



## Complaints Policy and Procedures

### Introduction

We are committed to providing a high-quality service to all our stakeholders. One of the ways in which we can continue to improve our service and to meet our responsibilities are:

- by listening and responding to the views of our customers and any other party affected by the ECITB; and
- by reviewing our decisions and actions when it is felt something has gone wrong.

If you feel something has gone wrong, or you wish to appeal against a decision have made, we need you to tell us about it. This will not only enable us to address the issue concerned, but may help us to improve our service.

In the processes described below, if there is any dissatisfaction about any aspect of the ECITB, including its decisions which directly or indirectly affect somebody or an organisation, and this is brought to our attention, we categorise such matters as “complaints.”

### Appeals against Levy Assessments

It should be noted that our Complaints Policy and Procedures do not apply to situations in which an employer wishes to submit a formal appeal against an assessment of the Industrial Training Levy. There is a statutory process to be followed in such matters, involving The Employment Tribunal. Explanatory notes for employers on appeals to Employment Tribunals are available by emailing [levy\\_scope@ecitb.org.uk](mailto:levy_scope@ecitb.org.uk)

A formal appeal is not always necessary and the ECITB is prepared to review both the registration of an establishment or the training levy assessed, if there are grounds to do so, and provided the matter is brought to our attention before the training levy becomes due. Details on how such matters may be addressed appear in the same section of the ECITB’s website.

### Our Complaints Policy

We aim to ensure that:

- making a complaint is as easy as possible;
- we treat as a complaint any clear expression of dissatisfaction with our service which calls for a response and cannot be resolved without further investigation;
- we treat complaints seriously and deal with them fairly, professionally, promptly and politely;
- we respond in the right way (for example, with an explanation, or an apology where we have got things wrong, or information on any action taken);
- we learn from complaints and use them to improve our service;



- Our Complaints Procedures are:
  - Transparent;
  - Include review processes to ensure that complaints are reviewed as fairly and objectively as possible, and involve individuals who are best qualified to make decisions; and
  - Include a right to appeal a decision made at first instance.

## **Our Complaints Procedures**

### **How do you make a complaint?**

Often, we may be able to deal with operational problems or issues more rapidly over the 'phone, without the need to lodge a formal complaint. If you feel this might be possible, please contact the ECITB's Corporate Affairs Team on 01923 402123. Alternatively, send a brief email entitled "Compliant" and simply containing your name and telephone contact details. We will call you. However, if you wish to make a formal complaint, please do so in writing, either by post or email.

Your letter should be posted to:

The Corporate Affairs Team ECITB  
Office Suite KD3, 1st Floor KD Tower,  
Cotterells, Hemel Hempstead,  
HP1 1FW, Hertfordshire

Your email to the Corporate Affairs Team should be entitled "Complaint" and sent to:  
[complaints@ecitb.org.uk](mailto:complaints@ecitb.org.uk)

Please note that the ECITB Awarding Organisation has its own separate policy and procedures, which are available [here](#).

### **What happens next?**

We will acknowledge receipt of written complaints within 5 working days. We aim to reply within 30 working days of that acknowledgment. However, this may not always be possible (for example, when a detailed investigation is required, or the issue is complicated, or because the involvement of many individuals is required in order to deal with the issue correctly). If it is not possible to give you a full reply within this time, an interim response will be given, telling you what is being done to deal with your complaint, when you can expect the full reply and from whom. If you require a quicker response, please say why.



## The Complaints Process

Depending on the nature of your complaint, a different investigation and review process will be adopted to ensure that your complaint is considered and handled by the individuals who are best-qualified to do so.

In all cases, there are three stages:

### 1. Informal Review and Resolution

At the first stage, the complaint will be referred to an ECITB manager who either:

- Has responsibility or expertise in the area of the subject matter of the complaint; or
- Has not been directly involved in the circumstances giving rise to the complaint (for example, he/she may be the line manager of the individual who may have been involved in the circumstances or decision giving rise to the complaint).

An informal dialogue will occur between the complainant and the manager in order to clarify or establish the facts and the issues. It may be possible for the complaint to be resolved at this stage if a solution is within the manager's authority to agree, and is acceptable to the complainant.

