

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 Operations Director.

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 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 : info@ecmk.co.uk or the Scheme Manager can be contacted on 0333 123 1418.

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This will then be logged and assigned to the Scheme Manager 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 then request that the complaint be escalated to the Operations Director 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 ask for the matter to be referred to the Independent Appeals Panel (IAP) - the Terms of Reference for which are set out in ACC-006, which requires the Panel to decide on whether or not ecmk has followed this procedure correctly, appropriately and fairly in seeking to resolve the complaint.
- The IAP will comprise of three members, independent of ecmk and the Complainant.
- The Complainant has the right to nominate an alternative member (who must also be independent of ecmk and the Complainant) to join the IAP in place of one of the existing members, with the agreement of ecmk.
- The IAP 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.
- If the IAP recommends any changes to the Complaints Process, these will be implemented at the earliest opportunity.
- 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 individual Energy Assessors or all of ecmk's members.

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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 MHCLG.

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

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 Energy Assessor has been treated in a vindictive or perverse manner.

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