Enquiries, Complaints and Appeals Policy

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1. Policy Introduction

English Speaking Board (International) Ltd. (ESB International) is recognised internationally as an Awarding Organisation and is regulated by Ofqual (England) and CCEA Regulation (Northern Ireland). ESB International understands that sometimes things can go wrong. In our commitment to delivering an outstanding customer experience, we would like to hear from you. In the event that ESB International has failed to carry out, or act on something which falls under our responsibility, we will always endeavour to put things right.

2. Purpose of the Policy

The purpose of the policy is to outline the simple, identifiable process and timeframes in place for anybody who wishes to raise an enquiry, complaint, and/or appeal a decision.

- ESB International's responsibilities in managing enquiries, complaints and appeals
- What ESB International's Enquiries, Complaints and Appeals Policy does not cover
- How to make an enquiry and how ESB International will manage it
- How to make a complaint and how ESB International will manage it
- How to appeal against ESB International's decision

3. ESB International's responsibilities in managing enquiries, complaints and appeals

ESB International is regulated by Ofqual (England) and CCEA Regulation (Northern Ireland). ESB International is committed to complying with regulatory requirements in line with Ofqual and CCEA's General Conditions of Recognition:

- Section D, Condition D4.1, D4.3, D4.4

- Section I, Conditions I1.1, I1.2, I1.3, I1.4 and I2

In addition, ESB International is committed to complying with the requirements of the Charity Commission for England and Wales. You have the right to complain to the Charity Commission if ESB International as a charity is, for example:

- Not doing what it claims to do
- Losing lots of money
- Harming people
- Being used for personal profit or gain
- Involved in illegal activity.

ESB International is committed to ensuring that:

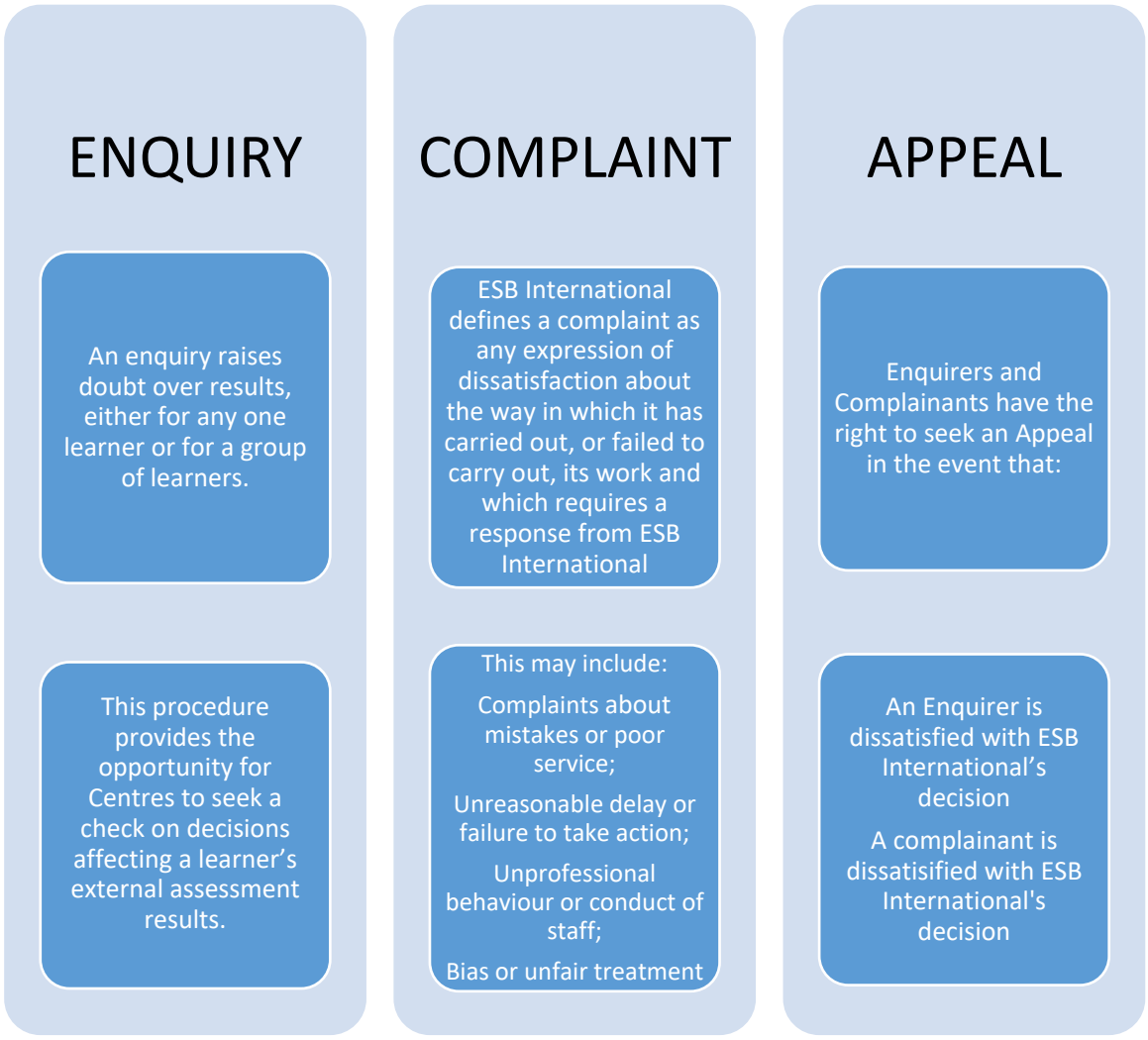
- No one should be inhibited, disadvantaged or discriminated against when making a complaint or appealing a complaint outcome
- Clients can be confident that all complaints will be treated with equal diligence
- Clients are treated with courtesy and receive the appropriate contact, as and when necessary, throughout the handling of a complaint or appeal following a complaint outcome
- When mistakes happen, ESB International will acknowledge them, we will apologise and always endeavour to explain what went wrong and put things right as quickly and efficiently as possible
- ESB International is committed to continuous improvement, and as such we value the lessons learnt from complaints and use them as an opportunity to improve our services to you.

