



# Complaints Policy

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# COMPLAINTS POLICY AND PROCEDURE

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## CONTENTS

### Skills Assessment Policy

Section 1	Policy overview.....	3
Section 2	Complaints.....	3

### Skills Assessment Procedure

Section 3	Making a complaint.....	4
Section 4	Dealing with complaints .....	5
Section 5	Complaint outcomes.....	6
Section 6	Mandatory disclosure .....	7
Section 7	Contacts.....	7

Document Title	SA Doc. Ref.	Version	Created on	Review By
Complaints Policy	Complaints - 01	02	Sept 19	January 2022

# 1 Policy overview

## 1.1 Scope of the policy

This policy covers the delivery of end-point assessments (EPA) which are subject to internal and external quality assurance.

The complaints policy also forms part of Skills Assessment End-Point Assessment (EPA) policies which aim to protect apprentices registered for our EPA services, ensure that Skills Assessment minimises the risk of complaints and complies with all relevant legislation and guidelines.

The complaints policy also supports the compliance with the Contract. It does not replace any of the requirements contained within that Contract. Non-adherence to EPA policies may constitute a breach of the Contract and it is therefore important that all policies are read and implemented.

This policy should also be read in conjunction with the Enquiries and Appeals Policy.

## 1.2 Purpose of the policy

The purpose of the Complaints policy is to set out the process to follow when submitting a complaint to Skills Assessment and the process to follow in investigating an accepted complaint and in making a decision.

## 1.3 Obtaining the policy

Copies of the policy may be requested from Skills Assessment EPA team or accessed via our intranet.

## 1.4 Reviewing the policy

Skills Assessment will review this policy annually and at any time in response to the findings and outcomes of a complaint.

# 2 Complaints

## 2.1 Complaints criteria

Skills Assessment consider complaints as expression(s) of dissatisfaction regarding our actions, products, services, and the application of our policies and procedures.

Document Title	SA Doc. Ref.	Version	Created on	Review By
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Skills Assessment consider the following in relation to complaints:

- Mistakes, errors or actions below expected standard of service;
- Any unreasonable delay or failure to take action;
- Unprofessional behaviour or conduct;
- Bias or unfair treatment;
- Failure to follow published policies or procedures without reasonable explanation.

## **2.2 Who can make a complaint?**

The customer directly informed of, or directly affected by our action or decision, or a customer acting on behalf of and with the explicit written permission of the apprentice.

Some customers may feel more comfortable making anonymous complaints. Skills Assessment will note these complaints and, depending on the nature of the complaint, may refer to them in support of our ongoing risk analysis and review.

Skills Assessment will always listen customers to see if we can put things right.

If Skills Assessment do not agree with the complaint, or we believe that the expression of dissatisfaction does not constitute a complaint as outlined in 2.1 above, we will let the customer know the reasons why.

## **2.4 Unjustified, unfounded or vexatious complaints**

Skills Assessment will treat every complaint fairly.

Skills Assessment will not engage with unjustified, unfounded or vexatious complaints and will not accept persistent and repeated contacts from complainants, without being presented with new information or evidence. Should customers become abusive or persistently and repeatedly contact us without pertinent new evidence or information, this will be classed as vexatious correspondence.

In such cases we will advise of our decision and intended action, such as no longer corresponding with them on the matter and taking any required action to protect our staff and reputation.

# **3 Making a complaint**

## **3.1 Outline of the complaint**

Customer complaints should detail the following information in order to assist us to understand the complaint:

- the full nature of the complaint – what happened

Document Title	SA Doc. Ref.	Version	Created on	Review By
Complaints Policy	Complaints - 01	02	Sept 19	January 2022

- the date of the complaint – when it happened
- how the service was affected
- the detail and outcome of any investigation carried out by any of our stakeholders in relation to the issue

In order to ensure that we respond effectively and have a clear record of the complaint, it is helpful if we receive the complaint in writing, please complete the Complaint, Enquiry and Appeal form located on our website.

Skills Assessment do not accept changes or expansions to the complaint after submission, any new information must be material to the outcome of any review or investigation we may undertake.

If at any point customers wish to be legally represented in relation to any aspect of a complaint, this must be discussed with Skills Assessment first. We reserve the right to be legally represented and to act upon legal advice.

## 4 Dealing with complaints

Skills Assessment aims to resolve all accepted complaints as quickly as possible. Where this isn't possible we take a staged approach to escalation and resolution of the complaint.

Stages 1 and 2 of the Complaints Policy are classed as informal stages. Complaints escalated to Stage 3 is classed as a formal complaint.

