

# | Complaints Procedure

## Purpose

The purpose of this procedure is to describe how **ecmk** processes all complaints

- from clients against scheme members or their work
- from scheme members or applicants against **ecmk** and to describe the responsibilities of all staff involved in complaints processing activities.

## Scope

This procedure relates to all **ecmk** Accreditation Schemes and includes general complaints and appeals against rejection of applications or revocation of accreditation based on failure to meet 'fit and proper' standards (henceforth encompassed by the term 'Complaint' within this document).

No changes to this procedure are permitted without the authorisation of the Scheme Manager.

## Responsibilities

The Scheme Manager has overall responsibility for the implementation of this procedure, for ensuring that all staff have access to the current issue of the procedure and that they are adequately trained or experienced to carry out the tasks specified.

## Procedure

All complaints are free of charge\* to the Complainant and do not affect the statutory/legal rights of the Complainant.

Written complaints should be addressed to:

The Scheme Manager, ecmk Ltd, Fore 2, 2 Huskisson Way, Shirley, Solihull, B90 4SS

or emailed to: [support@ecmk.co.uk](mailto:support@ecmk.co.uk) or by telephone on 0333 123 1418.

This will then be logged and assigned to the Complaints administrator who will:

- Acknowledge receipt of the complaint to the Complainant within two working days quoting their case reference ID number.
- Work with the appropriate departments to investigate the complaint fully, contacting the Member as required.
- Write to the Complainant with a full explanation and decision.
- If the Complainant feels the matter still has not been resolved they can appeal and request that the complaint be escalated to the Scheme Manager who will respond within five working days with a full explanation and decision.
- If this still does not resolve the issue to the satisfaction of the Complainant, the Complainant may further appeal and ask for the matter to be referred to an ecmk Director to review the complaint and the appeals. The ecmk Director will respond to the complainant within 5 working days of the appeal escalation.
- If the complainant is still not satisfied with the conclusion of the ecmk Director, they can then appeal and request that the matter be passed to the Independent Appeals Panel\*. This Independent Appeals Panel terms of reference is set out in ACC-006.
- The Independent Appeals Panel will report to ecmk within fifteen working days of the matter being referred to it.
- If the IAP recommends any further action to finally resolve the complaint, ecmk will implement it and then report to the Complainant within a further five working days.
- It should be noted that from time to time the Oversight Body may require ecmk to provide details of complaints and disciplinary actions against either an individual member or all ecmk's members.

## Policy

### Vexatious Complaints

A vexatious complainant is defined here as a complainant who brings about a complaint or complaints, regardless of its or their merits, solely to harass or subdue the subject of the complaint.

A single action, even a frivolous one, is not enough to raise a complainant to the level of being declared vexatious, though repeated, and severe instances by an individual, or by others on behalf of that individual, can result in the complainant being considered vexatious.

ecmk may judge vexatious complainants as abusing the complaints process and as such may refuse the individual access to our complaints process and or the IAP, although ecmk shall disclose such instances to a government framework.

If ecmk uses this ability to prevent a legitimate complaint from being lodged, ecmk shall be subject to disciplinary measures by a government framework.

### Oversight Body Involvement in Complaints

The Oversight Body would normally expect to become involved in complaints in the following instances:

- Any complaint regarding ecmk being in breach of its approved status shall be copied to the Oversight Body, and they shall decide whether they wish to be involved in the complaint.
- Instances where an Energy Assessor has been suspended by one scheme, so preventing them from trading, and another scheme having considered evidence and sees a compelling case that the Assessor has been treated in a vindictive or perverse manner.

\* There could be an occasion when the scheme feels the escalation to the Independent Appeals Panel is not justified as the conclusion of the appeal is clear and obvious. In this instance the scheme would inform the complainant that there may be an administration charge levied should the panel agree with the scheme's findings of the complaint.

| <b>Version</b> | <b>Description of Change</b>  | <b>Editor</b>   | <b>Date of issue</b> |
|----------------|-------------------------------|-----------------|----------------------|
| 1.0            | Initial issue                 | Kirsty Deighton | 18/09/2019           |
| 1.1            | Periodic Review               | Stephen Farrow  | 12/10/2020           |
| 1.2            | Periodic Review               | Joe Mellon      | 11/11/2021           |
| 1.3            | Minor changes and corrections | Joe Mellon      | 12/08/2022           |
| 1.4            | Formatting                    | Chris Wilkes    | 01/10 2022           |
| <b>1.5</b>     | Periodic review               | Joe Mellon      | 04/10/2023           |
| <b>1.6</b>     | Document review               | Ian Rowley      | 07/11/2024           |