What ESB International's Enquiries, Complaints and Appeals Policy does not cover:

Complaints made against a registered ESB International Centre must be made through the registered centre's own Complaints policy. ESB International requires its centres to manage a complaint handling procedure or appeals process for the benefit of learners.

Should the complaint refer to a Conflict of Interest, Whistleblowing, Malpractice & Maladministration or Safeguarding issue, please refer to the relevant policy found in the Handbooks, Policies and Procedures section of our website.

4. Deciding whether to submit an Enquiry, Complaint or Appeal



5. How to make an enquiry and how ESB International will manage it

All enquiries must be made through the **Centre Organiser**. The Centre Organiser must send an enquiry within **15 working days** of receiving the results to customer@esbuk.org. The centre must provide the following information in writing as applicable:

- Centre name
- Centre Organiser's name
- Learner's name and Registration ID
- Title and level of the qualification/units
- Date of assessment
- Result
- Issue

ESB International will acknowledge receipt of the enquiry **within 2 working days**. The Senior Assessors will:

- Review the reports/results
- Contact the assessor to confirm and seek further information
- Review all associated documentation
- Notify the Centre Organiser of the result of their enquiry **within 15 working days** of receiving it.

The decision and outcomes may be to upgrade, downgrade and/or uphold the original assessment result. Any replacement documentation will be issued without charge.

Enquirers may appeal the decision (see section 7).

The Centre can request a re-mark if they or the learner are dissatisfied with the outcome of the enquiry. Re-marks are charged at £50 per learner and payable by the centre, upon receipt of the invoice.

6. How to make a complaint and how ESB International will manage it

If you would like to make a complaint, email us at customer@esbuk.org. The Head of Customer Experience is responsible for taking receipt of, logging and acknowledging receipt of a complaint **within 2 working days**.

In circumstances where the complaint is regarding the conduct of a member(s) of the Customer Experience Team, the complaint will be escalated internally to another SLT member by the Head of Customer Experience.

The ESB International complaints log will be updated at each stage of development during the complaint investigation, or when new information in relation to the complaint is discovered by us or communicated to us.

The Head of Customer Experience will review the complaint, and any supporting evidence in its entirety and will involve the relevant Senior Manager and colleagues including direct reports, and where necessary the Chief Executive to assist with the investigation and outcome of the complaint. All information relating to the complaint gathered during the investigation will be logged on ESB International's complaints log, as well as the outcome of the complaint.

