

# JAG

Joint Advisory Group  
on GI Endoscopy



## JAG Complaints Policy and Procedure

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## INTRODUCTION

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This complaints policy covers all complaints to or about the JAG and sets out the stages a complaint will go through, the timescales involved and who should be involved in handling the complaint. The complaints procedure aims to create a positive approach to complaints. Complaints are regarded to be a valuable means to review and improve the services that the JAG offers.

## POLICY

### OBJECTIVES

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The objectives of this document are to:

- provide an effective means for clients (refer below for a definition of a JAG Client) or their representatives to complain if they are dissatisfied with the service they receive
- ensure complaints are dealt with in a courteous and efficient manner and are resolved with minimal delay
- provide clients with a formal method of challenging decisions the JAG has made
- obtain perceptions about the JAG, to better inform future policy and service planning
- maintain records of complaints so regular reviews can be produced for internal monitoring and accountability.

### HOW THE JAG VALUES COMPLAINTS

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Complaints provide valuable feedback in a continuing bid to develop high quality services and help give clients the confidence that they will be given a fair hearing within timescales.

The JAG has a responsibility to respond to complaints promptly, efficiently and in a positive manner and to monitor outcomes to ensure a process of continual improvement.

### CLIENT BENEFITS

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A complaints policy makes it clear to clients:

- how to complain
- what will happen if they complain
- what they can expect to happen as a result of a complaint
- what they can do if they are not happy with the response to their complaint.

### WHO IS A JAG CLIENT?

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A JAG Client is defined as any organisation or individual operating predominantly in endoscopy services or supporting these services either in the NHS or Independent Sector.

## WHAT IS A COMPLAINT?

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A complaint, for the purpose of this policy, is defined as:

*An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the JAG staff or the JAG's representatives.*

A client may complain about the standard of service received because the JAG:

- has not achieved the standard it promotes
- has not provided a standard which the client thinks is reasonable
- is carrying out its duties in an unsatisfactory way
- staff or representatives are behaving in an unacceptable way (ie rudeness, violence or aggression)
- fails to do something which it has been asked to do
- fails to do something which the client thinks it should have done, even if it was not actually asked to do.

The JAG sometimes receives complaints about other organisations. These are not considered complaints in the context of this policy.

## COMPLAINTS NOT COVERED BY THIS POLICY AND PROCEDURE

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Complaints that staff may have about the JAG as an employer should be made through the applicable Human Resources grievance procedure, or other internal channels. However, members of staff have the same rights to complain about the JAG's actions or services as other clients.

This complaints procedure cannot be used to deal with an issue which is part of any legal action by or against the JAG.

## SUPPORT AND ADVOCACY

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Some individuals are unsure how to go about making a complaint, or how best to put their case. Others may have difficulty with written or spoken English – the JAG will give assistance and/or support when requested.

Anonymous complaints will be investigated and may be acted upon at the JAG's discretion. Should the complainant fear that the JAG will withhold services, or treat them less favourably if they complain openly, the JAG will, if required, assist in finding support outside the JAG.

## RIGHTS

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Clients have the right to:

- confidentiality (if an investigation cannot proceed without the complainant being identified, the complainant will be given the option whether or not to continue)
- be kept informed of the progress of their complaints
- receive an apology if a complaint is upheld
- be informed of any changes to the JAG's policies and procedures arising from a complaint.

This document does not affect the right of an individual or organisation to approach others for advice or assistance. If this results in a complaint being made by or on behalf of an individual, it will be dealt with using this procedure.

The JAG staff members have the right to be treated with respect and courtesy at all times by clients and managers.

## INFORMATION AND PUBLICITY

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The complaints procedure will be publicised to JAG Clients through newsletters, guidelines and the JAG website ([www.thejag.org.uk](http://www.thejag.org.uk)).

## HOW TO COMPLAIN

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Anyone who wishes to make a complaint may do so in person, by telephone, or in writing (by letter, fax or email). Any member of staff can accept a complaint. The JAG would encourage a complainant to indicate the actions they feel would resolve their complaint

It is very important that if a complaint is provided to a third party or JAG representative, such as directly to a Working Group or JAG Chair, that the time scales outlined in the complaints procedure will not apply until the complaint is registered with the JAG Office.

