

COMPLAINTS POLICY

EPAO STANDARDS

**END-POINT
ASSESSMENT
ORGANISATION**

Institution of
MECHANICAL
ENGINEERS

Document Version Control

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11/12/21	V1.0	CM	Final version for distribution
17/03/22	V1.1	CM	Minor amends to copy
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1. Scope

This procedure covers the delivery of The Institution of Mechanical Engineers (IMechE) End Point Assessment service as a registered EPAO.

IMechE is committed to providing a high-quality assessment experience for all Apprentices, Employers and Training Providers. However, it is recognised that on occasions, problems arise and that people or organisations may wish to express concern, disappointment, or dissatisfaction with aspects of the quality of services. This policy details the process for raising these with IMechE, and ensures that all complaints are dealt with seriously, fairly, and consistently.

This policy does not cover appeals in relation to decisions made by IMechE or its centres, which is covered by our enquiry and appeals policy

This Policy applies to all Training Providers, Employers and Apprentices registered on a IMechE End Point Assessment. Additionally, all those involved with the development, delivery and quality assurance of IMechE end point assessments. IMechE has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it.

For occupational assessments undertaken by the Centre, the complaint should be directed to the Centre in the first instance. Please see Section 11

Should an apprentice have an enquiry about on-programme delivery of the apprenticeship they must follow their Training Provider's own complaints procedure. EPA complaints to IMechE must only concern the activity of the End Point Assessment process or service conducted by IMechE.

2. References

The following, in whole or in part, are referenced in this document and are indispensable for its application:

- Conflicts of Interest Policy
- Malpractice and or Maladministration
- Reasonable Adjustments
- An Enquiry or Appeal
- Equality and Diversity

3. Terms & Definitions

Title	Definition
IMechE	Institution of Mechanical Engineers
EPAO	End Point Assessment Organisation
EPA	End Point Assessment
ESFA	Education & Skills Funding Agency
Ofqual	The Office of Qualifications & Examinations Regulation
IfATE	Institute for Apprenticeships & Technical Education

4. Responsibility

The IMechE has the day-to-day responsibility for implementing this policy and for monitoring its effectiveness.

Role	Responsibility
Senior Responsible Officer	Communicating and working with Ofqual in the event of a potential adverse effect on apprentices following an appeal decision
EPA Executive Board (Governing Board – operations)	<ul style="list-style-type: none"> - Communicating policy to all departments linked to IMechE EPAO - If a complaint is escalated to the Regulators, the EPA Board will assume ongoing responsibility for the complaint. - Should complaint not be resolved, it will be escalated to the CEO for resolution.
Head of UK Business Development (lead of the EPA Operating team)	<ul style="list-style-type: none"> - Communicating the policy to staff within the EPA Operating Team - Review complaints that cannot be resolved by the EPA Manager or if EPA Manager is absent. Escalate to EPA Executive Board when apprentices could be adversely affected. - Inform Regulatory Bodies if apprentices are likely to be adversely affected. - Report on a monthly basis to the EPA Executive all formal complaints received and ongoing action. - Review formal complaints directed to Centres and action taken - Annual review of the policy/identification of areas for continuous improvement
EPA Manager	<ul style="list-style-type: none"> - Ensure that all new staff, including freelance, contractors, assessors and third parties are aware of the complaints process. - Resolving complaints when received and escalating to Head of UK Business Development if required - Referring complaints where appropriate to Centres and monitoring progress. - Maintain log of formal complaints received and action taken.

5. Definition

A Complaint is an expression of dissatisfaction which alleges that the Complainant has suffered loss distress or other detriment arising out of or from the delivery of End Point Assessment Organisation services by the IMechE, but that does not directly affect the outcome of assessment. For example, a complaint may arise where results have not been issued within the agreed timescale.

The following are not considered a complaint:

- A request under the Freedom of Information Act or Data Protection Act
- A request for information or an explanation of policy or practice
- A response to an invitation to provide feedback through a formal mechanism such as a survey
- An issue which is being, or has been, considered by a court or tribunal
- An enquiry or appeal about an EPA grading decision, this is dealt with through the appeals policy
- A complaint about the apprenticeship training, this is dealt with through the training provider complaints policy and process.

6. Principles

All complaints will be dealt with seriously, fairly, and consistently

- All complaints will be dealt with in accordance with the Equality and Diversity and Safeguarding policies
- All complaints will be handled sensitively and with due consideration to the confidentiality of both staff and the Apprentice/Employer/Training Provider
- All complainants will be kept informed, whatever the outcome
- Complaints will be recorded, monitored and analysed.
- Appropriate actions will be taken to prevent the recurrence of complaints where possible
- Documentation will be filed in accordance with the Institution's GDPR and Data Protection Policy.

