

### **Introduction**

The objective of this Procedure is to handle complaints and disciplinary matters in a fair, transparent and proportionate manner. It acknowledges registered member companies have voluntarily committed to the CSCA Code of Practice for Service Providers and CSCA Standards for Service Delivery, and that the CSCA is a standards and not a policing or regulatory organisation.

Nevertheless the aim of the CSCA is to raise standards for the control of cleaning and water treatment of closed water systems. Where there are complaints by service users, or serious failures on the part of a registered member company to meet the requirements of CSCA registration which come to the attention of the CSCA, or which are discovered as a result of company audits. This Procedure lays out the actions and sanctions that will be implemented by the CSCA.

### **The Complaints and Disciplinary Committee**

The Complaints and Disciplinary Committee will comprise the Complaints and Disciplinary Committee Chairman, being elected to the office by the Management Committee of the CSCA, along with the Chairman and Vice-Chairman of the CSCA Management Committee.

The Complaints and Disciplinary Committee has the responsibility to investigate complaints or initiate enquiries into any conduct on the part of a registered member company which comes to the CSCA's attention and which impacts on the standards for the control of cleaning and water treatment of closed water systems as sought to be maintained by the CSCA, and thereafter decide on the appropriate corrective action or disciplinary sanction.

The Complaints and Disciplinary Committee shall keep the Management Committee informed of all complaints and disciplinary matters.

### **A. Complaints Procedure**

#### **a) Complaint by one member company against another**

Unless there are exceptional circumstances, because of potential commercial conflicts between member companies, the CSCA will not consider complaints made by one member company against another. The CSCA will only consider complaints made by service users against a registered company.

Where a complaint is made by a member company but is claimed to originate from a service user, the CSCA may suggest the complainant invites that service user to contact the CSCA directly with the complaint regarding the member company.

An exceptional circumstance under which the CSCA would consider a complaint by one member company against another is where the complainant has sub-contracted the provision of services to the other member company and then, in their capacity as the customer, has serious concerns about the performance and competency of the sub-contractor and evidence of non-compliance with the CSCA Code of Practice and service standards.

#### **b) Complaint by a Service User against a member company**

##### **Stage 1 – Receiving the complaint**

i) The CSCA will only consider written complaints. If the CSCA is contacted by telephone, the

complainant and member company's details will be recorded. The complainant will be informed that the CSCA can only consider complaints received in writing, and will be invited to submit the complaint in writing to the Chairman of the Complaints and Disciplinary Committee. In order to help process the complaint quickly and efficiently, a simple Complaints Proforma can be sent by email for the complainant to complete and return.

ii) If there is insufficient detail in a written complaint to process it effectively, the complainant will be sent the Complaints Proforma for completion and return.

Once all the necessary information is available from the complainant it will be forwarded to:

- The Complaints and Disciplinary Committee Chairman
- The Chairman and Vice-Chairman of the Management Committee
- The Assessor Co-ordinator

The Complaints and Disciplinary Committee Chairman will decide on a case-by case basis whether it is appropriate to involve any other Management Committee members in reviewing the complaint.

### **Stage 2 – Investigation of the Complaint by the Complaints and Disciplinary Committee**

The Complaints and Disciplinary Committee Chairman is responsible for coordinating the review and investigation of the complaint and formulating an appropriate response and action plan in a timely manner.

The Complaints and Disciplinary Committee Chairman will send a copy of the complaint to the member company, along with any requests for information which he shall consider relevant to investigation of the complaint, and will invite the member company to make written submissions in response within such time frame as he shall consider appropriate and reasonable, having regard to the nature and gravity of the complaint.

Where there is concern as to the confidentiality of the source of a complaint, the Complaints and Disciplinary Committee Chairman need only provide the essence of the complaint and need not disclose the complaint itself, but will include such amount of detail as will enable the member company to investigate its actions and procedures, and respond.

### **Stage 3 – Decisions by the Complaints and Disciplinary Committee**

The Complaints and Disciplinary Committee shall meet or otherwise confer to consider the complaint and the written response received from the member company.