### **In person**

Complaints can be made by visiting the JAG Office, located at Level 3, House 5, St Andrews Place, Regent's Park, London NW1 4LB. Any of the JAG staff members are authorised to receive and trained in how to process a complaint.

### **By letter**

Complaints in writing can be made by letter sent to The JAG Office, Royal College of Physicians, 11 St Andrews Place, Regent's Park, London NW1 4LE. The JAG will acknowledge written complaints by letter within three working days, advising who will be responsible for dealing with the complaint. The letter will also state the time frame within which a response can be expected.

### **By fax**

Complaints in writing can be made by fax to 020 7486 4160. The JAG will acknowledge written complaints by letter within three working days, advising who will be responsible for dealing with the complaint. The letter will also state the time frame within which a response can be expected.

### **By email**

Complaints in writing can be made by email to [enquiries@thejag.org.uk](mailto:enquiries@thejag.org.uk). The JAG will acknowledge written complaints by letter within three working days, advising who will be responsible for dealing with the complaint. The letter will also state the time frame within which a response can be expected.

## COMPLAINTS AGAINST JAG STAFF MEMBERS

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If a complaint regarding JAG staff member actions or behaviour is found to be valid, then the issue will be referred to the appropriate Human Resource policy and/or procedure, such as the disciplinary procedure, to be investigated. This will be regarded as an outcome for this complaints procedure.

## MONITORING, EVALUATION AND REPORTING

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The JAG will keep a record of complaints, including dates received, acknowledged, responded, category of complaint, actions taken and lessons learned. The JAG will separately monitor complainant profiles in accordance with key equalities criteria.

## PROCEDURE

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There are three stages in the JAG complaints procedure:

### STAGE ONE

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Every endeavour should be made to resolve complaints at this initial stage. Where possible, complaints should be dealt with within three working days.

**The person recording the complaint** will record and acknowledge the complaint in writing, within **three working days**, advising the complainant of the name of the responsible JAG representative and the response timescale (that either a full response or a progress response will be sent within a maximum of 10 working days). 28 days after the final response is sent to the complainant the record will be closed, recording the category of the complaint (if not previously noted) and the outcome of the complaint.

**The responsible JAG representative who is dealing with the complaint** must send a **written response within 10 working days** (either a full response or a holding response setting out the reasons for delay). If an outcome is agreed verbally, a follow-up letter must be sent confirming the details, which is recorded in accordance with the JAG complaints procedure.

If the complaint cannot be resolved within 20 working days of receipt, it may be appropriate to seek the assistance of a more senior manager. Should this occur, the complaint would still be deemed to be within Stage One of the process, where attempts are still being made to resolve it locally.

The final response at Stage One will advise the complainant of their right to move to Stage Two if they are not satisfied with the outcome of initial investigations by the JAG. The complainant should be advised that they have **28 days from the date of the full response letter in which to request escalation to Stage Two** using the standard wording below.

### Standard Wording

If you remain dissatisfied with the response you have received, you may wish to take your complaint to Stage Two (formal investigation) of the JAG complaints procedure. You must respond within 28 days, sending your complaint (including the reason/s why you feel your complaint has not been resolved) to the relevant JAG QA Working Group Chair.

### STAGE TWO

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A Stage Two complaint must be forwarded to the relevant JAG QA Working Group Chair who will ensure that the complaint is recorded, acknowledged in writing, within **three working days**, advising the complainant of the name of the investigating officer and the response timescale (**20 working days**). The same recording and closing procedure should be used as for a Stage One complaint.

Stage Two complaints should be investigated by the relevant Working Group Chair or delegated by them to a member of the JAG Office. If delegated, the response should be referred to the relevant Working Group Chair to agree and sign the final letter.

### Role of the Investigating Officer

- To ascertain the nature of the complaint and/or concerns of the complainant.
- To consider the Stage One complaint response to ensure that the complainant wasn't treated unfairly (that is, any form of maladministration or injustice).
- To make a decision as to how to resolve the complaint (if possible).
- To draft a final letter to the complainant offering explanation/list reasons/facts of all issues and concerns, concluding with the final paragraph for Stage Two complaints using the standard wording below.