7. Complaints Process Stage 1

This is the inform stage of the complaints process.

All concerns should be raised in the first instance with the EPA Manager (kerry.ellis@imeche.org) within 5 working days of the incident, via phone or email.

If appropriate, a meeting will be offered between the complainant and the EPA Manager to try to resolve the issue.

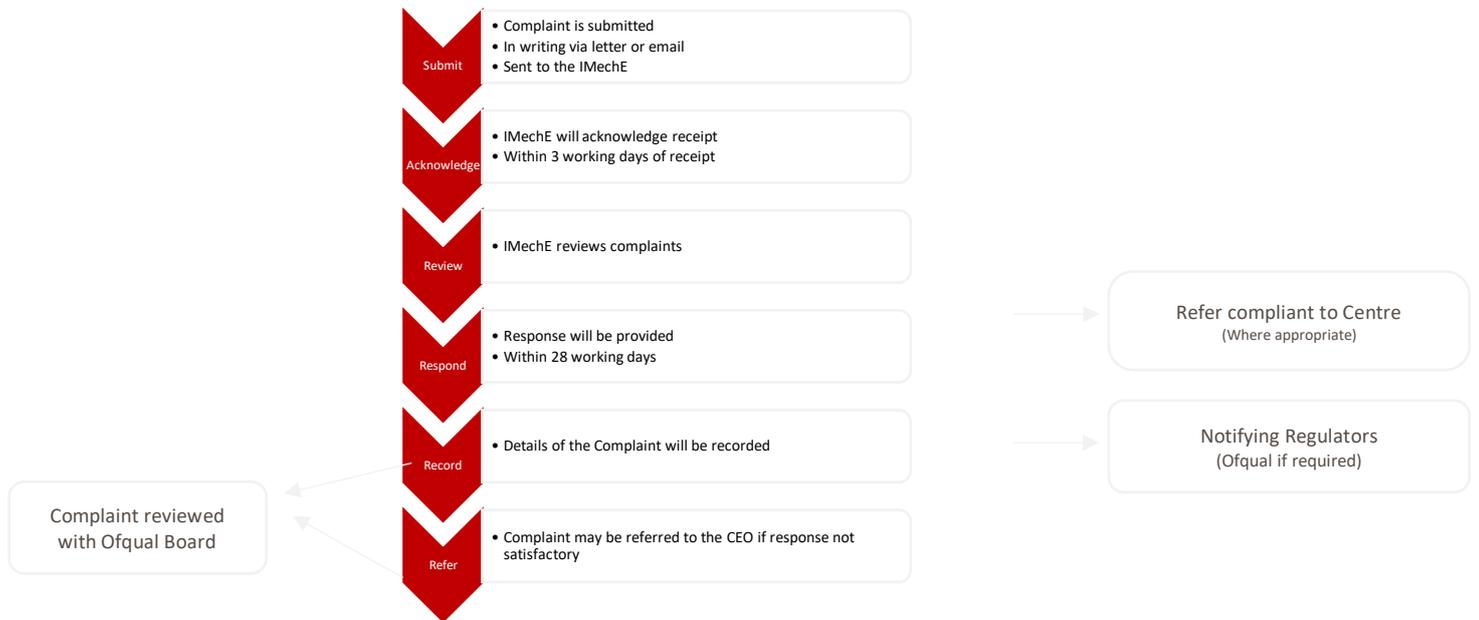
If a complaint is about a member of staff, it must be referred to Head of UK Business Development.

We seek to resolve informal complaints within 10 working days. If the issue is not resolved to the complainant's satisfaction the complaint will move to Stage 2.

All records of conversations and correspondence relating to the complaint will be kept on record.

Any complainant who does not feel it appropriate to follow the Stage One process due to a conflict of interest may go directly to Stage 2.

8. Complaints Process – Stage 2



9. Making a Complaint

Formal Complaint in Writing

Complaints must be made in writing to IMechE – this can be via letter or email – outlining the following:

- Complainant's name and contact details
- Activity that complaint relates to
- Date of activity/incident that is being complained about
- Details of any investigations that may already have been carried out
- Details of actions that the complainant would like IMechE to take
- Details of the outcome of the informal complaint (as detailed above Stage 1)
- Signature and date

The Complaint should be addressed to the EPA Manager

Email: kerry.ellis@imeche.org

Post: IMechE, 1 Birdcage Walk, London, SW1H 9JJ

Complaint Acknowledged

All complaints will be acknowledged in writing within 3 working days by the EPA Manager and logged in the Complaints Log.

Complaint Reviewed

The EPA Manager will review the complaint in the first instance and investigate.

