

Education and Training Committee, 10 June 2008

Making a complaint about an education or training programme.

Executive summary and recommendations

Introduction

The attached document provides information to anyone considering making a complaint about an education or training programme approved by us.

Decision

The Committee is invited to:

- agree the text of the attached document (subject to minor editing changes), and recommend its publication on the website.

Background information

On 4 December 2007 the Committee agreed to a process to consider complaints received about educational and training programmes. The Committee requested the Executive to produce guidance on the complaints process.

Resource implications

- Editing and laying out of finalised document

These form part of the Policy and Standards workplan and budget for 2008/9

Financial implications

- Plain English editing

This forms part of the Policy and Standards workplan and budget for 2008/9

Appendices

None

Date of paper

28 May 2008

Making a complaint about an education or training programme

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About this document

This document provides information to anyone considering making a complaint about an education or training programme approved by us (the Health Professions Council). To be approved, the programme must meet the standards we set. If you make a complaint, we will take steps to make sure that the education or training programme still meets our standards.

This information in this document explains

- how to make a complaint about an approved education or training programme;
- the action we will take to investigate the complaint; and
- the possible outcomes for a complaint.

Please read the document carefully. If you need any more information, please contact a member of the Education Department.

Phone: 020 7840 9812

Fax: 020 7820 9684

Email: education@hpc-uk.org

If you want to make a complaint about an education or training programme, you need to complete the complaints form and send it to our Head of Education at the following address:

Health Professions Council
Park House
184 Kennington Park Road
London
SE11 4BU

Introduction

About us

We are the Health Professions Council (HPC). We are responsible for protecting the health and wellbeing of people who use the services of the health professionals registered with us. To do this, we keep a register of health professionals who meet our standards for their training, professional skills, behaviour and health. Health professionals on our Register are called registrants.

Who do we regulate?

We currently regulate 13 health professions.

- arts therapists;
- biomedical scientists;
- chiropodists / podiatrists;
- clinical scientists;
- dietitians;
- occupational therapists;
- operating department practitioners;
- orthoptists;
- prosthetists / orthotists;
- paramedics;
- physiotherapists;
- radiographers; and
- speech and language therapists.

We may regulate other professions in the future. For an up-to-date list of the professions we regulate, please see our website at www.hpc-uk.org

Each profession has at least one professional title which is protected by law. It is a criminal offence to claim to be registered with us if you are not, or to use a protected title that you are not entitled to use. We will prosecute people who commit these crimes.

Our main functions

To protect the public we:

- set standards for the education and training, professional skills, conduct, performance, ethics and health of our registrants;
- keep a register of health professionals who meet these standards;
- approve programmes which health professionals must complete in order to register with us; and
- take action when health professionals on our register do not meet our standards.

The Health Professions Order 2001 says that we must set our standards to protect the public, and that we must set standards which are necessary for safe and effective practice. This is why we have set our standards at a 'threshold' level.

Each of the professions we regulate has education and training programmes and education and training providers associated with them. Our standards of education and training (SETs) are the standards that all education and training programmes must meet in order for us to approve a programme.

As well as approving education and training for people who want to join the Register, we also approve a small number of qualifications for those already on the Register. The post-registration programmes we currently approve are supplementary prescribing programmes (for chiropodists / podiatrists, radiographers and physiotherapists) and programmes in local anaesthetics and prescription-only medicine for chiropodists / podiatrists. For registrants who successfully complete these programmes, we will make a note on the Register.

You can see from our website that the list of approved programmes ranges from large universities to smaller, independent providers. No matter what type of education or training provider they are, or what programme they offer for potential registrants, the programme must meet all our standards and be approved by us, so that people who complete the programme will be eligible to apply for registration.

The Education Department of the Health Professions Council (HPC) is responsible for approving and monitoring education and training programmes throughout the UK against the SETs to make sure that, upon qualification, all students meet our standards of proficiency (SOPs). We do this by visiting programmes to assess whether they meet all of the standards. Once approved, we use ongoing monitoring systems to make sure that approved programmes continue to meet our standards.

The education complaints process

We aim to run a clear and transparent process that balances the need to disregard any information not related to the programme's approval with the need to take action in other cases in order to protect the public.

The outcome of any investigation we carry out may only affect the approval of an education or training programme and will not lead to any financial compensation for you or change a grade or award classification.

