

Practice Complaints Procedure – Information for Patients

Smilemaker Dental Care

If you have a complaint or concern about the service you have received from the dentists or any of the staff working in this practice, please let us know. We operate a practice complaints procedure. Our complaint system adheres to national criteria.

How to Complain

We hope that most problems can be sorted out easily and quickly, at the time they arise and with the person concerned. If your problem cannot be sorted in this way and you wish to make a complaint, we would like you to let us know as soon as possible – ideally, within a matter of days or at most a few weeks – because this will enable us to establish what happened most easily. If it is not possible to do that, please let us have details of your complaint:

- within 6 months of the incident that caused the problem; or
- within 6 months of discovering that you have a problem, provided this is within 12 months of the incident.

Complaints about the treatment you received should be made to the dentist who normally sees you. Alternatively, you may ask for an appointment for Amir Tarki in order to discuss your concerns. He will explain the complaints procedure to you and will ensure that your concerns are dealt with promptly. It will help if you are as clear as possible about your complaint.

What We Shall Do

We shall acknowledge your complaint within 2 working days and aim to have looked into your complaint within 10 working days of the date when you raised it with us. We shall then be in a position to give you an explanation, or offer a meeting with those involved.

In investigating your complaint, we shall aim to:

- find out what happened and what went wrong
- enable you to discuss the problem with those concerned, if you would like this;
- ensure you receive an apology, where this is appropriate;
- identify what we can do to make sure the problem does not happen again.

Complaining on Behalf of Someone Else

Please note that we keep strictly to the rules of confidentiality. If you are complaining on behalf of someone else, we have to know that you have the permission to do so. A note signed by the person concerned will be needed, unless that are incapable of providing this because of physical or mental illness or are a child under 16 years.

Complaining to Dental Complaints Service

We hope that, if you have a problem, you will make use of our practice complaints procedure. We believe this will provide the best chance of putting right whatever has gone wrong and an opportunity to improve our practice. However, this does not affect your right to complain to the Dental Complaints Service, if you feel you cannot raise your complaint with us or you are dissatisfied with the result of our investigation.

If you wish for further advice, you should contact:

- Dental Complaints Service
Stephenson House
2 Cherry Orchard Rd
Croydon
CR0 6BA

E-mail: info@dentalcomplaints.org.uk

Tel. 020 8253 0800

You may also like to contact the General Dental Council for more advice.

- General Dental Council
37 Wimpole Street
London
W1M 8DQ

E-mail: Complaints@gdc-uk.org

Tel. 020 7887 3800

For those patients who have a complaint regarding treatment they have received under the NHS, The local primary care trust for NHS patients can also be contacted. Their contact details are as follow:

Dental complaints service: 08456120540

www.dentalcomplaints.org.uk

For patients with a Denplan payment plan, contact the Clinical Mediation and Risk Management team for advice at:

- Simplyhealth Professionals
Email: clinicalmediationservice@denplan.co.uk
Tel. 0800 169 7220

COMMENTS - COMPLIMENTS - COMPLAINTS

We are happy to consider any suggestions you may have that would improve the service we provide.

Comments and compliments are always welcome. We also operate a Practice Complaints Procedure for dealing with complaints which adheres to National Criteria. Our Receptionist/Practice Manager will give you further information and a leaflet giving details of the procedure is available from Reception.

Our aim is to give you the highest possible standard of service and we try to deal swiftly with any problems that may occur.

HELP US TO HELP YOU.

Harassment

1. General

Harassment can pollute the working environment and have a devastating effect on the health, confidence, morale and performance of those affected by it. It may also have a damaging effect on other employees who are witness to it or have knowledge of that behaviour. We are all entitled to a working environment which respects our personal dignity and which is free from objectionable conduct. Harassment and bullying are disciplinary offences, and incidents will be dealt with under our Disciplinary Policy.

We are all responsible for respecting the dignity of our colleagues and treating them with courtesy and consideration.

2. What is Harassment

Harassment includes:

- Unwanted conduct whether verbal or not which is of a sexual, racial, religious or ageist nature, or other conduct based on someone's race, religion, gender, sexual orientation and/ or age which affects the dignity of men or women at work.
- Bullying of colleagues, especially junior colleagues.
- Unfavourable conduct at work whether verbal or non-verbal towards someone based on their disability which could affect their dignity at work.
- Any other behaviour towards another that causes that person distress.

Harassment is essentially discriminatory conduct that is viewed as demeaning and unacceptable by the recipient.

The most common type of harassment in practice is sexual harassment. The following are non-exhaustive examples of sexual harassment:

- Leering, ridicule, embarrassing remarks or jokes
- Unwelcome comments about dress or appearance
- Offensive use of pin-ups or pornographic pictures
- Deliberate abuse, repeated and/or unwanted physical contact, demands for sexual favours or physical assaults.

3. Prevention of Harassment - Informal Stage

If you are the recipient of unwanted conduct amounting to harassment it is entirely in order to try to resolve the problem, if you prefer, by explaining to the individual concerned that the behaviour is not welcome, that it offends or makes you uncomfortable and that it interferes with your work.

If you prefer, where you find it too difficult or embarrassing to take up the matter yourself, Amir Tarki will participate in an informal meeting between you and the individual concerned or will, at your request, approach the individual on your behalf.

