

UKATA

COMPLAINTS POLICY

Issue Date: 12/06/2024 | Version: 1



Contents

1. Introduction
2. Scope
3. UKATA's Jurisdiction
4. Complaint Submission
 - 4.1. Who Can Complain
 - 4.2. How to Submit a Complaint
 - 4.3. Information Required
5. Acknowledgment and Logging
 - 5.1. Acknowledgment
 - 5.2. Logging
6. Confidentiality and Disclosure
 - 6.1. Confidentiality
 - 6.2. Disclosure of Complainant's Information
7. Investigation Process
 - 7.1. Initial Review
 - 7.2. Investigation
 - 7.3. Response from Associated Individual or Organisation
8. Resolution and Communication
 - 8.1. Decision
 - 8.2. Communication to Complainant
 - 8.3. Communication to Associated Individual or Organisation
9. Appeals Process
 - 9.1. Request for Review
 - 9.2. Review
10. Legal and Police Matters
 - 10.1. Coordination with Authorities
 - 10.2. Non-Interference
 - 10.3. Policy on Legal Matters
11. Complaints About UKATA
 - 11.1. Procedure
 - 11.2. Investigation
 - 11.3. Resolution
12. Policy Review

1. Introduction

UKATA is committed to maintaining high standards of professionalism and ethical conduct among its associated individuals and organisations, which include members, tutors, associates, third party agents, auditors, directors, and staff. We take all complaints seriously and aim to resolve them promptly and fairly. This policy outlines the procedure for handling complaints about UKATA-associated individuals and organisations, as well as the organisation itself. Additionally, it provides guidance on how complaints involving legal or police matters will also be managed.

2. Scope

This policy applies to:

- Complaints about the conduct of UKATA-associated individuals and organisations.
- Complaints about UKATA itself, including dissatisfaction with services provided or handling of complaints.

3. UKATA's Jurisdiction

UKATA's jurisdiction covers:

- The conduct and professional behaviour of its members, tutors, associates, third party agents, auditors, directors, and staff.
- The delivery and quality of asbestos training provided by its members and tutors.
- Compliance with UKATA's Rules of Membership, Code of Conduct, and other relevant policies and guidelines.
- Matters that directly relate to UKATA's activities and services within the United Kingdom, British Crown Dependencies, British Overseas Territories, and internationally where UKATA and its members operate.

4. Complaint Submission

4.1 Who Can Complain:

- Any individual or organisation may submit a complaint about a UKATA-associated individual or organisation, or about UKATA itself.

4.2 How to Submit a Complaint:

- Complaints should be submitted in writing to the Chief Operating Officer (COO) of UKATA:

Office 2, Markham Vale Environment Centre
Markham Lane, Markham Vale
Chesterfield, S44 5HY
craig.evans@ukata.org.uk

- If the complaint is about the COO, it should be submitted in writing to the Chair of UKATA, who will then be responsible for conducting the process, including the investigation and determining the outcome. Contact details for the Chair of UKATA can be requested via the main office.

4.3 Information Required:

- Complainant's name and contact details.
- Name of the UKATA-associated individual, organisation, or UKATA staff involved.
- Detailed description of the complaint, including dates, times, and any supporting evidence (e.g., emails, text messages).
- Any actions taken to resolve the issue prior to submitting the complaint.

5. Acknowledgment and Logging

5.1 Acknowledgment:

- Complaints will be acknowledged within three business days of receipt. The acknowledgment will include a reference number for tracking purposes.

5.2 Logging:

- All complaints will be logged in the complaints register, including the reference number, date of receipt, complainant's details, and a summary of the complaint.

6. Confidentiality and Disclosure

6.1 Confidentiality:

- UKATA will handle all complaints with the utmost confidentiality. The details of the complaint and the identity of the complainant will only be shared with those directly involved in investigating and resolving the complaint.

6.2 Disclosure of Complainant's Information:

- In some cases, it may be necessary to disclose the complainant's information to the UKATA-associated individual or organisation involved in order to facilitate a thorough investigation and resolution.
- Complainants will be informed if their information needs to be disclosed and will have the option to withdraw their complaint if they do not wish for their information to be shared.
- Complainants may also choose to remain anonymous; however, this may limit the ability of UKATA to fully investigate and resolve the complaint.

7. Investigation Process

7.1 Initial Review:

- The COO will conduct an initial review of the complaint to determine its validity and whether further investigation is required. The possible outcomes of this review include:
 - **Valid Complaint:** The complaint is considered valid and warrants further investigation.
 - **Invalid Complaint:** The complaint is considered invalid due to lack of evidence, insufficient details, or it does not fall within the scope of UKATA's complaints policy.

- **Referral:** The complaint may be referred to another appropriate authority or organisation if it falls outside UKATA's jurisdiction.
- If the complaint is about the COO, the Chair of UKATA will conduct the initial review and oversee the entire investigation process.

7.2 Investigation:

- The investigation will be carried out by the relevant department, which may involve requesting additional information from the complainant and the UKATA-associated individual or organisation involved.
- If the complaint involves alleged criminal activity or has been reported to the police, UKATA will coordinate with the legal authorities and may suspend the internal investigation until the legal process is concluded.

7.3 Response from Associated Individual or Organisation:

- The UKATA-associated individual or organisation involved will be informed of the complaint and given an opportunity to respond in writing within ten business days.

8. Resolution and Communication

8.1 Decision:

- Based on the investigation, a decision will be made regarding the complaint. Possible outcomes include:
 - No action required.
 - Issuance of a warning.
 - Imposition of sanctions (e.g., suspension, termination of membership or association).
 - Referral to legal authorities if not already done.

8.2 Communication to Complainant:

- The complainant will be informed of the outcome of the investigation within ten business days of the decision being made. If the complainant is dissatisfied with the outcome, they may request a review by a member of the Board of Directors.

8.3 Communication to Associated Individual or Organisation:

- The UKATA-associated individual or organisation involved will also be informed of the outcome and any actions required of them.

9. Appeals Process

9.1 Request for Review:

- If the complainant or the UKATA-associated individual or organisation is dissatisfied with the handling of the complaint, they may request a review by writing to a member of the Board of Directors, providing the complaint reference number and reasons for dissatisfaction.

9.2 Review:

- A Director will conduct the review and provide a final decision within ten business days of the request. The outcome of the review will be communicated to all parties involved within two business days.

10. Legal and Police Matters

10.1 Coordination with Authorities:

- If a complaint involves legal or police matters, UKATA will cooperate fully with the relevant authorities and may pause internal proceedings until external investigations are concluded.

10.2 Non-Interference:

- UKATA will not interfere with ongoing legal or police investigations. Any actions taken by UKATA will be in alignment with the findings of the legal process.

10.3 Policy on Legal Matters:

- UKATA will not engage in resolving complaints that are subject to legal proceedings unless requested by legal authorities or representatives to provide evidence or support.

11. Complaints About UKATA

11.1 Procedure:

- Complaints about UKATA's services or handling of complaints should be submitted in writing to the COO. If the complaint is about the COO, it should be submitted to the Chair of UKATA.

11.2 Investigation:

- The investigation process for complaints about UKATA will follow the same steps as outlined above, ensuring transparency and fairness.

11.3 Resolution:

- If the complainant is not satisfied with the response, they may request a review by a member of the Board of Directors.

12. Policy Review

This complaints policy will be reviewed annually and updated as necessary to ensure it remains effective and in line with best practices and legal requirements.