### 4.1 Stages of a complaint

#### Stage 1: Initial complaint – Informal

Most initial complaints are submitted verbally and/or by phone. Skills Assessment aim to resolve a Stage1 complaint immediately.

The complaint needs to be made within **10 days** of the apprentices final assessment.

Customers may also submit the complaint in writing stage 1. In this case, they can expect our resolution to be conveyed either by phone or in writing, within 10 working days of receipt.

#### Stage 2: Escalation to a Manager – Informal

If the customer is not satisfied with the response at Stage 1, they may request the complaint be escalated.

Where it has not been possible to resolve the complaint at Stage 1, Skills

Document Title	SA Doc. Ref.	Version	Created on	Review By
Complaints Policy	Complaints - 01	02	Sept 19	January 2022

Assessment will escalate it to an appropriate Manager who will action and resolve your complaint within a further 10 working days.

Any Stage 2 complaint must be submitted within 5 working days of the receipt of the Managers response.

### **Stage 3: Escalation to Director – formal**

Customers not satisfied with the response from the Line Manager at Stage 2, may request the complaint to be escalated.

Where it has not been possible to resolve the complaint at Stage 2, it will then be escalated to a Director who will action and resolve the complaint within 10 working days.

Any Stage 3 complaints must be submitted in writing, within 5 working days of the Stage 2 outcome being given. Customers should provide information as to why they believe the complaint has not been resolved/addressed at Stage 2.

The Director will consider the evidence from all aspects of the complaint to date and the actions we have taken to resolve it, to determine whether we have dealt with the complaint correctly and fairly. The Director will determine whether we have applied procedures fairly, appropriately, consistently and in line with our policy.

We aim to resolve any complaint lodged with a Director within **10 working days**. We will inform our customer in writing of the Directors decision within **1 working day** of the decision being made.

Stage 3 of the complaints process is final and will close the internal complaints procedures. No further complaint on the same matter will be accepted.

## **4.2 Timescale exceptions**

Timescales relating to each stage of the complaints process are outlined within the policy. However in some cases where the complaint may be complex, the process may take longer than the timescales stated within the policy. In such instances, Skills Assessment will advise the complainant of the reasons why and of the revised timescale

## **5 Complaint outcomes**

If Skills Assessment uphold the complaint, they will discuss all proposals with the concerned parties. The outcomes chosen will be appropriate to the complaint and may include one or more of the following:

- an apology from Skills Assessment
- an explanation of any poor service you have received

<b>Document Title</b>	<b>SA Doc. Ref.</b>	<b>Version</b>	<b>Created on</b>	<b>Review By</b>
Complaints Policy	Complaints - 01	02	Sept 19	January 2022

- an explanation of how a matter has been rectified
- recommendations to change processes / practices going forward

**5.1 The** aim of Skills assessment is to be able to always discuss and resolve any issues directly with customers. However, if customers are unhappy with our final outcome, they have the right to refer the complaint to the Standards Regulators who would first require evidence that all steps within this Complaints Policy have been fully exhausted.

## 6 Mandatory disclosure

### 6.1 Mandatory disclosures

It is imperative that the integrity of end point assessment is maintained; Customers often work with more than one End-Point Assessment Organisation (EPAO) and thus more than one EPAO may be at risk if things go wrong.

Standard regulators have identified specific conditions in order to protect the integrity of regulated standards across EPA. Where issues are identified (such as malpractice), or certain actions taken (such as when sanctions are applied) the regulators and other relevant EPAOs must be informed.

Skills Assessment may be required to declare to our regulators that we are no longer compliant with the requirements of the General Conditions of Recognition, due to an act or omission by our partners which has put us in breach.

In this event, we may have regulatory action directed against us, such as Monetary Penalties. In accordance with the Contract, we reserve the right to direct such financial penalties against them, should there be as a result of the act or omission.

### 6.2 Confidentiality

During the investigation of complaints, Skills Assessment may require access to confidential information.

Any information is kept secure and only used for the purposes of the investigation in line with data protection legislation. Skills Assessment will not normally disclose the information to third parties unless required to do so, e.g. to Regulators, the Police or other relevant Statutory Bodies.

## 7 Contacts

If there are any further queries please contact the [epa@skillsepa.co.uk](mailto:epa@skillsepa.co.uk) via email or call us at Skills Assessment Ltd - [www.skillsepa.co.uk](http://www.skillsepa.co.uk)  
Telephone: 020 8968 4873

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