferring data is less secure than ShareFile

Should you be sending such data by post, please mark the correspondence 'Confidential – For the Attention of the Awarding Organisation'.

Review Arrangements

This policy and its associated procedures will be reviewed and revised, as and when necessary, as part of continuous improvement arrangements and/or in response to customer, candidate or regulatory feedback (e.g. to align with any enquiries, processes established or revised by the regulators) and/or in response to any trends that may emerge in the subject matter of enquiries received.

Contact Details

If you have any queries about any aspect of this process, please contact:

The Awarding Organisation
Engineering Construction Industry Training Board
Office Suite KD3, First Floor, KD Tower,
Cotterells, Hemel Hempstead, Hertfordshire, HP1 1FW
Telephone: 01923 260 000
Email: Qualifications@ecitb.org.uk
Website: www.ecitb.org.uk