

# COMPLAINTS POLICY

This policy outlines the processes for handling internal and external complaints including those relating to membership and training.

## 1. Internal Complaints

### **Scope**

This section covers the policy regarding the handling of any complaint received from a FeRFA member about another FeRFA member which cannot be immediately addressed by the FeRFA team. FeRFA expects high standards of professionalism from our members as set out in our Codes of Practice. However, we recognise that occasionally a member may breach this Code.

### **Definition of a Complaint**

Any notification received by FeRFA from a FeRFA member regarding the actions or inactions of another FeRFA member that contravene the relevant FeRFA Code of Practice, Membership Criteria, Articles of Association, Bye Laws or Association Rules.

### **Responsibility**

The FeRFA team receives details of the complaint and takes any necessary action to investigate and resolve. The CEO receives any escalated complaints and appeals and takes the necessary action to investigate and resolve.

### **Making a Complaint**

- a) Any member wishing to make a complaint against another member of the Association must do so in writing stating the specific item of the relevant Code of Practice, Membership Criteria, Articles of Association, Bye Laws or Association Rules to which it applies and submit this to the CEO by emailing [secretariat@ferfa.org.uk](mailto:secretariat@ferfa.org.uk). For reasons of fairness the Association will not deal with a complaint that is made orally.
- b) Complaints will be acknowledged and logged in the FeRFA Complaints Register within 5 working days of receipt (Monday to Friday 9.00 am to 5.00 pm excluding bank holidays).
- c) The complaint shall be investigated by a hearing panel selected from members of FeRFA Council convened by the CEO within 30 days of the date of acknowledgement of the complaint. Each party to the complaint is entitled to oppose the co-option of a particular member to the hearing panel.
- d) The recommendations of the panel will be referred to the FeRFA Council by the CEO for endorsement in accordance with Article 29.
- e) If it is found that a member has failed to comply with FeRFA's Code of Practice, the member shall receive a warning together with the appropriate advice on future compliance. If the member company consistently fails to comply with FeRFA's Codes of Practice and/or the rules of the association (as amended from time to time by the Board of Directors), the directors may terminate membership by notice in writing to that member in accordance with Article 29. A Member whose Membership is terminated under this Article shall not be entitled to a refund of any subscription or membership fee.

## 2. External Complaints (Membership)

### **Scope**

This section covers the policy regarding the handling of any complaint relating to a FeRFA member which cannot be immediately addressed by the FeRFA team.

FeRFA expects high standards of professionalism from our members as set out in our Codes of Practice. However, we recognise that occasionally a member may breach this Code. If you feel that one of our members has breached the Code and wish to make a formal complaint, all complaints received are dealt with according to this procedure.

Complainers should note that FeRFA is a voluntary membership body, not a government regulator. As such we only have authority over our members in relation to their membership with us. We have no authority to issue fines, compel a member to complete a task or project or prevent a member from trading.

***Important points to note:***

- FeRFA is unable to assist if the company has ceased to be a member of FeRFA.
- No site visit to inspect works is available as part of this process.
- FeRFA membership does not provide insurance cover for any potential or actual liability that may arise as part of a dispute. FeRFA is not responsible for paying compensation or making a financial reward.
- FeRFA will not become involved in any aspect of a dispute if legal advice has been sought, legal proceedings have commenced, or any form of third-party investigations have been instigated by either party prior to FeRFA's involvement.
- FeRFA cannot assume the role of a Court or Arbitrator in any dispute. Such disputes should be resolved between the parties involved using the normal legal process if necessary. FeRFA cannot deal with contractual matters.
- FeRFA will not deal with complaints relating to domestic works.
- FeRFA cannot assist where the work in question has been carried out more than two years ago or if the work in question has been carried out outside of the UK.
- The process cannot guarantee complete satisfaction where the client has unjustified cause for complaint or where either party has unrealistic expectations.

***Definition of a Complaint***

Any notification received by FeRFA concerning the products or services of a FeRFA member that breaches the relevant FeRFA Code of Practice.

***Responsibility***

The FeRFA team receives details of the complaint and takes any necessary action to investigate and resolve. The CEO receives any escalated complaints and appeals and takes the necessary action to investigate and resolve.

***Making a Complaint***

- a) All FeRFA members are required to have their own customer complaints procedure. We therefore direct customers who have concerns over the quality of products or services supplied by FeRFA members to initially contact the member to express their concerns and agree a resolution. The FeRFA complaints procedure cannot begin until the matter has first been raised directly with the member company.
- b) FeRFA may be able to help customers who have a dispute with a FeRFA member by providing a free service whereby we will endeavour to reconcile a dissatisfied customer with the member company. Most complaints escalate because of poor communication between parties. This initial mediation will often help the parties to agree a way forward and no further involvement from FeRFA will be required. **No site visit to inspect works is available as part of this process.**
- c) All complaints must be submitted to FeRFA in writing using the **FeRFA Client Resolution Form**. This form can be requested by emailing [secretariat@ferfa.org.uk](mailto:secretariat@ferfa.org.uk). FeRFA will only liaise with ONE complainer contact regarding the dispute. For reasons of fairness the Association will not deal with a complaint that is made orally.
- d) Complaints will be acknowledged and logged in the FeRFA Complaints Register within 5 working days of

receipt (Monday to Friday 9.00 am to 5.00 pm excluding bank holidays).

