

The Healthcare and Assistive Technology Society

Complaints and Disciplinary Procedure

Updated August 2016. Version 5.

Note regarding terminology:

Member: a 'Member' of the Healthcare and Assistive Technology Society is a person who has not achieved inclusion on the Accredited Voluntary Register.

Registrant: a person who has successfully applied for inclusion on the Society Register

1.) The Complaints procedure

1.1). Registering a complaint

Anyone wishing to raise a complaint against a Member or Registrant of the Society should;

- submit the details of the complaint to complaints@hatsoc.org, or in hardcopy to;

The Healthcare and Assistive Technology Society
The Conduct and Discipline Panel
New Loom House
Suite 4.06
101 Back Church Lane
London, E1 1LU.

- submit a statement clearly setting out the full details of what has occurred, and the grounds for the complaint. There is no word limit for the statement of complaint.
- provide supporting evidence if available, such as copies of letters, receipts, emails etc. to be submitted in support of their complaint.

Although all complaints will be handled in the strictest of confidence, the complainant is advised to mark all correspondence as 'private and confidential'.

The Secretariat can also be contacted by phone on: 020 7702 2141.

2.) The process

2.1) Receipt

- receipt of the complaint will be acknowledged by the Secretariat via email or letter within 3 working days.

2.2) Screening

When the complaint is received it will be reviewed by the Secretariat to determine whether the complaint can be addressed outside of a formal disciplinary process. If not, the complaint will be forwarded for the attention of the Conduct and Discipline Panel.

2.3) Panel process

The Advisory Board will appoint a 3 person Conduct and Discipline Panel to review the complaint.

- the Panel will comprise one Registrant of the Society, acting as Chair, and two lay-people
- the Member or Registrant concerned will be notified that a complaint has been received and provided with a summary of the nature of the complaint
- the Panel will request the Member or Registrant submit a written response, within seven working days, answering the allegation(s)
- each case will be judged on its own merits by the Panel, regardless of any similarities with previous cases
- the Panel decision will be based on a unanimous vote or, where there is a majority of 2:1 in favour of a specific outcome
- when reviewing the case, the Panel reserve the right to seek advice from an expert, or other relevant person, if required
- the Panel will inform the Advisory Board of their finding and the outcome decided
- a letter from the Secretariat will notify the parties concerned of the outcome of the investigation. A period of 10 working days will be allowed, from the date of the outcome letter, to lodge an appeal against the outcome.

It is expected that the assessment of the complaint will take a minimum of four working weeks. As each case is unique, the various parties involved will be kept up to date by the Secretariat with regards to the likely timescales as the investigation of the Panel progresses.

2.4) Support throughout the process

The Society recognises that a formal complaints procedure can appear a daunting, often complex and emotional process. Anyone making a complaint or the subject of the complaint may require support through the process. Support can be considered for a variety of reasons, for example:

- Learning difficulties
- Psychological pressure
- Where English is not the first language

The above list is not exhaustive.

Any request for support through the process will be considered on a case by case basis. It is expected that the nature of complaints, and the issues effecting individuals associated with them, will differ with each case. Support may be in the form of the use of a scribe, a translated text, the involvement of a friend for moral support for example.

If additional support is felt to be needed, Philip Woodward, the Accreditation and Professional Development Manager, should be contacted in the first instance to discuss the issues.

Phone: 020 7702 2141
Email: complaints@hatsoc.org

3.) The outcome

There are three possible outcomes that the Panel may reach:

- The complaint is upheld
- The complaint is partially upheld
- The complaint is dismissed

The complaint is upheld

This outcome will be agreed where the Panel feel that all the grounds for the complaint can be demonstrated

The complaint is partially upheld

This is where some aspects of the complaint are upheld, however, the Panel may find that there is no or a lack of evidence to support other claims being made and so only specific aspects of the complaint are upheld

The complaint is dismissed

This is where the Panel do not find compelling evidence to support the claims of the complaint made against the member and dismiss it on all accounts.

3.1) Breaches

If the Panel decides that a breach of the Code of Professional Conduct has occurred, they may take one of the following actions:

Depending on the breach;

- **for serious, or repeated breaches**, the member may be expelled from the Society and will not be permitted to re-apply for registration until at least 12 months have passed.
A serious breach would be defined as one where the personal safety, health and general wellbeing of an individual was put at risk by the conduct of the Member or Registrant.
- **for less serious breaches**, the member will be advised what to do to rectify the situation and the expectations of the Society will be set out. A minor breach may be concerning rudeness or poor service or non-compliance with the CPD requirements for example. In these cases, the personal safety and wellbeing of the complainant was not put at risk, however, the professionalism of the Member or Registrant has been called into question.

A decision of the Panel can only be overturned through a successful appeal.

In exceptional circumstances, the Panel may recommend to the Advisory Board that a member should be expelled from membership indefinitely. In this scenario, the Advisory Board will consider the recommendation of the Panel.

4.) Appeals

An appeal can only be made where there is clear evidence that due process has not been met. An individual may not appeal solely on the grounds that they disagree with the Panel's decision.

In order to show that due process has not been met, the appellant is required to evidence that a flawed assessment of the complaint took place. *(this would be in situations where it could be proved that evidence presented was overlooked or not considered or where there was a clear bias/prejudice against a particular party).*

4.1) The appeals process

The person raising the appeal must outline the grounds for their appeal in a written submission, based against the original evidence submitted and findings of the Panel. An appeal cannot take into account new evidence that was not presented as part of the original investigation.

The written statement is to be submitted for the attention of the Chair of the Advisory Board.

The appellant will receive an indication of the likely timescale from the Secretariat, in writing, upon receipt of their appeal statement.

A decision of the Panel can only be overturned through a successful appeal.

The appeal statement should be sent to the following email address: complaints@hatsoc.org
or by post to:

The Healthcare and Assistive Technology Society
The Chair of the Advisory Board
New Loom House
Suite 4.06
101 Back Church Lane
London, E1 1LU.

The timescales for this will vary depending on the availability of the parties involved. The Secretariat will keep all parties informed of progress and procedural matters.