If the complaint is linked to an IMechE Centre, the EPA Manager will ask them to investigate and to provide a report on the outcome at the next calendar month to the EPA Delivery and Quality Meeting.

If the complaint is linked to any of the areas detailed below, the complaint will be dealt with in accordance with the relevant policy:

- Conflicts of Interest
- Malpractice and or Maladministration

- Reasonable Adjustments
- An Enquiry or Appeal
- Equality and Diversity

Investigate

The EPA Manager will investigate with regards to the complaint. This could be linked to matters such as

- Delayed results
- Poor customer service
- Terms and conditions of proposal
- Quality Assurance

Should the EPA Manager be unable to resolve the complaint, it will then be escalated to the Head of UK Business Development, and EPA Executive Board thereafter.

Notifying the Regulator

In cases where there could be an adverse effect (e.g. cases with alleged fraud or serious threat to the integrity of the our end point assessment service) IMechE is required to escalate the matter immediately to IfATE and our regulators Ofqual.

At this stage, the Complaint would be escalated to the EPA Executive Board and the Senior Responsible Officer will report to the regulator the potential for an adverse effect on apprentices.

Respond to Complaint

The IMechE will respond in writing within 28 working days of receiving the complaint confirming our position as to whether the complaint is upheld or not dismissed. The reply to the complainant will describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

Complaint Recorded

The complaints log is updated and reviewed monthly with the EPA Executive Board.

All complaints relating to processes, the assessment tools and individuals involved will be reviewed to ensure continuous improvement.

Regular review of the complaints log will help to identify if trends are appearing, and relevant action can be taken to address.

Upheld Complaints

In situations where a complaint is upheld, or where an investigation indicates a failure in our processes, we will take appropriate action including:

- In cases where there could be an adverse effect (e.g. cases with alleged fraud or serious threat to the integrity of the our end point assessment service) IMechE is required to escalate the matter immediately to IfATE and our regulators Ofqual. At this stage, the Complaint would be escalated to the EPA Executive Board and the Senior Responsible Officer would communicate to Ofqual (see above Notifying the Regulator)
- Identifying any other apprentice who has been affected by that failure
- Correcting or, where it cannot be corrected, mitigating as far as possible the effect of the failure
- Ensuring that the failure does not recur in the future
- Amending procedures and notifying relevant stakeholders of any changes that affect them and why, and
- Arranging staff training

10. Confidentiality and Whistleblowing

We recognise that there are occasions where a complainant wishes to remain anonymous. Whilst our preference is that all complainants reveal their identity and provide contact details, if there is concern about negative consequences, a complainant may request that their identity is not divulged.

It should be noted that IMechE is not obliged to disclose information to a third party where it would be considered a breach of confidentiality and/or any other legislative obligation.

Whilst we are prepared to investigate issues which are reported to us anonymously, we will always try to confirm a complaint by means of a separate investigation before pursuing the matter with those to whom the complaint relates.

At all times we will investigate such complaints from whistle blowers in accordance with relevant whistle blowing legislation and guidance.

11. Complaints & Approved Centres

All Centres must have in place a robust complaints policy. Evidence of this and management of must be provided upon request.

For assessments undertaken by the Centre, the complaint should be directed to the Centre in the first instance.

The Centre is required to **promptly inform** the EPA Manager should a complaint have a potential adverse effect on apprentices and notify the regulators accordingly. This will then follow the IMechE complaints escalation process as identified above.

The IMechE EPA Manager will record any complaints logged.

All complaints are reviewed at the EPA Delivery and Quality Meeting which is held with the Centre and the IMechE on a monthly basis.

12. Dissatisfaction with Outcome

Should any complainant feel that their complaint has not been dealt with adequately, they should contact the EPA Manager in writing within 5 days of receiving the original outcome.

This will then be escalated to the Chief Executive of the IMechE for further investigation and review. If there is a conflict of interest, an alternative senior member of staff or an independent competent expert who has not been involved in the original complaint or its response to complete the review or undertake the review.

A review will only be carried out if the complainant provides clear reasons for making the request and sets out areas of concern. The reasons must relate only to the way that we have or have not investigated the complaint and not the detail of the complaint itself.

If a complainant remains dissatisfied with the response, they should seek advice from the regulator Ofqual, or the external quality assurance provider if different.

13. Complaints via Other Sources

If we are notified of a failure that has been discovered in the assessment process of another End-point Assessment Organisation via a complaint, we will review our procedures to ascertain if the same failure could affect our arrangements. These notifications will usually be made by the external quality assurance provider.

This policy will be reviewed on annual basis by the EPA Operations Team.

14. Contact us

If you have any queries about the contents of this policy, please contact the EPAO Manager
Kerry.Ellis@imeche.org