

POLICY DOCUMENT

Complaints Policy

Policy Review Schedule

Date first Approved by the Board: September 2005

Last Approved by the Board: February 2016

Date of Next Review: February 2018

Policy Owner: Administrative Director

Amendment Overview

Version	Date	Pages	Comments	Actioned
2005 – 1.0	September 2005		Policy produced and agreed by SMT	Roisin Campbell
2009 – 2.0	11 June 2009		Revisions made to take account of the new DHSSPS guidance on Managing HSC Complaints and updated to reflect NIMDTA Policy template	Margot Roberts
2009 – 2.0	18/06/2009		Presented to NIMDTA Board	
2009 – 2.0	04/08/2009		Re-issued to staff	
2011 – 3.0	05/09/2011	17	Periodic refresh of Policy. Complaints co-ordinator changed. General revisions and put into new template.	Mark McCarey
2011 – 3.1	08/11/2011	17	Amendments made following Board & Governance Committee consultation	Mark McCarey
2011 – 3.2	14/11/2013	17	Updated to include the 'Role of NIMDTA', NIMDTA mission statement and revised version coding	Linda Craig
2014 – 4.0	11/02/2014		Reviewed and updated with revised 'Role of NIMDTA'. No new guidance received to invoke a change to this policy. Presented to SMT for approval. Approved.	Mark McCarey
2014 – 4.1	18/02/2014		Amended to reflect discussion at SMT. Sentence that states that this policy applies to recruitment procedures removed.	Mark McCarey
2014 – 4.1	25/02/2014	18	Presented to G&R Committee for approval. Approved subject to minor changes.	
2014 – 4.2	27/02/2014	18	Presented to NIMDTA Board for approval.	
2014 – 4.2	11/03/2014	18	Presented to Extra-Ordinary meeting of NIMDTA Board for approval. Approved subject to minor changes.	
2016 – 4.3	25/02/16	14	Approved by NIMDTA Board subject to minor amendments.	Mark McCarey

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Role of the Northern Ireland Medical and Dental Training Agency

The Northern Ireland Medical and Dental Training Agency (NIMDTA) is an Arm's Length Body sponsored by the Department of Health, Social Services and Public Safety (DHSSPS) to train postgraduate medical and dental professionals for Northern Ireland. NIMDTA seeks to serve the government, public and patients of Northern Ireland by providing specialist advice, listening to local needs and having the agility to respond to regional requirements.

NIMDTA commissions, promotes and oversees postgraduate medical and dental education and training throughout Northern Ireland. Its role is to attract and appoint individuals of the highest calibre to recognised training posts and programmes to ensure the provision of a highly competent medical and dental workforce with the essential skills to meet the changing needs of the population and health and social care in Northern Ireland.

NIMDTA organises and delivers the recruitment, selection and allocation of doctors and dentists to foundation, core and specialty training programmes and rigorously assesses their performance through annual review and appraisal. NIMDTA manages the quality of postgraduate medical and dental education in HSC Trusts and in general medical and dental practices through learning and development agreements, the receipt of reports, regular meetings, trainee surveys and inspection visits. It works in close partnership with local education providers to ensure that the training and supervision of trainees support the delivery of high quality safe patient care.

NIMDTA recognises and trains clinical and educational supervisors and selects, appoints, trains and develops educational leaders for foundation, core and specialty medical and dental training programmes throughout NI.

NIMDTA is accountable to the General Medical Council (GMC) for ensuring that the standards set by the GMC for medical training, educational structures and processes are achieved. The Postgraduate Medical Dean, as the 'Responsible Officer' for doctors in training, has a statutory role in making recommendations to the GMC to support the revalidation of trainees. Revalidation is the process by which the GMC confirms that doctors are up to date and fit to practice. NIMDTA also works to the standards in the COPDEND framework for the quality development of postgraduate Dental training in the UK.

NIMDTA enhances the standard and safety of patient care through the organisation and delivery of relevant and valued career development for general medical and dental practitioners and dental care professionals. It also supports the career development of general medical practitioners and the requirements for revalidation through the management and delivery of GP appraisal.

NIMDTA aims to use the resources provided to it efficiently, effectively and innovatively. NIMDTA's approach to training is that trainees, trainers and educators should put patients first, should strive for excellence and should be strongly supported in their roles.

Policy Impact

This policy may have an impact on the following:

- Assurance Framework
- Corporate & Departmental Risk Registers
- Reporting and Management of Incidents Policy

Policy Influence

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
- Freedom of Information Act 2000
- Data Protection Act 1998
- Human Rights Act 1998
- Northern Ireland Act 1998
- NIO Guidance on Issuing an Apology

1. Introduction

This policy sets out how the Northern Ireland Medical & Dental Training Agency (hereinafter referred to as 'NIMDTA') will deal with complaints that are raised by those that use its services. This guidance provides a simple consistent approach in order to promote an organisational culture that fosters openness and transparency.

2. Aims and Principles

NIMDTA aims to:

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

The following principles guide our work:

- NIMDTA is committed to the principle of openness. Where it is established that we have made a mistake, we will acknowledge this.
- 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.
- 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. Complaints may, however, be used to inform induction and training, but in this regard will be used in a general and anonymous format.

