

# NDA Complaints and Customer Feedback Procedure

**Doc No CPPR03**

**Rev 09**  
**Date 23/12/08**

## 1.0 Scope

The NDA recognises that complaints, customer feedback and suggestions can be valuable aids to maintaining and improving standards of service and operation.

This procedure is designed to:

- set out a clear route for handling complaints about the operations, policies, procedures and access to information provided by the NDA;
- ensure complaints are investigated thoroughly and promptly with the outcomes being communicated in a timely manner;
- make efficient use of the information collected as management information so that lessons can be learned;
- set out how positive feedback can be captured and distributed.

The procedure is not concerned with investigating staff grievance or harassment matters which are the subject of a separate procedure, or with contract disputes which should be handled as prescribed in the contract.

## 2.0 Responsibilities & Definitions

**2.1 Complaint:** An expression of dissatisfaction whether justified or not about the NDA's operations, policies and procedures, and access to information held by the NDA.

**Complainant:** Anyone who makes a complaint other than commercial customers or Tier 1 contractors for whom the correct procedure is, as prescribed by the contract, through the relevant contract manager.

**Customer Feedback Co-ordinator:** The nominated accountable NDA member of staff.

**Feedback:** Any comments received about the NDA's operations, policies or procedures.

**EDRMS:** The NDA's Electronic Document and Record Management System.

**EIR:** Environmental Impact Regulations

**FOI:** Freedom of Information

## 2.2 Responsibilities

**Customer Feedback Co-ordinator:**

- the initial contact point for complaints (unless the complaint is made direct to an individual in the organisation) and for directing them to the relevant department for investigation;
- ensure the complaints procedure is co-ordinated and managed across the organisation;
- monitor complaint handling and ensure responses are made within the timeframes outlined in this document;
- maintain a record of complaints and their resolution and provide management information to ensure lessons are learned to improve performance;

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- initial contact point for receiving feedback and communicating this as appropriate within the organisation.

### 3.0 Procedure

#### 3.1 Oral Complaints

Any member of staff receiving an oral complaint (in person or by phone) should record the name, address and other contact details of the complainant and nature of the complaint and notify the Customer Feedback Co-ordinator. The complainant should be informed that the complaint will be recorded and the details should be confirmed with them at the time the call is made.

It should be possible to deal with the majority of oral complaints at the time they are made either by the person receiving them or by referring the complainant immediately to another member of staff. The action taken in response to the complaint and the outcome should be recorded. The completed complaint record should be sent to the Customer Feedback Co-ordinator. If an oral complaint cannot be dealt with immediately, the written procedure should be followed.

#### 3.2 Written Complaints

Any member of staff receiving a written complaint (by letter or e-mail) should notify the Customer Feedback Co-ordinator who will agree the allocation of the complaint to the responsible Director and/or Departmental Head. A written acknowledgement will be sent to the complainant within 2 working days giving the complaint reference, the contact details of the person who will be resolving the complaint, and explaining the resolution procedure that will be followed.

The responsible Director and/or Departmental Head should assess the complaint and agree a response and/or course of action. The assessment should ensure:

- the direct and contributory causes which led to the complaint being made are identified, and any changes are made to ensure a similar situation does not arise again;
- if further information is needed from the complainant to resolve a complaint, this should be requested from the complainant in writing by the Customer Feedback Co-ordinator.

The outcome of the resolution should be advised to the Customer Feedback Co-ordinator and sent in writing to the complainant together with details of what to do if they are not satisfied with the response.

#### 3.3 Involving Other Parties

Complaints which may become legal claims

- The complaints procedure should be stopped if the complainant explicitly indicates an intention to take legal action in respect of the complaint.
- Complaints which have a significant possibility of litigation should be referred to the Legal Directorate.

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Revision Control/Document Changes

Appeals Procedure referral to ExCo and Appendices.

