



## Complaints Policy and Procedure

### 1 Policy statement

1.1 At the Education and Training Foundation ('ETF' which includes SET, the Society for Education and Training), 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 may 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 or by contracted third parties on our behalf ('partners' or 'suppliers')
- The behaviour and conduct of ETF staff, Board members, contracted third parties and advisory groups representing the ETF.

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

3.3 This policy **cannot** be used to complain or appeal against:

- A decision not to award Qualified Teacher Learning and Skills (QTLS) status or Advanced Teacher Status (ATS) (see instead the [QTLS and ATS Awards Appeals Policy](#)).
- A decision to remove membership, following an investigation (see instead the [SET Actions Against Members Policy](#)).
- Support allocation outcomes following an application for reasonable adjustments ([QTLS and ATS Reasonable Adjustments Policy and Procedure](#)).

#### 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 If complaints cannot be resolved informally, the formal complaints procedure has three stages of handling and escalation.

- |          |  |
|----------|--|
| Stage 1. | Review by the Head of Department of the area concerned, or Head of Compliance in their absence |
| Stage 2. | Review by the Director of the area concerned or another appropriate Director in their absence) |
| Stage 3. | Review by the CEO (or a member of the ETF's Senior Leadership Team in their absence).          |

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

level). In terms of the CEO, the next escalation level would be the Chair of the Board.

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 Head of Department**

- 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](mailto: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 SET team for member-specific complaints, or the Governance, Compliance and Improvement (GCI) team for non-membership complaints.
- b) Case ownership is allocated to the appropriate member of staff to deal with the complaint. If the complaint is regarding the Head of Department reviewing the Stage 1 complaint, it will be escalated to the Head of Compliance. If the complaint is regarding that Head, it will be escalated to the Governance Director, or an alternate Director where appropriate).
- c) Receipt of the complaint is acknowledged within 5 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 from the date of acknowledgement.
- f) The complainant has 5 working days from the date of the ETFs formal response 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 SET or GCI teams will log the investigation and subsequent escalation or resolution of the complaint.

Timeframe: Between 5 working days and, at the latest, 20 working days after submission of complaint.

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

## **Stage 2 Review by the Director of the area concerned**

- 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 5 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 [i.e. from point c)].
- c) Receipt of the escalated complaint is acknowledged within 5 working days of receipt.
- d) Case is then escalated to the Director of the area concerned. If the complaint is regarding that Director, it will be escalated to an alternate and appropriate Director.
- e) Within 5 working days of the request to escalate the complaint to stage 2 being acknowledged, the Director 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 Director's review which should last no longer than 10 working days from the receipt of the supporting information
  - ii. informed that the Director will commence a review of the case and all relevant material to date with no additional information sought). As per point i., this will last no longer than 10 working days from the notice of consideration.
- f) Complainant will receive a response from the ETF within 5 working days of the end of the Director's review.
- g) Complainant has 5 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 SET or GCI teams will log the investigation and subsequent escalation or resolution of the complaint.

Timeframe: Between 5 working days and, at the latest, 35 working days after the date of the request to stage 2 escalation is requested.

Method: written escalation requested, followed by consideration by the Director, and written formal response.

### **Stage 3 Review by the CEO (or Senior Leadership Team member)**

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 5 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 5 working days.
- c) The CEO is advised by the Head of Compliance of the complaint. If the complaint is regarding the CEO, it will instead be escalated to an ETF Board member.
- d) Within 5 working days of the request to escalate the complaint to stage 3 being acknowledged, the CEO (or Board member) 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 CEO (or Board member) in support of their complaint within 5 working days of the notice of consideration
  - ii. Or offered arrangements for a meeting with the CEO (or Board member) within 10 working days of the notice of consideration
- e) Should the CEO request a meeting with the complainant (which can be in person, virtually or by telephone), the Head of Compliance (or their 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 CEO (or Board member) will then proceed with a review of the substance of the case and its handling. This will usually take 10 working days.
- h) The complainant will receive a response from the ETF within 5 working days after the CEO (or Board member)'s consideration of the written submission or the meeting, whichever is the later.
- i) The CEO (or Board member, where appropriate)'s decision is final.
- j) A member of the SET or GCI team will log the investigation and subsequent final outcome.

Timeframe: Between 5 working days and, at the latest, 40 working days after escalation to stage 3 complaint.