3. What types of complaint 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.

This policy covers:

- Complaints about the way NIMDTA has acted, or failed to act in the exercise of its statutory duties;

- 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 NIMDTA or its staff, such as unfair treatment or decision-making;
 - the general or observed behaviour and competence of individuals employed by NIMDTA. 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);
- Complaints from the public about the content (including accuracy and objectivity) of a published NIMDTA report;
- Complaints about allocation of goods or services provided to the public (for example training opportunities, flexible training, overseas training, study leave);
- 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.

4. What types of complaint does this policy not cover?

This policy does not cover the following areas:

- Human Resources policies within the employee relation field, for example grievances, bullying and harassment, disciplinary matters etc.
- 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
- A review of a Specialty Recruitment process

5. Making a complaint

5.1 What is a complaint?

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

5.2 How can complaints be made?

Where possible, complaints should be made in writing either by letter or by using the form provided (attached as Appendix 1), so that we have a formal written record of the complaint. Complaints can be sent by post, email or fax. If it is not possible for a written complaint to be submitted, suitable arrangements will be made with the complainant, for example receiving the complaint over the telephone. 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. For further information in relation to how complaints can be made please contact the following:

Complaints Co-ordinator

Northern Ireland Medical and Dental Training Agency

Beechill House

42 Beechill Road

Belfast

BT8 7RL

phone: 028 9040 0000

textphone: 028 9079 5337

fax: 028 9079 8312

email: informationrequest.nimdt@hscni.net

5.3 What information should be included in the complaint?

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

- The complainant's name and 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.

5.4 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.

5.5 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.

6. Handling Complaints

6.1 Roles and Responsibilities

The Chief Executive is **ultimately** 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 Governance, IT, & Facilities 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 members 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.

6.2 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 NIMDTA 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.

6.3 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 the complainant's consent, the other organisation(s) involved.

A complaint will normally be investigated in the following manner:

- Complaints will be forwarded to the most appropriate manager to investigate what has happened. This will normally be the manager in charge of the area of work in question.
- If a manager has been directly involved in the complaint, a senior manager will investigate.
- If a senior manager has been directly involved, the Administrative Director will investigate.
- If a complaint involves the Administrative Director, the Chief Executive/Postgraduate Dean will investigate.
- Complaints involving NIMDTA's Chief Executive/ Postgraduate Dean will be investigated by the Chair.
- Complaints involving the Chair will be investigated by a panel comprised of the Deputy Chair and two members of NIMDTA Board.

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.

6.4 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. NIMDTA's policy "Reporting and Management of Incidents Policy" provides guidance on the grading of complaints, and this should be followed in each instance. The Complaints Co-ordinator will forward a report on such matters to each meeting of the Board.

6.5 Investigation

An investigation into the complaint will be undertaken by a suitable individual appointed by NIMDTA (for further information please see 6 (iii) above). 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.

Complaints made on an anonymous basis present difficulty to any following investigation, as it is hard to clarify the context and details asserted by the anonymous complainant. If such a complaint is received, it will be considered by a panel comprised of three of the following officers, the Administrative Director, the Professional Support Manager, the Governance, IT, and Facilities Manager, and a lay representative. This panel shall consider the content of the complaint and make a recommendation to the Chief Executive/Postgraduate Dean and Chair as to whether the complaint should be investigated further. Following the consideration of this recommendation the Chief Executive/Postgraduate Dean and Chair will clarify how such a complaint should be progressed.

6.6 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.

7. Review & Monitoring

All complaints received and action taken will be considered by the Senior Management Committee to ensure that lessons from complaints are taken on board and followed up appropriately.

The Complaints Co-ordinator 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.

The Complaints Co-ordinator will report to the Board on complaints received.

NIMDTA's Policy for handling complaints will be subject to review every two years.

Appendix 1: Complaint Form

NOTES

You can use this form to write down the complaint you have about the work of the Northern Ireland Medical & Dental Training Agency, its staff or agents. This form does not cover complaints about the HSC.

Please fill in as much as you can on the form, and send it to the complaints coordinator. NIMDTA's address and other ways to contact us are on Page 7. We may need to contact you for more information.

Thank you

DETAILS OF THE PERSON MAKING THE COMPLAINT

Name:

Mr / Mrs / Miss / Ms / Dr / Prof/ other (please circle)

Address:

Postcode:

Phone number:

Email:

Are you writing on behalf of someone else? Yes / No

If you are writing on behalf of someone else, we may need to ask consent from that person, before we are able to investigate the complaint. Who are you writing on behalf of?

Name:

Relationship to you:

Do you need the response in a different language or format?

Yes / No

If yes, please state the preferred language or format:

THE COMPLAINT

To help us investigate the complaint, please try and answer the questions below
What is your complaint about? Please use extra paper if needed.

Was anyone else involved? Yes / No If yes are you able to provide their names?

Where did the incident or problem happen?

When did the incident or problem happen?

**Is there anything else you want to add and what outcome do you expect?
Please use a separate piece of paper if needed.**

Signed:

Date:

DATA PROTECTION

Your completed complaint form will be used by NIMDTA for the purposes of dealing with your complaint and sending the response to you at the address given. An anonymous survey may also be sent to you, to be used for the purposes of monitoring how NIMDTA's complaints policy is working and reviewing it. NIMDTA is the "data controller" of the information you supply on the complaint form. Any queries you have about this should be directed to the Complaints Co-ordinator.

Thank you for filling in this form.