The Complaints and Disciplinary Committee will normally decide on one of the following outcomes:

- No corrective action required by the member company
- Minor corrective action required on the part of the member company within a stipulated time-frame
- Substantial corrective action is required on the part of the member company or that the complaint involves misconduct, such as to warrant sanctions in accordance with A) or B) of the CSCA Disciplinary Procedure detailed below (in which case, it shall decide upon the appropriate sanctions). In the event that the decision is to recommend that the member be suspended or expelled from membership in accordance with C) or D) of the CSCA Disciplinary

Procedure, it shall adjourn the matter to the next meeting of the Management Committee of the CSCA. If necessary, such as in the case of gross misconduct, the full Management Committee can be consulted by email between meetings to arrive at a collective decision.

#### **Stage 4 – Formal response to the complainant and to the member company**

Following Stage 3, the Complaints and Disciplinary Committee Chairman will send a formal response to the complainant informing of the outcome. The Complaints and Disciplinary Committee Chairman will also inform the member company of any decision and/or corrective action required on the company's part and the reasons therefor.

Where the complaint or conduct has been adjourned for consideration by the Management Committee of the CSCA, the Complaints and Disciplinary Committee Chairman shall inform the member company in the above terms following the decision of the Management Committee.

The Secretariat will maintain a record of the complaint, and include all correspondence in the member's file.

#### **Stage 5 – Reporting to / Consultation with the Management Committee**

Following final conclusion of the process (or the final outcome of the Disciplinary Procedure, where that has been implemented) the Complaints and Disciplinary Committee Chairman will report on the outcome of the complaint at the next regular meeting of the Management Committee of the CSCA.

#### **c) Serious failure by a member company to meet commitments under the Code of Conduct or to comply with the CSCA Standards for Service Delivery or to meet the requirements of the CSCA registration and audit processes**

The aim of the CSCA is to work with registered companies to help them to meet their commitments under the CSCA Code of Practice and to satisfy the requirements of the annual re-registration and site visits. The Secretariat and CSCA Assessors are charged with implementing this policy and keeping the Assessor Co-ordinator and Management Committee informed of problems or non-compliance by member companies.

In the event of serious or persistent instances of non-compliance coming to the attention of the CSCA, failure to take corrective action or respond to the requirements of registration and/or company visits, or misconduct by a member, the matter must be referred to the Chairman of the Complaints and Disciplinary Committee who will consider implementing the CSCA Disciplinary Procedure as detailed below.

### **CSCA Disciplinary Procedure**

Examples of circumstances under which the Disciplinary Procedure will be invoked include:

- Any complaint against a member company suggesting substantial failures in systems or procedures to control cleaning and water treatment of closed water systems.
- Persistent or serious failure to address audit / registration renewal corrective actions
- Actions by the member company which may be considered to bring the CSCA into disrepute
- Any complaint against a member company suggesting failure to comply with the CSCA Code of Practice or service standards.

A non-exhaustive list of disciplinary sanctions and escalation steps is tabulated below.

The Complaints and Disciplinary Committee has the authority to implement the disciplinary action

in steps A) & B), but can only implement steps C) & D) with the agreement of a majority of the voting members of the Management Committee of the CSCA. Should any other sanctions against a member company be proposed these will be agreed in advance with the Directors of the CSCA.

A summary of the disciplinary investigation and outcome will be prepared and kept on file. This may be distributed, at the discretion of the Chairman of the Management Committee, upon the request of other registered or other interested parties.

Disciplinary step	Sanction that is to be applied
A) Written warning	A private letter to the member company requiring it to carry out certain actions within an agreed timescale and to provide evidence it has done so. Failure to do so will result in an escalation of the Disciplinary Procedure
B) Demotion to CSCA Provisional status	Website entry will be marked to indicate Provisional status. The member company will be given a set period of time to correct the situation. If the situation is not improved the membership will be suspended.
C) Suspension of CSCA membership	The member company's entry will be removed from the CSCA website completely. The company will not be allowed to represent itself as being an CSCA member during the period of suspension. When the necessary corrective action has been taken and the company has served its suspension then it can return as a full member. Failure to address the issues within the required time frame will result in expulsion from the CSCA.
D) Expulsion from CSCA	The member company is removed from the website and must return its registration certificate to the CSCA. The period of expulsion will be determined by the Management Committee, after which time the company may reapply for CSCA membership.

## Appeals Process

A member company has the right to appeal against any suspension or expulsion of membership. It must do so in writing within 14 days of being notified of a decision against it to that effect.

The appeal will be by way of reconsideration of the merits of the decision and the reasons for it, and will be considered by the Directors of the CSCA whose decision will be final.