Method: written dissatisfaction notice, supported by optional additional written submission or meeting, followed by the CEO (or Board member)'s consideration, and written formal response.

## **6 Vexatious complaints**

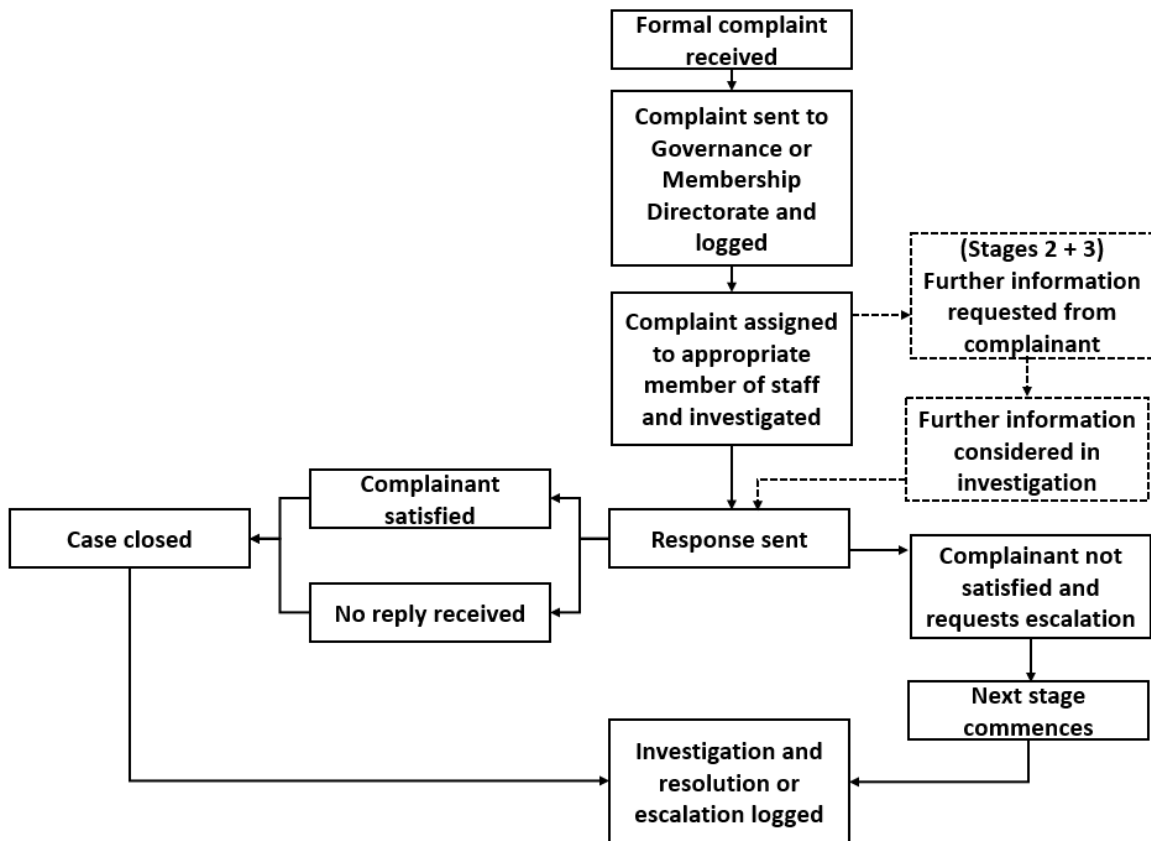
6.1 Some complaints are communicated with the ETF in a way that may appear vexatious. We consider a vexatious complaint is one that is pursued, regardless of its merits and is considered to be unreasonable, without foundation, frivolous, repetitive, burdensome, or unwarranted.

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, with guidance from the ETF's Governance Director. The ETF will cease to investigate any complaint as soon as it is 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:**

<b>Drafted by:</b> Paul Murtagh	<b>Title:</b> Head of Compliance	<b>Date:</b> 12.05.22
<b>Approved by:</b> Board	<b>Title:</b> ETF Board of Trustees	<b>Date:</b> 07.06.22

**Revision History:**

Timing of revision and outline of frequency of revision required

Version	Date	Description of changes	Reason	Prepared by	Approval from

**Policy Owner:**

Governance Director

**Due Date for Review:**

1 May 2024