

Northern Ireland



Complaints Policy

1. INTRODUCTION

This policy sets out how the Agency should deal with complaints raised by people who use the services of the NI Medical and Dental Training Agency (NIMDTA) and the procedures for making a complaint.

This Complaints Policy does not cover

- Staff grievances
- An investigation under the disciplinary procedure
- An investigation by a professional regulatory body
- A request for information under Freedom of Information
- Access to records under the Data Protection Act 1998
- An independent enquiry
- An independent investigation
- Legal action

Complaints received in relation to any of the above should be passed to the Complaints Co-ordinator for onward transmission to the appropriate department. If any aspect of the complaint is not covered by referral it will be investigated under the Complaints Procedure provided it does not compromise or prejudice the matter under investigation under any other process. The complainant will be informed of the need for referral.

2. POLICY INFLUENCES

This policy has been influenced by the following:

- HSC Risk Management Controls Assurance Standard
- Complaints in Health and Social Care – Standards and Guidelines for Resolution and Learning (April 2009)
- Implementing the Equality Good Practice Reviews on Handling Complaints (January 2004)

- An Assurance Framework: A Practical Guide for Boards of DHSSPS Arm's Length Bodies

3. POLICIES IMPACTED

Changes to this policy may have an impact on the following:

- Risk Management Strategy
- Policy for the Reporting and Management of Serious Adverse Incidents
- Risk Register

4. AIMS AND PRINCIPLES

4.1 It is our aim to:

- Deal with complaints efficiently and fairly.
- Keep complainants fully informed of our progress with their complaint.
- Achieve a resolution, which is satisfactory to both the complainant and NIMDTA.

4.2 NIMDTA is committed to the principle of **openness**. Where it is established that we have made a mistake, we will acknowledge this.

4.3 Complaints can be a valuable source of information about the way an organisation is working. We will do our best to use the principles derived from complaints as a tool to **improve our practices**.

4.4 All complaints will be treated as confidential, and handled in line with NIMDTA's information handling policies. This means that

the complaint will be seen only by the people who are directly involved in processing, handling and responding to the complaint. This policy has taken into account the Data Protection Act 1998 and the Human Rights Act 1998.

5. WHAT TYPE OF COMPLAINTS DOES THIS POLICY COVER?

This policy applies to all verbal and written communication about the work of NIMDTA and its staff where there is a clear indication that the person or organisation wishes to make a formal complaint. When it is not clear in a letter, email or telephone call that a person wants to make a complaint rather than express a concern or offer constructive comments, staff should ask the person in writing how they want their communication to be treated.

The policy covers

- 5.1 Complaints about the way NIMDTA has acted, or failed to act in the exercise of its statutory duties.
- 5.2 Complaints about the way any member of NIMDTA or its staff have acted in the exercise of his or her duties, for example:
 - the manner in which an individual has been treated by the Agency or its staff, such as unfair treatment or decision-making
 - the general or observed behaviour and competence of individuals employed by the Agency. The policy also covers recent former employees and those working on behalf of

NIMDTA who are not technically NIMDTA employees (e.g. lecturers, education supervisors)

- 5.3 Complaints from the public about the content (including accuracy and objectivity) of a published NIMDTA report
- 5.4 Complaints about allocation of goods or services provided to the public (for example training opportunities, flexible training, overseas training, study leave)
- 5.5 Complaints about the way NIMDTA handles its recruitment

6. MAKING A COMPLAINT

6.1 What is a complaint?

A complaint is “**an expression of dissatisfaction that requires a response**”. Complainants may not always use the word “complaint”. They may offer a comment or suggestion that can be extremely helpful. It is important to recognise those comments that are really complaints and need to be handled as such.

6.2 How can complaints be made?

Where possible, the complainant should complain to in writing either by letter or by using the form provided, so that we have a formal written record of the complaint. Complaints can be sent by post, email or fax. If the complainant is unable to write, other arrangements, for example receiving the complaint over the telephone, will be made to help equality of access to the complaints process. Telephone complaints will be confirmed back to the complainant in writing to check that the information taken is accurate before the complaint can be investigated.

6.3 What information should be included in the complaint?

A complaint need not be long or detailed, but it should include:

- contact details;
- who or what is being complained about, including the names of staff if known;
- where and when the events of the complaint happened;
- where possible, what remedy is being sought – e.g. an apology or an explanation or changes to service provided by NIMDTA.

6.4 What are the timescales for making a complaint?

A complaint should be made as soon as possible after the action giving rise to it, but within six months of the event.