The Working Group Chair or their representative will require the cooperation of the JAG staff members and representatives to help resolve the complaint. Any requested information must be provided to the investigating officer within five working days.

### **Unavoidable delays**

If a full response is not possible within the 20 working day deadline, the complainant should be sent an interim response (within this timescale) informing them of the reasons for the delay and an anticipated response date. The complainant should be given further updates in writing, periodically, until the investigation is completed.

### **Standard Wording**

If you still feel dissatisfied with the outcome of the investigation or you feel the result is unfair you may progress your complaint to Stage Three of the JAG complaints procedure. You must submit your complaint (including the reason/s why you feel your complaint has not been resolved) within 28 days to the JAG Chair

## STAGE THREE

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A request to review the complaint must be received by the JAG Chair within 28 days of the final response sent at Stage Two. All Stage Three complaints must be passed to the JAG Chair.

The JAG Chair will acknowledge a request to review a complaint within three working days of receipt, clearly stating how the review is to be conducted.

### **Role of the JAG Chair**

The JAG Chair is responsible for ensuring the complaint is reviewed and that the complainant is informed of the outcome of the review **within 28 days of receipt of the complaint.**

### **Standard Wording**

The JAG feels it has made every effort to conclude your complaint. If you still feel your complaint has not been resolved you may refer the matter to the JAG Committee, the governing board of the JAG, which represents all sponsors and key stakeholders.

## MONITORING

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The purpose of monitoring is to ensure that the JAG has the opportunity to analyse incoming complaints and amend or develop policies to ensure that any future complaints are avoided and the service that the JAG offers is improved as a result. The following information must be recorded:

### COMPLAINT DETAILS:

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- Date complaint received
- Date complaint acknowledged
- Date of any holding letter/interim response
- Date complaint responded
- Stage of procedure when complaint resolved
- Complaint category (see below)

### COMPLAINT CATEGORIES:

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The following categories should be applied for the purpose of ongoing complaints monitoring:

#### **Staff behaviour/attitude**

This category should be applied if there is a case of:

- unacceptable behaviour by staff (eg. including rudeness, violence, aggression)
- poor communication from the JAG to the complainant including:
  - failure to respond in appropriate timescales to messages and correspondence – this could be specific identification of an individual member of staff or of the team/service in general
  - staff failure to update client with regard to changes to meetings, appointments, etc.

#### **Management decision/disagreement with decision**

This category should be applied if there is a case of:

- the JAG doing something that the complainant did not want it to do
- the JAG making a decision to do something that the complainant does not want to happen in the future. This is particularly relevant to JAG Visits.

#### **Standard/quality of service**

This category should be applied if there is a case of:

- the JAG has not achieving the standard it says it will provide
- the JAG not providing a service to the standard which the complainant thinks is reasonable
- the JAG carrying out its duties in an unsatisfactory way
- A failure to follow JAG procedures, including delayed processing, adherence to timescales, agreed workflows and stages.

## Failed to provide a service

This category should be applied if there is a case of the JAG failing to:

- do something which it has been asked to do
- do something which the service thinks it should have done, even if it was not actually asked to do it
- implement actions agreed in meetings
- implement actions following a previous complaint.
- carry out an agreed/requested assessment.

## Inadequate information

- Complainant Profile according to the following categories:
  - Ethnicity
  - Age
  - Gender
  - Religion
  - Disability

**Note:** When collecting this data you must advise the subject of the reasons for collecting the data and the purpose/s for which it will be used, in order to comply with the Data Protection Act.

## REPORTING

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A quarterly report will be provided by the JAG Office to the JAG Committee. The report will contain a summary of any ongoing issues and any action/s taken to resolve complaints. The JAG Manager has responsibility for monitoring and reviewing all complaints that relate to the JAG. They are also required to assess the outcomes of the complaint to determine whether any changes in policies, procedures or working practices may be appropriate.

## **JAG OFFICE CONTACT DETAILS**

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The JAG Office  
Royal College of Physicians  
11 St Andrews Place  
Regent's Park  
London NW1 4LE

☎ 020 3075 1620  
✉ [enquiries@thejag.org.uk](mailto:enquiries@thejag.org.uk)