

ETF Complaints Policy and Procedure

1 Policy statement

1.1 At the Education and Training Foundation ('ETF'), we strive for excellence in everything we do. We are conscious of how we are funded and our need to make sure that all our activities pursue our charitable purposes and the public benefit. Occasionally we will fall short of the high expectations customers and partners have for us. When that happens, we want to know. This allows us to investigate what has happened and have a chance to rectify any mistakes we may have made. A thorough and transparent complaints policy and supporting procedure help us do this.

1.2 Our policy is to:

- Provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint
- Publicise the existence of our complaints procedure so that people know how to contact us to make a complaint
- Make sure everyone at the ETF knows what to do if a complaint is received
- Make sure all complaints are investigated fairly, and in a timely way
- Make sure that complaints are, wherever possible, resolved and that relationships are repaired
- Gather information which helps us to improve what we do.

2 Definition

2.1 A complaint is a clear expression of dissatisfaction about the standards of service provided by the ETF.

3 Scope

3.1 This policy and procedure covers all services and products which we deliver directly, those that are delivered by third parties on our behalf and also the behaviour and conduct of ETF staff and trustees

3.2 This policy does not cover complaints from ETF's own staff, who should use the HR Grievance Policy and Procedure.

3.3 If a member of the Society for Education and Training (SET) wishes to lodge a complaint about any aspect of SET, they should follow the process laid out in the [SET Complaints and Appeals Policy](#).

3.3.1 If a SET member wishes to lodge a complaint using the ETF Complaints Policy and Procedure, they may do so only for matters that do not involve SET (i.e. do not involve the SET team, processes, or communications).

3.3.2 SET members may only use one policy / process for their complaint, unless lodging separate complaints about separate issues.

4 Procedure: Informal complaints

4.1 In many cases, an issue is best resolved informally between the two parties in which the problem pertains to. An informal, practical, and sensible approach should be taken to informally resolve the issue. The process for this is:

- a) The individual raises the issue verbally with the ETF member of staff, either directly or via a commissioned supplier.
- b) The ETF member of staff, or a nominated colleague will respond to the complainant within 5 working days of receiving the complaint.
- c) The complainant has 5 working days, after the ETF staff member has responded, to confirm they are satisfied with the resolution, or to request the complaint be escalated to become a formal complaint (at which point the Stage 1 formal complaint process will commence; see Section 5). If neither of these are received, it will be assumed the case is closed.

Timeframe: immediate to within 10 working days.

Method: verbal.

5 Procedure: Formal complaints

5.1 The ETF formal complaints procedure has three stages of handling and escalation:

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| Stage 1. | Review by the Director of the area concerned |
| Stage 2. | Review by the CEO (or DCEO in their absence) |
| Stage 3. | Review by the ETF Board Chair. |

5.2 All formal complaints should proceed through stages 1 and 2 before they proceed further (unless they refer to the Director concerned, the CEO or DCEO, in which case they will be escalated to the next level).

5.3 A formal complaint process flowchart can be found as an Appendix to this Policy and Procedure document.

Stage 1 Review by the relevant Director

- Complaint is received:
 - in writing to: Education and Training Foundation, 157-197 Buckingham Palace Road, London SW1W 9SP.
 - by email to complaints@etfoundation.co.uk
 - by 'phone on 020 3740 8280.

- a) Complaint is logged formally with the ETF's Customer Services Team at the point of receipt, and then with the Governance and Business Processes Directorate who keep a log of all complaints received and considered.
- b) Case ownership is allocated to the appropriate member of staff to deal with the complaint by a member of the Governance and Business Processes Directorate. If the complaint is regarding the Governance Director, it will be escalated to the CEO. If the complaint is regarding the CEO it will be escalated to the Chair (or an alternate trustee), and if the complaint is regarding the Chair it will be escalated to an alternate trustee.
- c) Receipt of the complaint is acknowledged within 2 working days of receipt.
- d) Investigation of the complaint will then proceed. All complaints will be considered objectively, and the ETF will endeavour to resolve the matter in a fair, mutual and consistent way.
- e) Following the investigation, the complainant will receive a response from the ETF within 10 working days.
- f) Complainant has 10 working days, after the response has been issued, to confirm they are satisfied with the resolution, or to request the complaint be escalated. If neither of these are received, it will be assumed the case is closed.
- g) A member of the Governance and Business Processes Directorate will log the investigation and subsequent resolution or escalation of the complaint.

Timeframe: Between 2 working days and, at the latest, 22 working days after submission of complaint.

Method: email, verbal, or written complaint submission; written formal response.