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- The possibility of litigation should not prevent an internal investigation into the cause of the complaint to uncover any faults and prevent possible recurrence.
- Where allegations are serious and may constitute a criminal offence, the Chief Executive (or a nominated director in his absence) should be informed and the police (local constabulary or civil nuclear) notified immediately.

## Criminal Proceedings

- If it is deemed necessary to refer a complaint to the police, then the complaints procedure should be stopped pending the outcome of the criminal investigation. The complainant should be informed of the reasons for the delay.

## Grievance/Harassment Action

- A case for considering a grievance or harassment action against a member of staff can be suggested at any point during the complaints procedure, but consideration as to whether or not disciplinary action is warranted is a separate matter for management, outside the complaints procedure, and must be subject to a separate process of investigation.

## Regulators

- This procedure does not preclude any referrals to or action taken by the Nuclear Installations Inspectorate which retains authority for standards of safety and security. Relevant complaints will be passed to the NII for consideration.

### 3.4 Appeal Procedure

If a complainant is not satisfied with the response they may appeal. The appeal should be made to the NDA Feedback Co-ordinator who should record the appeal and identify a Director with a functional responsibility unrelated to the subject matter of the complaint to oversee a review of the complaint.

The review will be handled by a review panel made up of a Chairman and at least 2 members and a new decision reached or the original confirmed. The Chair of the panel should be at least Band 2 level and selected by the Director. The members should be selected by the Chairman and agreed with the Director.

The staff member who originally handled the request for information will not deal with the complaint, and hence cannot be a member of the review panel.

The Feedback Co-ordinator will issue an acknowledgement letter advising the complainant a panel will review the appeal. The complainant should then be advised of the outcome of the review. If the review timescale cannot be met, the complaint should be advised in writing.

The Feedback Co-ordinator shall decide, in consultation with the Director overseeing the investigation of the appeal, if the investigation raises issues when should be referred to the Executive Committee for consideration.

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### 3.5 FOI and EIR Related Complaints

All complaints which are received as a result of a response given to an information request must be dealt with in accordance with the appeals procedure. The Customer Feedback Co-ordinator will be responsible for all correspondence with the complainant.

When responding to an FOI or EIR related complaint:

- If the original decision was to withhold information and a review recommends the information should be disclosed, it must be released as a matter of urgency. The information should be disclosed within 20 working days from the date the decision was reversed.
- If the original decision was to withhold information and a review recommends the decision is upheld, the complainant must be informed of their rights to appeal to the Information Commissioner.
- If the complaint is based on NDA staff not following correct procedures, then the NDA must apologise for the error and take action to ensure it is not repeated.

### 3.6 Time Limits for Resolving Complaints

Oral complaints should be dealt with on receipt wherever possible.

Acknowledgements should be made within 2 working days of receipt.

Written complaints and appeals (other than FOI and EIR) should be resolved within 10 working days of issuing the acknowledgement. FOI and EIR written complaints and appeals should be resolved within 20 working days of issuing the acknowledgement.

Complaints which cannot be resolved within 10 or 20 working days as appropriate, must be notified to the Feedback Co-ordinator by the responsible Director. The Feedback Co-ordinator should write to the complainant explaining why there has been a delay. This process must be followed at least every 5 days (or as agreed with the complainant) until the complaint is resolved.

### 3.7 Time Limit on Raising Complaints

Complaints should be made as soon as possible after dissatisfaction has occurred or within six months if relating to a specific incident in order to ensure a realistic possibility of being able to investigate the claim. This restriction would only be lifted if the complainant could show good reason why the complaint could not be made sooner.

### 3.8 Records of Complaints and Investigations

Any records made during the course of a complaint investigation will be available for scrutiny under the Freedom of Information Act 2000, subject to redaction of personal information under the Data Protection Act.

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## **4.0 Customer Feedback**

Feedback is encouraged from our stakeholders and should be sent to the Customer Feedback Co-ordinator.

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