



# COMPLAINTS POLICY

Issue Number	Effective Date	Amendments	Reason for Amendments
7	17 Aug 2020	1. Replaced all reference of 'Quality Assured Programmes' or 'QAP' with 'IMI Accredited'.	1. Realignment of IMI Products

## INTRODUCTION

This document sets out our complaints policy and is aimed at our members, approved centres, candidates and all interested parties who encounter a direct or indirect service from IMI or an IMI affiliated individual or provision.

If you feel you have encountered a level of service that is below both your and our expectations, you should raise any concerns with us immediately. This will enable us to address any issues and see this as an opportunity to improve our services.

The IMI will always endeavour to resolve complaints promptly, constructively, fairly and proportionately having due regard to the nature of the complaint and the guidelines set out in this policy.

## SCOPE

This policy covers complaints against a member or professionally registered individual of IMI concerning alleged breach(es) of IMI Professional Standards, complaints in relation to approved centres or a complaint about a service provided by IMI, including end-point assessment delivery.

- **making a complaint against an IMI member or IMI professionally registered individual**

All IMI members and IMI professionally registered individuals commit to abide by the IMI [Professional Standards](#).

If it is felt that a member or professionally registered individual of IMI has fallen below the expectation of these standards, you can submit a formal complaint to IMI for review using the online complaints form. You must provide evidence to support your complaint.

- **making a complaint about an IMI approved centre**

All IMI approved centres must have their own complaints and appeals policy which should state clearly how complaints relating to the delivery, including assessment, of IMI qualifications or IMI Accredited Assessments can be made. Complainants must first of all go through their centres own process before bringing the matter to the attention of IMI.

If, having exhausting the centres complaints process you are unhappy with the outcome, you can submit a formal complaint to IMI for review using the online complaints form. You must provide evidence to support your complaint.

- **making a complaint about a service provided by IMI**

If you have a complaint about our service the best way to resolve it will usually be to contact the member of staff you have been dealing with. You can do this over the phone, by email or in writing.

If you feel that this is not the right way to resolve your complaint, or you are not happy with the outcome, or your complaint is about a member of staff, you can submit a formal complaint

to IMI for review using the online complaints form. You must provide evidence to support your complaint.

Complaints relating to conduct or services relating to end-point assessment delivery should be submitted to IMI for review using the online complaints form. You must provide evidence to support your complaint.

Although it is not possible to provide a definitive list of complaint scenarios, the following outlines the areas that we are unable to take forward in line with the scope of this policy.

- Actions undertaken by training provider/centre staff during end point assessment delivery.
- Complaints that haven't firstly been raised with the relevant individual or IMI approved centre
- Complaints about individuals or organisations who are not current members, professionally registered or affiliated with IMI
- Complaints against members or professionally registered individuals unrelated to the relevant IMI Professional Standard
- Complaints more than six months past the complaint incident date
- Assessment decisions made by an IMI approved centre
- Advise on alternate dispute resolution schemes or act as an impartial mediator
- Complaint matters that are, or become, the subject of legal proceedings in any court or tribunal
- Fee disputes, complex technical disputes, disputes that turn on the resolution of a conflict of evidence (particularly oral evidence) between the parties, disputes between employer and employee or commercial disputes between businesses.

*Note: Some such disputes can only be resolved through the courts or preferably alternate dispute resolution. Where we identify at the outset that the nature of the complaint is not one which the policy is likely to resolve then we may signpost you to an appropriate body who can assist you.*

The decision of IMI on whether a complaint is within the scope of this policy is final.

This policy does not cover complaints in relation to decisions made by IMI as these are covered by our Appeals Policy. If you are unhappy about the way an assessment was conducted and you suspect malpractice or maladministration may have occurred, you should send your concern to us in accordance with the arrangements in our Malpractice and Maladministration Policy.

## BEFORE YOU COMPLAIN

Complaints under this policy should be made promptly and within 90 days of the complaint incident. IMI may at its discretion consider complaints made later than 90 days having regard to any unreasonable delay by any party involved, but will not hear any complaint which has been raised more than 6 months after the incident.