Stage 2 Review by the CEO

- a) If the complainant feels that the issue has not been satisfactorily resolved at Stage 1, they can take the decision to escalate their complaint to Stage 2.
- b) Complainant confirms in writing within 10 working days that they are not content with the proposed course of action, explanation, or resolution and that they wish to escalate their complaint to stage 2. The stage 2 complaint process therefore starts on the date that the escalation is requested [point c)].

- c) Receipt of the escalated complaint is acknowledged within 2 working days of receipt.
- d) Case is then escalated to the CEO. If the complaint is regarding the CEO, it will be escalated to the Chair. If the complaint is regarding the Chair it will be escalated to an alternate trustee.
- e) Within 5 working days of the request to escalate the complaint to stage 2 being acknowledged, the CEO will decide whether further information from the complainant is required ('notice of consideration'). At this point, the complainant will be:
 - i. offered an additional 5 working days to provide further written information to support their complaint. This will then be followed by the CEO's review which should last no longer than 10 working days from the receipt of the supporting information
 - ii. informed that the CEO will commence a review of the case and all relevant material to date with no additional information sought. This will last no longer than 10 working days from the notice of consideration.
- f) Complainant will receive a response from the ETF within 10 working days of the end of the CEO's review.
- g) Complainant has 10 working days, after the response has been issued, to confirm they are satisfied with the resolution, or to request the complaint be escalated. If neither of these are received, it will be assumed the case is closed.
- h) A member of the Governance and Business Processes Directorate will log the investigation and subsequent resolution or escalation of the complaint.

Timeframe: Between 2 working days and, at the latest, 42 working days after submission of dissatisfaction notice to the CEO.

Method: written dissatisfaction notice, followed by consideration by the CEO, and written formal response.

Stage 3 Review by the ETF Board Chair on behalf of the Board

If the complainant feels that the issue has not been satisfactorily resolved at Stage 2, they can take the decision to escalate their complaint to Stage 3

- a) Complainant confirms within 10 working days that they are not content with the proposed course of action, explanation, or resolution and that they wish to escalate their complaint to the next stage (stage 3). The stage 3 complaint process therefore starts on the date that the escalation is requested.
- b) Receipt of the escalated complaint is acknowledged within 2 working days.

- c) The Chair (or an alternate trustee) is advised by the Governance Director of the complaint. If the complaint is regarding the Chair, it will be escalated to an alternate trustee.
- d) Within 10 working days of the request to escalate the complaint to stage 3 being acknowledged, the Chair will decide whether further information and / or a meeting with the complainant is required ('notice of consideration'). At this point, the complainant will be:
 - i. Invited to make a written submission to the Chair in support of their complaint within 5 working days of the notice of consideration
 - ii. Or offered arrangements for a meeting with the Chair within 15 working days of the notice of consideration
- e) Should the Chair request a meeting with the complainant (which can be in person, virtually or by telephone), the Governance Director (or his/her delegate) will administer arrangements and be the minute taker for such meeting / discussions.
- f) If the complainant agrees to a meeting, they may be accompanied by an independent person for the purposes of support.
- g) Following either the receipt of the supporting written submission, and / or the meeting with the complainant, the Board Chair will then proceed with a review of the substance of the case and its handling.
- h) The complainant will receive a response from the ETF within 10 working days after the Chair's consideration of the written submission or the meeting, whichever is the later.
- i) The Board Chair's decision is final.
- j) A member of the Governance and Business Processes Directorate will log the investigation and subsequent final outcome.

Timeframe: Between 2 working days and, at the latest, 37 working days after escalation to stage 3 complaint.

Method: written dissatisfaction notice, supported by optional additional written submission or meeting, followed by Chair's consideration, and written formal response.