The relevant Senior Manager will respond to the complainant with an outcome **within 15 working days** of the receipt of the complaint. ESB International will always endeavour to give a full, easy to understand response setting out the results of the investigation and the response will clearly state the outcome of the complaint, and if necessary, what steps ESB International has already implemented, or will implement, to put things right.

Complainants may appeal the decision (see section 7).

7. How to appeal ESB International's decision and how we will manage it

In accordance with regulatory requirements, ESB International accepts appeals in relation to the following areas of work:

- Appeals against results
- Decisions regarding Reasonable Adjustments and Special Considerations
- Decisions relating to any action taken against a Learner or a Centre following an investigation into malpractice or maladministration
- ESB accepts appeals following an Enquiry from the **Centre** only
- ESB accepts appeals following Complaints from the **Complainant**

It is important that appeals are raised as soon as possible for ESB International to deal with an appeal quickly and efficiently. **An appeal must be submitted to the Chief Executive in writing within 10 working days** from the date the original enquiry or complaint decision was sent to the enquirer or complainant by ESB International. ESB International reserves the right to reject any appeal received after this time period.

Appeals are charged at £250 and refunded if the appeal is successful. Appeals are payable by the centre upon receipt of the invoice.

ESB International will acknowledge receipt of the appeal **within 2 working days.** Enquirers and Complainants should only appeal on the basis of the original enquiry or complaint. An appeal can only be raised based on one appeal, per enquiry or complaint. Multiple enquiries or complaints cannot be combined into one appeal process.

Appeals will be managed by a person who has not had any previous involvement with the matter. All appeal decisions will be taken by individuals who have no personal interest in the decision being appealed. All appeal decisions to involve at least one decision maker who is not an employee of the Awarding Organisation, an Assessor working for it, or otherwise connected to it. The CEO will convene a panel **within 15 working days of receiving an appeal.** The panel will:

- Review the original complaint, and all supporting evidence in its entirety
- Review the outcome of the original complaint
- Discuss the original complaint, the outcome, and the appeal to reach a decision regarding the complaint appeal.

The panel will reach a decision regarding the appeal. The possible outcomes of an appeal are:

- Appeal declined or denied
- Appeal upheld and any actions as deemed necessary by ESB International will be taken to satisfactorily resolve the complainant's issue.

The decision regarding the outcome of the appeal will be communicated to the complainant, **within 20 working days of receipt of a request for an appeal.** A letter outlining the detail of the investigation will be issued to the complainant giving a full explanation of the outcome.

ESB International will provide for the effective appeal of results where it discovers a failure to apply procedures consistently or that procedures were not followed properly and fairly.
Where an appeals process leads ESB International to discover a failure in its assessment process, ESB International will take all reasonable steps to:

a) Identify any other Learner who has been affected by the failure,

b) Correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure, and

c) Ensure that the failure does not recur in the future.

If a complainant has exhausted ESB International's complaints and appeals process, and remains dissatisfied with the outcome, depending on the nature of the complaint, a complainant has the right to explore the possibility of raising their dissatisfaction with organisations outside of ESB International. Please see below links:

- Charity Commission
- The Office of Qualifications and Examinations Regulation (Ofqual)
- CCEA Regulation
- Information Commissioner's Office

8. Review of the Enquiries, Complaints and Appeals Policy

ESB International will review this policy annually, to ensure its procedures and practices continue to meet legislative and regulatory compliance. If required, ESB International reserves the right to make changes at any time in line with customer and stakeholder feedback, changes in its practices as a result of actions from the regulatory authorities, external agencies, or in compliance with changes in government legislation.

Revision No	Change to previous release	Reason for change
1	New Release	N/A
2	SQA reference removed on p1, 4,5,6 and 7	Withdrawal from SQA Accreditation
3	1.6 updated to cover effective appeal based on ESB not following its procedures correctly	To improve clarity of ESB's process
4	Minor edits and hyperlinks checked	Annual review
5	Clarification of the 3 processes: Enquiry, Complaint or Appeal	Annual review
6	References to Wales removed ESB replaced with ESB International throughout SLT Manager replaced with Senior Manager 6. Role titles updated 7. Who can submit an appeal added 8. Repetition of CEO contact details removed Numbering and minor edits for clarity	Regulatory updates Annual review
7	Senior Manager Operations replaced with Head of Customer Experience	Annual review