

		
ISSUED BY: Head of EPA, Caroline Walton	End-Point Assessment POLICIES & PROCEDURES	ISSUE DATE: September 2022 REVIEW DATE: September 2023
	EPA Complaints Policy & Procedure	ISSUE : V4

Scope & Purpose

At Explosive Learning Solutions (ELS), we are always open to receiving comments, both positive and constructively critical. It is important for us to know when we get things right and when there is a need for improvement.

All EPA products and services provided by ELS are reviewed regularly and feedback from apprentices, training providers and employers will help us to prepare and, when necessary, redesign or change the provision.

Feedback is central to this process of continual quality improvement. We want to hear from you if you feel we have done something well or, alternatively, if you think we have not met the standards required.

It is our commitment to listen and to respond to the views of all users of ELS and its services.

Aim

The purpose of this policy is to provide guidance to any student, visitor or other parties such as employers who are dissatisfied with any aspect of ELS, or have positive suggestions/comments to make.

ELS aim is to:

- Respond quickly and positively and reach an outcome that is satisfactory and fair for all concerned.
- Keep those involved informed of our progress in dealing with the complaint.

When to use this policy

A complaint may be made about any aspect of ELS End-Point Assessments over which it has control, such as:

- Delivery of assessment
- Outcome of an assessment delivery
- Against training provider/learner or employer
- Content of assessment material
- Anything else relating to End-Point Assessment (EPA)

If the complaint relates to malpractice or maladministration, these will be dealt with through the procedures specifically outlined in the Malpractice and Maladministration policy.

ELS will not normally investigate complaints:

- Exceeding one month since the decision or action complained about has been taken
- Where ELS considers the complaint to be vexatious, malicious or impractical

Responsibility

The EPA Scheduling Team will handle, review and respond to feedback and complaints received from all parties relating to EPA. The EPA Scheduling Team will also monitor feedback and complaints and look for trends and patterns. The EPA Scheduling Team will have the responsibility of documenting any feedback or complaints received.

ELS is committed to maintaining high standards for its policies and procedures, providing an efficient, effective and transparent mechanism for apprentices, training providers or employers giving feedback on ELS End-Point Assessments.

All complaints are to be dealt with fairly, and should be recorded so that analysis is facilitated. Individuals should not be discouraged from making complaints, unless they are bad natured or lacking of serious purpose. Where possible complaints should be dealt with informally, although all complaints and their outcomes must be recorded.

It is critical that formal complaints are responded to with an appropriate degree of formality and in an appropriate manner. All parties involved should have confidence

in the process and the outcomes. The procedural policy set out below is designed to provide such confidence.

It is acceptable for complaints to be submitted anonymously; however, it is always preferable for complainants to reveal their identity and contact details. If they are concerned about potential repercussions, they can inform us that they do not wish for their identity to be disclosed. Sharing information would be a breach of confidentiality and/or any other legal duty.

Should, ELS discover a failure in its End-Point Assessments following a complaints investigation, ELS will take all reasonable steps to:

- Correct or where it cannot be corrected, alleviate the effect of the failure (as far as possible)
- Ensure that the failure does not reoccur in the future.

ELS will aim to:

- Take appropriate action to address concerns
- Handle all complaints balanced and impartial manner
- Keep those involved informed of our progress in dealing with the complaint
- Acknowledge receipt of a complaint within **three working days** of a written complaint being received
- Communicate conclusions from the investigation within **ten working days** from receipt of the complaint (depending on the nature of the complaint)
- Take positive action to put things right where a complaint is fully or partially upheld
- Every effort to prevent the same thing from happening again
- Advise accordingly for any complaints not upheld

Outcome of the investigation

On completion of the investigation, the complaint will be classified in one of three ways:

- **Upheld:** the complaint was fully justified and will result in ELS taking corrective action,
- **Partially upheld:** certain aspects of the complaint were considered justified and will result in ELS conducting some follow-up action.
- **Not upheld:** the complaint was not justified.

Serial and vexatious complaints

A serial and/or vexatious complainant is someone who acts in an unreasonable manner e.g. is unreasonably persistent in raising their complaint and is not accepting what is being said. ELS has a duty of care for its employees; when dealing with a serial and/or vexatious complainant we reserve the right to refuse to investigate a complaint and may, if appropriate, refer the matter to ELS's solicitors.

ELS will refuse to investigate complaints of the following nature:

- Abusive or threatening
- Repeatedly contacting ELS via telephone or email in a given working day without offering new evidence or information
- Unreasonable demands on ELS outside of the investigation premises
- Making accusatory remarks about ELS or the ELS Representative investigating the allegation

In all of the above circumstances, the complainant will be referred to Head of EPA.

Procedure

Our complaints procedure is designed to help apprentices, training providers or employers register their concerns and to help the ELS respond effectively and appropriately.

- 1.1. Before a formal complaint is raised, any concerns relating to EPA can be raised with the IEPA or IQA for a resolution. If a resolution cannot be reached, then the complainant can proceed to raising a formal complaint.
- 1.2. Apprentices, training providers and employers can submit feedback or a complaint regarding EPA by downloading our Complaints Form from our website at elsbusinessstraining.co.uk and submitting the form to epaenquiries@explosivelearningsolutions.com where it will be received by one of our EPA Coordinators. Any evidence or documentation, which supports the complaint, must also be submitted at this time.
- 1.3. Once the formal complaint has been received, the EPA Coordinator will send a response to the complainant acknowledging their complaint within **three working days**.
- 1.4. The EPA Coordinator, Quality Assurance Manager and Head of EPA will meet to review complaints submitted relating to EPA and decide whether a further investigation is required. If a further investigation is required, the Quality Assurance Manager will deal with this. The complainant will also be advised on this. Completion of investigation and decision will be carried out within **ten working days**.
 - 1.4.1 The Quality Assurance Manager will conduct a thorough investigation. Using the information provided to them, they will review why the problem has occurred and what can be done to rectify it.

If required, the Quality Assurance Manager may reach out to other parties who might have been named or are involved in the

complaint, as to gain additional evidence and information, which could determine the outcome of the complaint.

- 1.4.2. Once a full investigation has been conducted, a decision will be made by the Quality Assurance Manager and will be presented to the Head of EPA for ratification.
- 1.4.3. If the Head of EPA agrees to the decision made by the Quality Assurance Manager, the complainant and all relevant parties will be informed of the decision in writing from the Quality Assurance Manager.
- 1.4.4. If the Head of EPA disagrees with the decision made by the Quality Assurance Manager, they will provide their reasons why and offer an alternative decision. The Head of EPA decision is final.
- 1.4.5. The Quality Assurance Manager will inform the complainant and all relevant parties will be informed of the decision in writing.
- 1.5. If the Quality Assurance Manager and the Head of EPA have decided that the nature of the complaint can be easily resolved and requires no further investigation, an explanation of the decision will be sent to the complainant within **five working days**.
- 1.6. If the complainant is satisfied with our decision to their complaint, we will consider the complaint as closed. One of our EPA Coordinators will update the Complaints Log with details of the decision and potential actions raised from the investigation for the purpose of continuous improvement.
- 1.7. If the complainant wishes to appeal the outcome of their complaint, they can do this by following our Appeals Policy and Procedure. The complainant will have 10 working days following the receipt of the decision response to submit an appeal.

Review and Version Control

This document is reviewed on an annual basis and will use feedback from internal and external parties for the continuous improvement of the policy and procedure.

This document is subject to version control.