The informal stage will not result in any formal internal investigation or disciplinary action but is intended to enable you to resolve the matter informally should you wish to do so.

4. Prevention of Harassment - Formal Stage

- Where informal resolution is not appropriate, is not requested or where the outcome has been unsatisfactory, you may bring a formal complaint to Amir Tarki.
- If you would like a colleague to help you prepare your complaint and accompany you to any meetings, arrangements will be made to enable you to do so. All complaints will be thoroughly and expeditiously investigated. They will be conducted in an independent and objective manner by someone unconnected with the allegations and at least of equal status with the alleged harasser. Wherever possible investigations will be completed within 3 weeks of the complaint being made.
- Investigations will be carried out with sensitivity and with due respect for the rights of both the complainant and the alleged harasser. All those interviewed will be allowed to be accompanied by a colleague.
- The importance of confidentiality will be stressed to all those interviewed and everyone will be required not to discuss the complaint with colleagues or friends. Breach of confidentiality may result in disciplinary action.
- The investigation will focus on the facts of the complaint. Notes will be kept of all stages of the investigation and those interviewed will be requested to provide statements of their version of events. Parties will not be required to repeat distressing or embarrassing details any more than is necessary.
- Wherever possible, consideration will be given to ensuring that the complainant and the alleged harasser are not required to work together whilst the complaint is under investigation.
- The complainant will be kept informed of the general progress of the investigation and will be informed whether the complaint has been upheld and the resultant action if any. The rights of the alleged harasser as to the confidentiality of the details of any disciplinary sanction will be respected.
- Where a complaint has been upheld, consideration will be given, wherever possible, to permitting the complainant to choose whether they wish to remain in their current post or to transfer to another area of the business. We will seek to ensure that you are not in any way penalised whether directly or indirectly for bringing a complaint and the situation will be monitored to ensure that the harassment has stopped. In appropriate cases, the complainant may be given additional leave at the discretion of the designated manager to recover from the effects of harassment.
- Even where a complaint is not upheld, for example where the evidence is inconclusive, consideration will be given to making arrangements whereby the parties will not be required to continue to work together if either party no longer wishes to do so.

- Any complaint that is unfounded and not made in good faith, for example a malicious complaint will be treated as a disciplinary offence.

Third Party Sexual Harassment

Employers have a duty to prevent sexual harassment of their staff by third parties. This is a relatively new area of law and although it has serious implications many employers are unaware of their obligations under the new provisions.

Harassment is any unwanted conduct that violates the dignity of an individual or creates an intimidating, hostile, degrading, humiliating or offensive atmosphere for that person.

In relation to sexual harassment an employee can make a claim even if the harassment was not actually directed at them.

An employer can only be liable if they know that harassment by a third party has occurred on at least 2 occasions and has failed to take reasonable steps to prevent further incidents. Although harassment must have occurred on at least 2 occasions it is not necessary for it to be the same perpetrator in each incident.

The employee does not have to resign to bring a claim and if successful there are no limits to the amount of compensation. An employment tribunal will find an employer liable if they knowingly fail to protect an employee from repeated harassment by a third party.

To defend such claims employers must demonstrate that they have anticipated such circumstances and have taken measures that are reasonably practicable to prevent the harassment.

Have rules and procedures so that staff can report situations of harassment and record and investigate these allegations.

Provide training for staff on how to deal with potentially difficult conversations with third parties. Inform third parties about your harassment policy, perhaps through notices

Zero Tolerance Policy on Aggression and Violence

This policy is intended to protect everyone who works at the practice from possible harm from violent or aggressive behaviour. It also helps to fulfil the practice's obligations to provide a safe place to work.

- Violence is unacceptable in whatever form it takes
- It is the responsibility of every member of the practice to take reasonable care of the health and safety of him/herself and of other persons who might be affected by his or her acts and omissions at work.

Violence and aggression are defined as:

- Actual or threatened physical assaults on staff
- Psychological abuse of staff
- Verbal abuse which includes shouting, swearing and gestures
- Threats against practice personnel which occur in the workplace.

The workplace is defined as the practice premises and all other premises where work is undertaken as part of the person's official duties. Travelling to and from the workplace other than practice premises is also included within the definition.

To comply with this policy we will:

- Undertake risk assessment
- Ensure that the practice premises are secure
- Install a panic button on the reception desk and check each week that it is functioning
- Provide regular training in dealing with difficult/aggressive patients
- Provide training in dealing with assaults
- Provide personnel who are required to stay on the premises after 9pm, where necessary, with the cost of a taxi home (optional)
- Provide personnel who are required to visit patients in their homes with a personal alarm
- Aim to operate an effective appointment system and make the reception area as relaxing as possible to minimise delays and tension
- Operate a protocol for dealing with out-of-hours emergencies which will include call logging.

All incidents (however trivial) must be reported at once to Amir Tarki and a recording form completed. In the event of any actual or threatened violence, the police will be called. Injuries will be recorded in the accident book.

The practice will undertake to provide support, assistance and, if necessary, counselling to members of the practice who are victims of violence and aggression in the course of their work. In appropriate cases, a discretionary period of sick leave on full pay will be granted.

This policy will be reviewed and updated regularly.

For more Information see BDA Advice Sheet D14