6.5 Supporting complainants and staff

Advice and assistance is available to complainants and staff at any stage in the complaints process from the Complaints Co-ordinator

7. HANDLING COMPLAINTS

7.1 Roles and Responsibilities

- The Chief Executive is accountable for the handling and consideration of complaints.
- The Administrative Director is responsible for ensuring compliance with the regulations for identifying issues and patterns of complaints and reporting on these matters to the Board.

- The Corporate Governance Manager acts as the Complaints Co-ordinator and is responsible for co-ordinating the process, ensuring staff are aware of the complaints procedure, that complaints are formally recorded and responded to within the agreed timescale and for identifying training needs.
- All staff must comply with the requirements of the complaints procedure. All complaints should be recorded and discussed with the Complaints Co-ordinator to identify those that can be resolved immediately and those that will require a formal investigation.

7.2 Training

Training will be provided to staff in dealing with complaints as part of the induction process. Staff have a responsibility to highlight any training needs to their team leaders and the Agency has a responsibility to create an environment where learning can take place. It is essential that staff recognise that their initial response can be crucial in establishing the confidence of the complainant.

7.3 Actions on receipt of a complaint

- A written acknowledgement will be sent to the complainant within two working days of receipt.
- Where a complaint relates to the actions of more than one HSC organisation the Complaints Co-ordinator will notify, with your consent, the other organisation(s) involved.

- Complaints will be forwarded to the most appropriate NIMDTA director or manager to investigate what has happened. This will normally be the director or manager in charge of the area of work in question.
- If a manager has been directly involved in the complaint, a director will investigate.
- If a complaint is made involving a director, another director will investigate.
- Complaints involving the NIMDTA Chief Executive/ Postgraduate Dean will be investigated by the Chairman.
- Complaints involving the Chairman will be investigated by the Deputy Chairman. The complainant will be advised of the process, what will be investigated and what will not, those who will be involved, the roles they will play and the anticipated timescales.
- A letter containing NIMDTA's official response, will be sent to the complainant from the Chief Executive or a designated senior member of staff within 20 working days of the initial complaint arriving at NIMDTA. If in exceptional circumstances, NIMDTA cannot meet the 20 working day deadline, the Complaints Co-ordinator will write to the complainant explaining why and giving a new deadline for the response.

7.4 **Assessment of the Complaint**

Complaints will be graded according to severity and potential risk to ensure that the process is proportionate to the seriousness of the complaint and the likelihood of recurrence.

7.5 Investigation

An investigation into the complaint will be conducted by a suitable individual appointed by the Agency. The complainant and those identified as the subject of a complaint will be advised of the process, what will be investigated and what will not, those who will be involved, the roles they will play and the anticipated timescales. All those involved will be kept informed of progress throughout.

7.6 Responding to a Complaint

The response should be clear, accurate, balanced, simple and easy to understand. The letter should:

- address the concerns expressed by the complainant and show that each element has been fully and fairly investigated;
- include an apology where things have gone wrong;
- report the action taken or proposed to prevent recurrence;
- indicate that a named member of staff is available to clarify any aspect of the letter; and

- advise of their right to take their complaint to the Ombudsman if they remain dissatisfied with the outcome of the complaints procedure.

8. REVIEW AND MONITORING

- 8.1 All complaints received and action taken will be considered by senior management to ensure that lessons from complaints are taken on board and followed up appropriately.
- 8.2 Senior management will ensure that a record is kept of all complaints received, including copies of all correspondence relating to complaints and that effective processes in place for identifying and minimising risk, identifying trends, improving quality and safety and ensuring lessons are learnt and shared.
- 8.3 The Administrative Director will report to the Board on complaints received.
- 8.4 The Agency's Policy for handling complaints will be subject to review every two years

Policy Proforma

Subject of Document: Complaints Policy

Producer: Human Resources Manager

Date Agreed: September 2005 (SMT)

Approved by the Board: 18/06/2009

Date of Next Review: June 2011

Copy Obtainable: CETIS & F:\GENERAL\Staff Handbook

Amendment Form

Version	Date	Pages	Comments	Actioned
1.0	09/2005		Policy produced and agreed by Senior Management	Roisin Campbell
2.0 (Draft)	11/06/2009		Revisions made to take account of the new DHSSPS Guidance on Managing HSC Complaints and updated to reflect Agency policy template.	Margot Roberts
2.0 (Draft)	18/06/2009		Presented to Agency Board	
2.0	04/08/2009		Re-issue to staff	
2.1	29/03/2010	6	Complaints Co-ordinator changed from HR Manager to Corporate Governance Manager	Mark Oliver