

AHCS Policy

Complaints Policy

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1. Contacting the Complaints Team

- 1.1 Complaints are managed by a team of Case Officers within the The Academy for Healthcare Science (AHCS). The Case Officers are generally available between 9am and 5pm, Monday - Friday. The team can be contacted by post, email and telephone. Our details are as follows:

Contact name: Louise Collins

Academy for Healthcare Science
C/O EBS City Wharf
Davidson Road
Lichfield, Staffordshire WS14 9DZ

Phone: 01543 442150

Email: registration@ahcs.ac.uk

- 1.2 We aim to answer phone calls promptly, however where this is not possible we will respond to phone messages at the earliest opportunity.
- 1.3 Everyone will be dealt with in a fair and objective way, which is free from discrimination.
- 1.4 Members of the team will be courteous and polite and the same is expected of complainants. Where individuals become rude or abusive to AHCS employees, steps may be taken to limit contact to written correspondence only.
- 1.5 We welcome constructive feedback on the way in which we implement the Complaints Policy.

2. Communication of information

- 2.1 We aim to provide clear, straightforward information to everyone.
- 2.2 When requested, we will arrange for information to be produced in different formats such as Braille, Large Print and other formats. We can also provide an interpreter or other appropriate facilities where required, e.g. sign language and communication services for people with hearing loss.
- 2.3 Due to the nature of the Complaints process, there are sometimes complex legal and professional issues involved. We aim to clearly set out and explain these without the use of jargon and abbreviations that are not commonly known.

3. Case Management

- 3.1 We aim to acknowledge a Complaint in writing within 10 working days of receipt, and provide information about the next steps in the process.
- 3.2 Each Complaint is assigned to a Case Officer who will be responsible for the case until its conclusion. The direct contact details of the Case Officer will be provided to ensure that they can be contacted with questions. You will be notified if the Case Officer changes.
- 3.3 We aim to deal with each Complaint within 6 months of receipt. However, in some cases it may take longer e.g. where there is a health or character issue that requires investigation.
- 3.4 We ask that complainants assist us by providing any information that is requested promptly, and in the form required.

ANNEX: AHCS WHISTLEBLOWING POLICY

(Making a Disclosure in the Public Interest)

Introduction

AHCS is committed to the highest standards of openness, probity and accountability.

An important aspect of accountability and transparency is a mechanism to enable staff and other members of AHCS to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organisation then this information will be disclosed internally without fear of reprisal, and there will be arrangements to enable this to be done independently of line management (although in relatively minor instances the line manager would be the appropriate person to be told).

The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. AHCS has endorsed the provisions set out below so as to ensure that no members of staff will feel at a disadvantage in raising legitimate concerns.

This policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by AHCS nor will it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. Once the "whistleblowing" procedures are in place, it is reasonable to expect staff to use them rather than air their complaints outside AHCS.

Scope of Policy

This policy is designed to enable AHCS employees to raise concerns internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety. This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to the invocation of other procedures e.g. disciplinary. These concerns could include:

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation or Statutes
- Dangers to Health & Safety or the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Attempts to conceal any of these.

Safeguards

i. Protection

This policy is designed to offer protection to those AHCS employees who disclose such concerns provided the disclosure is made:

- in good faith
- in the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person (see below). It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure. In an extreme case malicious or wild allegations could give rise to legal action on the part of the persons complained about.

ii. Confidentiality

AHCS will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

iii. Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of AHCS.

In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources.

iv. Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual will exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

Procedures for Making a Disclosure

On receipt of a complaint of malpractice, the member of staff who receives and takes note of the complaint, must pass this information as soon as is reasonably possible, to the appropriate designated investigating officer as follows:

- Complaints of malpractice will be investigated by the appropriate Director unless the complaint is against the Director or is in any way related to the actions of the Director. In such cases, the complaint will be passed to the Chief Executive for referral.
- In the case of a complaint, which is in any way connected with but not against the Director, the Chief Executive will nominate a Senior Manager to act as the alternative investigating officer.
- Complaints against the Chief Executive will be passed to the Chairman who will nominate an appropriate investigating officer.
- The complainant has the right to bypass the line management structure and take their complaint direct to the Chairman. The Chairman has the right to refer the complaint back to management if they feel that management, without any conflict of interest, can more appropriately investigate the complaint.

If there is evidence of criminal activity then the investigating officer will inform the police. AHCS will ensure that any internal investigation does not hinder a formal police investigation.

Timescales

Due to the varied nature of these sorts of complaints, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer will ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

The investigating officer will, as soon as is practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer will keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses to the complainant will be in writing and sent to their home address.

Investigating Procedure

The investigating officer will follow these steps:

- Full details and clarifications of the complaint will be obtained.
- The investigating officer will inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held under the provision of these procedures.
- The investigating officer will consider the involvement of AHCS auditors and the police at this stage and will consult with the Chairman / Chief Executive.
- The allegations will be fully investigated by the investigating officer with the assistance, where appropriate, of other individuals / bodies.

- A judgement concerning the complaint and validity of the complaint will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigation and reasons for the judgement. The report will be passed to the Chief Executive or Chairman as appropriate.
- The Chief Executive / Chairman will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate Company procedures.
- The complainant will be kept informed of the progress of investigations and, if appropriate, of the final outcome.
- If appropriate, a copy of the outcomes will be passed to AHCS auditors to enable a review of the procedures.

If the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Chief Executive / Chairman, or one of the designated persons described above.

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, AHCS recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons (such as the Health and Safety Executive, the Audit Commission, or the utility regulators) or, where justified, elsewhere.