Please be aware that we will not take any action regarding complaints which are:

- frivolous;
- unwarranted;
- about academic judgement; or

- about fitness for academic award.

We expect most complaints to take approximately six months from receipt of the initial complaint to the final conclusion; however, this depends on the nature and complexity of each individual complaint.

How to make a complaint

A complaint about an education or training programme must be made in writing with the details of the education or training provider and detail on the nature of the complaint. You will also need to give us permission to progress the complaint through all stages of the process. If you have difficulties writing you can ask someone to write and sign it on your behalf along with a reason why this is necessary.

There is a complaint form available which we encourage you to use. The form is available to download from our website or we can send you a copy upon request. We encourage you to use this form because it allows us to ask specific questions so that we can understand your complaint and identify the complaints processes that may have already been undertaken.

If you decide not to use our complaint form you must ensure that your complaint provides the following information:

- Name of education or training provider.
- Name of education or training programme.
- An indication of all other complaints processes your complaint has gone, or is currently going, through. Include all findings.
- A summary of the areas of your complaint.
- Permission to send your complaint and any evidence you have given to the education provider.

If your complaint does not include any of the above we will send it back to you for completion.

Please note that the details of your complaint will be sent to the education or training provider so that they can respond. If you are concerned about this, please contact us.

Other complaints mechanisms

Anybody can make a complaint to us about an education or training programme. In addition to our process, there are also a number of complaints procedures which are run by other organisations. Education and training providers normally have their own complaints procedures. Our process for complaints about approved education and training programmes is independent of any other complaints procedure.

The majority of the complaints procedures about education or training are for students. There is a list of some of the available complaints processes in the appendix; however, we do not provide a comprehensive list of all the complaints processes that are available.

In most cases, we would expect you to have been through the education or training provider's own complaints procedures before we investigate the complaint. You normally need to provide evidence of all the other procedures that the complaint has been through and the outcome of these procedures. However, we also understand that there may be some cases where it has not been possible to go through any other complaints procedures. If this is the case, you will need to explain why.

There is no time limit on our complaints process for considering a complaint about an education or training programme. However, we can only consider a complaint against a programme that is approved by us, and also approved by us at the time the complaint is made. This is because we can only take action on programmes we currently approve.

Education complaints and our fitness to practise process

As a regulator we set standards that all registrants must keep to. The behaviour and level of skills and knowledge we can expect from a registrant are set out in the 'Standards of conduct, performance and ethics' and the 'Standards of proficiency'. For more information on the standards, please see our website at www.hpc-uk.org

When a health professional keeps to these standards they are described as 'fit to practise', this means you can be confident that they have the health and character, as well as the necessary skills and knowledge, to do their job safely and effectively.

The Fitness to Practise Department is responsible for handling complaints. These are known as 'allegations' and question whether professionals who are registered with us are fit to practise.

The education complaints process and the fitness to practise process are two separate processes. The education complaints process has been designed to consider information about an approved programme which could call into question whether it meets our standards. If your complaint is about an individual registrant's fitness to practise you need to contact our Fitness to Practise Department. For more information on making a complaint about a health professional, please see the relevant section of our website www.hpc-uk.org/complaints/

If, during the course of a fitness to practise investigation, systemic failings relating to an education or training programme are found, information will be

passed from Fitness to Practise to the Education Department once the fitness to practise proceedings have concluded. At this time, you may be asked to provide a separate complaint about an education or training provider in writing if you have not already done so.

What we will do when we receive a complaint

A complaint about an education or training provider is normally made to our Education Department. They check:

- the necessary information has been provided;
- the status of any complaints made to another body; and
- evidence / documentation to support the complaint is included.

Your complaint will be acknowledged within 10 working days of receipt. If the complaint is incomplete we will send it back to you, and explain what information is missing.

Once we receive your complete complaint, it is considered jointly by the Fitness to Practise Department and the Education Department, to confirm that it does not appear to be about an individual's fitness to practise before the Education Department can begin to investigate the complaint. We must do this so that we do not potentially make evidence relating to a fitness to practise case inadmissible.

If there is an indication that your complaint is about an individual, the complaint about the education or training provider will stop until the Fitness to Practise Department have completed their investigations. Once the fitness to practise case is complete you will be contacted to find out if you still want to make a complaint about the education or training provider.