- e) Once received by FeRFA, all correspondence, evidence and details of the complaint will be copied in its entirety and forwarded to the FeRFA member. The complainer should not provide any comments, details or any other content that they do not agree to being shared with the FeRFA member. The FeRFA member has 14 days in which to respond. For transparency, the response will then be sent to the complainer. Following this, no further evidence may be submitted by either party unless requested by FeRFA.
- f) FeRFA will undertake a desktop review of the complaint and the FeRFA member's response. **No site visit to inspect works is available as part of this process.**
- g) We will aim to provide a written response to complaints within 30 days of the date of acknowledgement of the complaint. FeRFA aims to meet all stated timescales, but there may be circumstances that prevent them from being met. In such cases, FeRFA will advise and keep all relevant parties informed of progress.
- h) If no resolution can be achieved, FeRFA can refer the parties to consider independent adjudication. Both parties are free to pursue the matter through litigation.
- i) FeRFA members are expected to adhere to the relevant FeRFA Code of Practice. We can, if appropriate, refer the member's conduct to the FeRFA Council for consideration for breaches of the Code of Practice in accordance with section 1. Internal Complaints. This is an internal matter between FeRFA and its member and will not be discussed with third parties.
- j) The views and opinions expressed by FeRFA and the action agreed will be strictly on a 'without prejudice' basis and made with the best interests of the Association in mind. No action taken by the Association, its Officers or Members will be in contempt where legal proceedings are in progress.

### 3. External Complaints (Training)

#### **Scope**

This section covers the policy regarding the handling of any complaint relating to FeRFA training products or services which cannot be immediately addressed by the FeRFA team or the person directly responsible.

FeRFA offers specialist training courses and assessment services leading to national vocational qualifications and achievement certificates. All FeRFA trainers and assessors are independent but hold the relevant training or assessing qualifications or are actively working towards them. FeRFA offers specialist applied-skills programmes and work with and supports any stakeholder organisations or individuals working in the resin flooring and surface preparation sector.

FeRFA is committed to providing a quality service for learners and employers. This procedure is designed to provide an opportunity for employers and learners to make complaints to FeRFA about its training products and services. One of the ways in which we can continue to improve our service is by listening and responding to the views of learners and employers and deal speedily with any complaints in a fair and equitable manner.

The intention behind this procedure is to:

- Improve the service FeRFA provides to learners and employers.
- Clarify for staff, employers and learners the procedures for handling complaints.
- Encourage clients to seek means of resolving problems without further or more formal procedures.
- Provide where appropriate means of recording both the nature of complaints and the effectiveness of their resolutions.
- Encourage a regular process of monitoring and reviewing records within the quality assurance

framework.

Complaints are dealt with promptly, politely and, where appropriate, informally (for example by telephone).

Responses are provided courteously e.g., with an explanation, an apology where necessary or with information on any action to be taken.

It is in everybody's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. FeRFA will take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

There are occasions when complainers would like to raise their concerns formally. In those cases, please follow the formal complaints procedure outlined below.

### ***Definition of a Complaint***

Any notification received by FeRFA concerning a level of dissatisfaction with any FeRFA training product or service, training centre or trainer which has not been immediately addressed by the FeRFA team or person directly responsible.

### ***Responsibility***

The FeRFA team receives details of the complaint and takes any necessary action to investigate and resolve. The CEO receives any escalated complaints and appeals and takes the necessary action to investigate and resolve.

### ***Making a Formal Complaint***

- a) Learners or their representative who wish to make a formal complaint should do so within 25 working days of the event.
- b) The complaint should be submitted via email to [secretariat@ferfa.org.uk](mailto:secretariat@ferfa.org.uk) and full details of the complaint provided along with any supporting evidence. All complainers must ensure that they provide a clear explanation of the nature of the complaint and clarification of the relationship if any between the complainer and the party concerned. For reasons of fairness the Association will not deal with a complaint that is made orally.
- c) Complaints will be acknowledged and logged in the FeRFA Complaints Register within 5 working days of receipt (Monday to Friday 9.00 am to 5.00 pm excluding bank holidays).
- d) FeRFA will review the complaint and the complainer will be informed if the complaint is in or out of scope within 10 working days of receipt. If the complaint is appropriate to be investigated by FeRFA then a member of the FeRFA team will be nominated to investigate the matter.
- e) The complainer will be informed in writing within 25 working days of receipt of the result of the investigation and how the matter will / has been resolved, if appropriate. If the complaint is upheld FeRFA will consider appropriate measures to correct the issue and prevent a reoccurrence.
- f) Should the complainer not be satisfied with the outcome they may pursue an appeal to the CEO by contacting them by email at [secretariat@ferfa.org.uk](mailto:secretariat@ferfa.org.uk) citing their complaint, the circumstances and stating why they are dissatisfied with the response. The CEO will reply to the appeal within 25 working days of receipt. This decision shall be final and binding and there shall be no obligation to provide a written explanation for the decision taken.
- g) FeRFA aims to meet all stated timescales, but there may be circumstances that prevent them from being met. In such cases, FeRFA will advise and keep all relevant parties informed of progress.

## **4. Persistent or Vexatious Correspondence Relating to any Internal or External Complaint**

FeRFA acknowledges that persons making complaints usually do so in a respectful, reasonable and courteous manner. However, should FeRFA receive unduly persistent or vexatious correspondence regarding a complaint, the issue will be reported to the FeRFA CEO who will discuss the matter with the individual concerned. Following this discussion and any agreed action, if there is subsequently no improvement in the nature of the individual's correspondence, FeRFA reserve the right to cease correspondence. Any regulatory authority will be informed of this decision.