Please provide as much information as possible so that we can investigate your complaint promptly.

## HOW TO MAKE A COMPLAINT

You must ensure you have read and understood all details of IMI's Complaints Policy, including what we can and can't investigate, how IMI will handle the complaint and expected timescales.

A full description of the nature of the complaint (including dates and times if known), the names of the people you have dealt with so far, copies of all correspondence between you and the named party relating to the complaint must be submitted using IMI's online complaint form.

*Note: IMI will not investigate anonymous complaints – however we may consider doing so where there is evidence to support an investigation and these will be taken forward in accordance with our Whistleblowing Policy.*

## HOW WE HANDLE COMPLAINTS

IMI will acknowledge receipt of your complaint within 48 hours, letting you know who will be dealing with it. At all times we will ensure that personnel assigned have the appropriate level of training and competence and they have had no previous involvement or personal interest in the matter.

An initial review will be undertaken to determine whether the complaint is within the scope of this policy, the complainant will be informed of this within 20 working days and advised on the outcome or the next steps in the process. Where this is not possible, we will contact you to update you on our progress and provide a deadline by which we should be able to provide a further response.

## COMPLAINT OUTCOME

At the end of an investigation, we shall notify the complainant and the relevant individual or party of our decision. If a complaint is upheld, IMI will identify what went wrong and why, taking remedial action as appropriate.

If it is found that an IMI member or professionally registered individual is in breach of any part of the IMI Professional Standards or an IMI approved centre is in breach of IMI or regulatory requirements, appropriate sanctions will be taken.

IMI are unable to pay or instruct individuals or associated parties to pay any financial compensation.

## TAKING A COMPLAINT FURTHER

If you disagree with the decision taken by IMI or are unhappy by the way in which your complaint was handled, you can take the matter further and instigate an appeal in line with the arrangements outlined in our Appeals Policy.

The determination of a complaint against a member or professionally registered individual of IMI under this policy is final and there is no further right of appeal.

If your complaint relates to a qualification or apprenticeship standard and, after you have exhausted our appeals arrangements, you are still not satisfied with the outcomes, you can complain/appeal directly to the relevant regulatory authority for that qualification (e.g. Ofqual in England, SQA

Accreditation in Scotland, CCEA Regulation in Northern Ireland and Qualifications Wales) or apprenticeship standard (e.g. Ofqual, RMISC). Each of these organisations will have a formal procedure in place to handle complaints and appeals.

If you have a complaint about the quality of teaching or delivery of an apprenticeship standard programme, as opposed to the end point assessment element, and this has been raised with the training provider but you are unhappy with the outcome, you can complain to the Education and Skills Funding Agency (ESFA) directly via [complaints.ESFA@education.gov.uk](mailto:complaints.ESFA@education.gov.uk)

Users of public bodies<sup>1</sup> in Scotland have the right to complain to the Scottish Public Services Ombudsman (SPSO) as the final arbiter. Users have to exhaust the public body's own complaints procedure before the SPSO will consider their complaint, and it must usually have been raised within the previous 12 months. The complaint cannot be under consideration in a court of law.

The SPSO defines a complaint as “an expression of dissatisfaction by one or more customers about [the college's] action or lack of action, or about the standard of service provided by [the college<sup>2</sup>] or on its behalf”.

The SPSO will not consider complaints about academic decisions, such as the outcome of an assessment. These types of complaints should be treated as an appeal and should follow awarding bodies' appeals processes.

**The SPSO's Further Education Colleges Model Complaints Handling Procedure can be found at**

<http://www.valuingcomplaints.org.uk/further-and-higher-education/>

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<sup>1</sup> The SPSO's rules apply only to public bodies (e.g. FE colleges and local authority centres). Learners at centres that are not public bodies will not be able to escalate their complaints to the SPSO.

<sup>2</sup> For some complaints, there will be no requirement for the college to escalate the complaint to awarding bodies, e.g. if the Complaint concerns the behaviour of a Centre staff member (in this case, once the student has exhausted the college's complaints process, they would go direct to the SPSO if dissatisfied).