1. The initial assessment

The Education Department assess your complaint solely to determine if there is an indication that your complaint relates to the programme, institution of delivery or validation. The decision about your complaint is based on whether the information calls into question whether:

- the programme meets the standards of education and training (SETs);
- people who complete the programme will still be able to meet the standards of proficiency (SOPs); or
- students on the programme will still be able to meet the standards of conduct performance and ethics (SCPE).

If your complaint does not meet any of these criteria it is returned to you with an explanation of why the complaint cannot be considered.

2. The investigation

A member of the Education Department is given responsibility to lead the investigation into your complaint about an approved programme. This person will

be your point of contact for the period of your complaint. They will contact you to advise you of their details, update you during the course of the investigation and request further information if necessary.

The investigation will focus on the specific details of your complaint rather than immediately triggering an investigation into the programme as a whole. Other than in exceptional circumstances, we will send the details of your complaint to the education or training provider so that they know the details of your complaint and are able to respond. They have 28 days to respond to the allegation. We also ask for details of any changes to the education or training programme that have been made as a result of your complaint going through the education and training provider's own complaints process.

Once we have received the initial response from the education or training provider we may ask for additional information, or may need to clarify information from you or the education or training provider.

If your complaint or the response from the education or training provider requires profession specific knowledge, skills, or expertise, we may ask our "Partners" to review the evidence. Partners are members of the professions we regulate who we use when we require profession specific knowledge or skills. We will make sure they are not related to your complaint in any way.

When the investigation is completed the details of the investigation along with recommendations is written by the Education Department. This will be sent to you and the education or training provider. Both you and the education provider have 28 days from receipt of the document to respond and provide observations.

3. The Education and Training Committee

The Education and Training Committee (ETC) are a decision making body made up of health professionals and members of the public. The investigation document is presented to the ETC and will recommend one of three options. The ETC will consider the document and any observations made in it and decide what action to take.

1) No action required.

The outcome is that the programme's approval is unchanged.

2) Referral of information received into the appropriate approval or monitoring process (annual monitoring, major change, or approval).

As a result of the investigation it appears that changes have occurred to the programme or that issues have arisen, but, these changes do not necessarily compromise the standards we use to approve programmes (the standards of education and training) or the standards that health professionals must meet to join the Register (the standards of proficiency) in such a way to require immediate action.

Depending on the nature of change, we will use one of our Education Department processes to gather evidence that the programme continues to meet all our standards. The processes we will use are those we use regularly to initially approve and continuously monitor education and training programmes.

3) Further investigation by directed visit.

If there are specific and serious concerns that a programme is failing to meet the standards of education and training, standards of proficiency, or that there is potential risk to the public, the ETC may decide that a directed visit is required. A directed visit is one which involves a focused consideration of the programme based upon the particular information received and the issues raised.

Appendix: References

Our complaints process is specifically designed to enable us to consider whether a programme should continue to be approved. There may be other references about complaints that you may find to be more appropriate for your complaint. Although not a full list, we feel it may be useful to provide you with a list of some of the references and processes which are separate from ours as well as those belonging to us. By providing these details we are not endorsing the references that do not belong to the Health Professions Council.

References	Organisation	Available from
Internal complaints process	Education or training provider	Directly from the education or training provider
Various	Equality and Human Rights Commission	www.equalityhumanrights.com
Unhappy with the way your complaint has been handled by the NHS?	Healthcare Commission	www.healthcarecommission.org.uk
Annual Monitoring - supplementary information for education providers	Health Professions Council	www.hpc-uk.org
HPC approval process – supplementary information for education providers	Health Professions Council	www.hpc-uk.org
How to make a complaint about a health professional	Health Professions Council	www.hpc-uk.org
Major change - Supplementary information for education providers	Health Professions Council	www.hpc-uk.org
Standards of conduct, performance and	Health Professions Council	www.hpc-uk.org

ethics		
Standards of education and training	Health Professions Council	www.hpc-uk.org
Standards of proficiency	Health Professions Council	www.hpc-uk.org
A Guide to the Student Complaints Scheme	The Office of the Independent Adjudicator for Higher Education	www.oiahe.org.uk
Code of practice for the assurance of academic quality and standards in higher education	Quality Assurance Agency	www.qaa.ac.uk
Investigating your complaint	Scottish Public Services Ombudsman	www.spsso.org.uk