6 Vexatious complaints

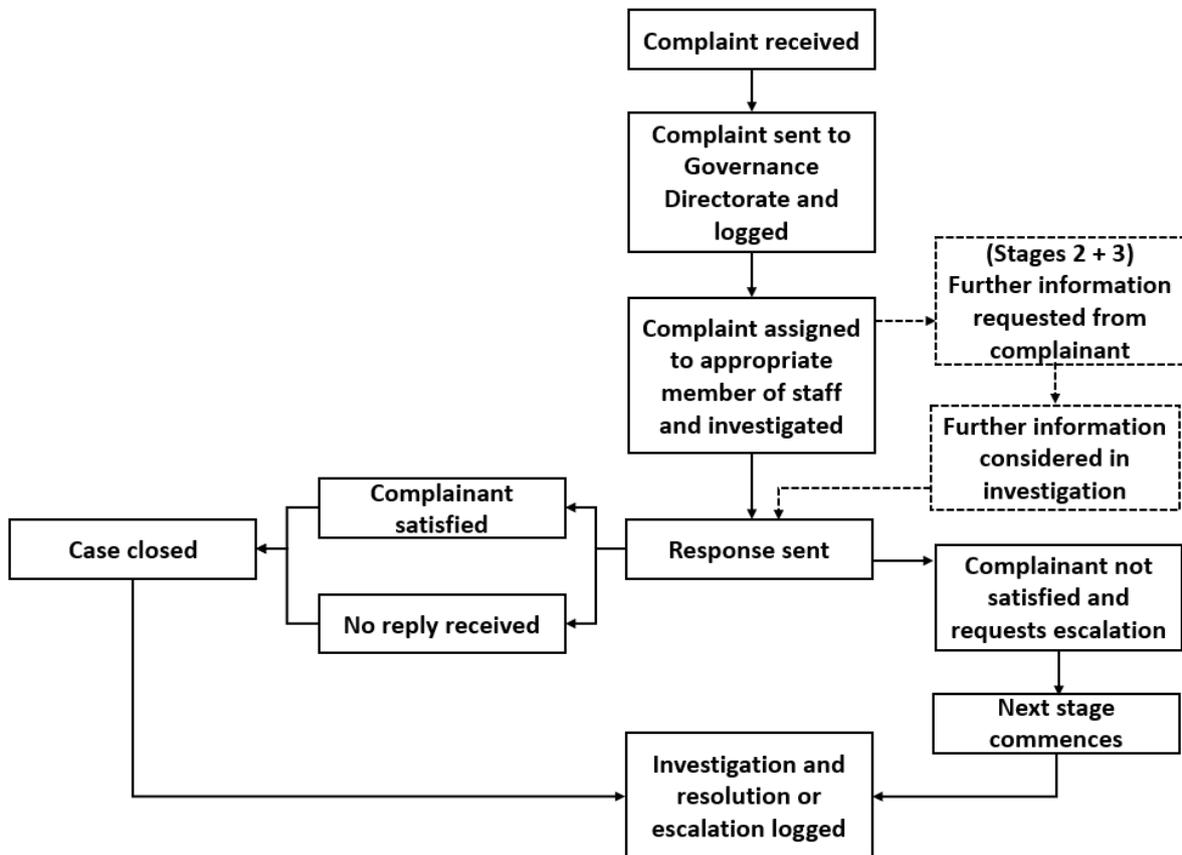
6.1 Some complaints are communicated with the ETF in a way that may appear vexatious. We consider a vexatious complaint is one that is pursued, regardless of its merits and is considered to be unreasonable, without foundation, frivolous, repetitive, burdensome, or unwarranted.

6.2 We treat all complaints on their merits. However, we may consider a complaint to be vexatious where the individual:

- Persists in pursuing a complaint which has already been investigated by an ETF staff member and provides no new or material information
- Seeks to prolong contact by continually changing the substance of a complaint or by continually raising further concerns or questions whilst the complaint is being addressed
- Fails to clearly identify the substance of a complaint, or the precise issues which may need to be investigated despite reasonable efforts by the ETF staff member to assist them
- Complains solely about trivial matters to an extent which is out of proportion to their significance
- Seeks to impose unreasonable demands or expectations on resources, such as responses being provided more urgently than is reasonable or necessary
- Persists in pursuing a complaint and /or seeks to impose unreasonable demands on resources where the complainant has already been informed that the complaint is outside of the ETF's remit or charitable purpose (e.g. requesting we act as an FE regulatory body; requesting we investigate complaints against HE providers, etc.).

6.3 The decision as to whether a complaint is considered to be vexatious rests with the CEO (or DCEO in their absence), with guidance from the Governance Director. The ETF will cease to investigate any complaint as soon as it considered to be vexatious and will notify the complainant accordingly.

Appendix: Complaints procedure flowchart



- The ETF’s Senior Management Team (SMT) receives anonymised reports of ETF formal complaints as part of their monthly Performance Board meetings
- The ETF’s Board of Trustees receives (at least) an annual report.

Version 1.0 Authorisation and approval:

Drafted by: Gina Hobson	Title: Head of CEO's Office	Date: 07.03.17
Approved by: David Russell	Title: CEO	Date: 13.03.17

Revision History:

Timing of revision and outline of frequency of revision required

Version	Date	Description of changes	Reason	Prepared by	Approval from
2.0	06.04.20	Updates to responsible roles	Organisational re-structure	Business Processes Manager	SMT
3.0	16.03.21	Clarification of informal complaints and stage 2 and 3 processes, inclusion of vexatious complaints section and inclusion of flow chart	Processes review	Business Processes Manager	Board

Policy Owner:

Governance Director

Due Date for Review:

1 March 2023