In the event that:

- It is not possible to reach a mutually acceptable solution; or
- The complaint is still outstanding after 30 days of receipt, and the complainant is not prepared to wait longer for the full response; the ECITB manager will complete his/her investigation, and will submit a written report to the relevant ECITB committee, which has delegated authority and responsibility to make decisions in such matters. The report must include details of the complaint and the circumstances giving rise to it.

### 2. Review and decision by an ECITB Committee

The ECITB's Board has delegated authority and responsibility to the following committees to make decisions, including the resolution of complaints, in the following areas:

<b>Committee</b>	<b>Areas of Authority &amp; Responsibility</b>
Client Contractor National Safety Group (CCNSG)	<ul style="list-style-type: none"><li>• Any matter arising from the Committee's decisions; or</li><li>• The content of CCNSG Safety Passport training courses and tests; and</li><li>• Any non-operational or non-commercial aspect of the delivery and assessment arrangements of CCNSG Safety Passport training courses and tests.</li></ul>
Qualifications & Awards	<ul style="list-style-type: none"><li>• Any matter arising the Committee's decisions; or</li><li>• any matter relating to the ECITB's activities or decisions as an awarding organisation or its</li></ul>



- compliance with the relevant regulations, conditions or requirements of the relevant regulator(s); or
- the content of ECITB training courses, or unregulated qualifications; or
- Any non-operational or non-commercial aspect of the delivery and assessment arrangements of ECITB training courses, or unregulated qualifications.

#### Operations & Grants

- the ECITB's policies or decisions or performance or activities relating to the ECITB's statutory functions defined in The Industrial Training Act (including any matter relating to training grant policy or decisions); or
- an operational or commercial matter pertaining to the ECITB's training courses, tests and unregulated qualifications (including the CCNSG Safety Passport Scheme);

#### The ECITB Executive

- All other matters not mentioned above.

The relevant committee (under the direction of its Chair) will, review and, if necessary investigate the matter further. The committee will respond to the complaint in a comprehensive manner, and as quickly as possible. However, there may be some delay given the scheduling of committee meetings.

### 3. Appeals

In the event that any complaint considered by committee cannot be resolved to the satisfaction of the complainant, the complainant may appeal to the Chair of the ECITB Board, who will decide either:

- how the matter should be resolved; or
- whether the matter should be referred to the Board for a decision.

In the event that any decision of the Chair of the Board does not resolve a complaint to the complainant's satisfaction, the matter will be referred to the Board for a decision.

The only exception to this concerns an appeal against a decision relating to the ECITB's activities or decisions as an awarding organisation or its compliance with the relevant regulations, conditions or requirements of the relevant regulator(s). As stated above, the ECITB Awarding Organisation has its own complaints policy and procedures. In the event that any complaint considered by the ECITB cannot be resolved to the satisfaction of the complainant, the complainant may appeal to the relevant Regulator(s).

Any appeal against the decision of a Committee or the Chair of the ECITB should be made in writing to the Corporate Affairs Team within 20 days of receipt of the decision.



## **Further Redress**

If you believe your complaint has not been handled fairly you can, if you wish, refer it to the Parliamentary Ombudsman (England and Wales) or the Scottish Public Services Ombudsman. If you are not able to make the complaint yourself, you may appoint someone (such as an MSP, or a local councillor) in writing to complain on your behalf.

You must complain to an MP within 12 months after the day on which you first became aware of a problem, and make this complaint either in writing or via electronic mail. In special circumstances a complaint may be made orally.

The MP will refer this matter on to the Ombudsman, who will, where possible seek to find an informal resolution to the complaint. To assist with this, we will co-operate fully with the Ombudsman in conducting an initial investigation into the complaint. Investigations are conducted in private and all parties are given an opportunity to comment on the allegations contained within the complaint. Some complaints will result in a formal investigation and report from the Ombudsman which may recommend remedial actions to prevent reoccurrence. We will ensure that our administration procedures comply with the recommendations where reasonably practicable to do so.

### **The Parliamentary Ombudsman may be contacted at:**

Customer Helpline on 0345 015 4033 from 8:30am to 5:30pm, Monday to Friday, except bank holidays. Calls are charged at local or national rates.

### **The Scottish Public Services Ombudsman may be contacted at:**

Scottish Public Services Ombudsman, 4 Melville Street, Edinburgh, EH3 7NS Freephone 0800 377 7330 or call 0131 225 5300