

Ackerman Pierce follow stringent quality guidelines and takes every reasonable precaution to ensure that all candidates deployed to its Clients maintain the highest standards of professional and personal conduct. In the same vein we take all possible precautions to ensure the clients we work with are providing the same standards to our candidates.

Our stringent vetting procedures ensure that any candidate found to have a history of unacceptable conduct or practice, will not be offered a place on our register. Through our continuous and active monitoring, any difficulties our candidates may be experiencing are promptly highlighted, enabling us to step in and pre-empt potential issues.

However, despite our stringent quality procedures, and the vulnerable position that candidates can often find themselves in, occasionally difficult or sensitive issues do arise. Both client and candidate feedback is essential to us in order to ensure we continually work towards improving our service.

In the event of more serious allegations, for example:

- Physical Assault
- Verbal Offence
- Discrimination

Ackerman Pierce has set out the following procedures with **MUST** be adopted by staff when dealing with incidents of this nature as well as the responsibilities of Ackerman Pierce with regard to Child Protection/Safeguarding issues.

## Candidate

Any candidate who has a complaint made against them is automatically suspended and not placed elsewhere until the matter has been fully resolved.

### Procedure:

Ackerman Pierce has a central incident file in which staff can record the details of any allegation or complaint against a candidate, together with a detailed account of all actions taken during any investigation. Copies of statements, correspondence, evidence are kept in line with GDPR legislation as well as a chronological sequence of events is produced which requires Director sign off. Our Director is also our Safeguarding Officer ensuring that all complaints are managed in line with legislation.

Following the receipt of a complaint or report of an incident, depending on the incident and the client's instruction we would explain that we have certain procedures and responsibilities for handling incidents that we are required by law to undertake. We would always work with the client.

If the incident is considered by the client serious enough to warrant further investigation, we adopt the following procedure:

**Stage 1.**

- Does the client wish to terminate the arrangement for the candidate's services?
- Do they want to terminate this arrangement immediately?
- Does the client wish to retain the candidate's services pending investigation?
- Does the client require a replacement candidate?

**Stage 2.**

- Inform the client that we will conduct our own investigation of the incident by interviewing the candidate in the presence of their union representative/Colleague/Independent representative (We always advise the candidate that we have been informed of an incident and ask for their version of events, prior to telling them what has been stated by the client).
- Prior to such investigation, we request a written statement from the client, together with any supporting statements outlining the nature of the allegations.
- Following such investigation, we will record the response of the candidate and report back to the client.

**Stage 3.**

Following receipt of a written report from the client, we write to the candidate concerned and ask him/her to attend a meeting at our office. We advise them that it would be in their own interest to be accompanied by a representative.

**Stage 4.**

We write to the client informing them of the steps we have taken.

**Stage 5.**

We arrange a meeting and ensure that 2 representatives (one to conduct the investigation and the other to act as a witness and note taker) are present:

- Introduce parties to each other
- State that this is not to be regarded as a disciplinary procedure, merely an investigation of a formal allegation which we have received
- The details of the allegation are presented at this point (copies are handed out only with prior consent from the client) and the candidate is invited to comment.
- The candidate's comments are noted and read back to them for confirmation that we have noted the response accurately. If the candidate accepts responsibility for their actions and expresses regret, we give advice as to the dangers of laying himself/herself open to allegation. We also draw attention to our Code of Conduct and explain that the future of the candidate as a member of our register will be dependent on his/her acceptance of and adherence moving forward to the Code. If, however, the candidate denies the charge, we simply note his/her comments and say that we will report these back

to the client. We inform them that following this meeting, the client may or may not wish to pursue matters and that we will keep them informed of further developments.

### Stage 6.

Following the meeting we will then write to the client to report on the outcome of our investigation. The client is advised that if the matter cannot be resolved and that the seriousness of the allegation warrants further action, to adopt whatever measures would normally come into force to meet legal requirements.

During the course of any such proceedings a senior representative of Ackerman Pierce will be available to attend, if requested, any meetings to share information and co-operate fully with the Authority pending a final decision. All internal paperwork will also be made available.

Following the outcome of any such investigation, we are guided by the Authority's decision when considering the candidate's future as a member of our register.

## Client

The details of any allegation or complaint against a client in line with our candidate compliant management is processed in a central Incident File on our system. In this file, the staff can record and review any actions taken or any investigation carried out as a result of an allegation.

When we receive a complaint or a report of an incident, we explain our procedures for handling incidents and ask the candidate in question if they would like for us to commence a process accordingly. Our consultants will always encourage our candidates to speak openly about their experience with the role and the workplace in which they have been placed. In deciding how far to pursue the investigation, we are usually guided by the complainant's attitude towards the incident.

The consultant will act on behalf of the candidate to help resolve any issues causing difficulty for them. Candidate comments will be treated in confidence unless it is agreed with the candidate to raise the issue with the client.

Complaints of a serious nature regarding the behaviour of client/staff will be communicated to the client HR team/Vendor Manager/Line Manager/Head of Safeguarding whichever is most suitable.

If required this can be escalated to the HCPC/Social work England/Police.

Examples issues:

- Inappropriate behaviour towards the candidate or any other person on site.
- Racial or sexual harassment.
- Health and safety issues.

Following the receipt of a complaint or report of an incident, depending on the incident and the candidate's instruction we would explain that we have certain procedures and responsibilities for handling incidents that we are required by law to undertake. We would always provide support to our candidates.

### 5. Internal Investigation Procedure

Where appropriate, Ackerman Pierce will undertake an internal investigation into the allegation or complaint. This course of action is carried out when the allegation or complaint is not serious enough to be dealt with by the police or any other third party but where the complainant and Ackerman Pierce are concerned about the complainees professional conduct.

An internal investigation will only take place once all procedures for serious complaints or allegations of professional misconduct have been completed.

#### Post-Registration:

If Ackerman Pierce receives information following registration of a candidate which may be relevant to his/her suitability for a post with a client, we would first assess its severity. If it is apparent that the information is of a serious nature and could be a vulnerable person/safeguarding issue, then we would notify all relevant parties immediately and implement the following procedure:

- Managers will immediately make their Director aware of any candidate having serious allegations made against them.
- Any Occupational Therapy candidate who presents false documentation or has a serious allegation made against them is referred to The Health and Care Professions Council (HCPC). This is the regulatory body responsible for investigating allegations of serious misconduct against Occupational Therapists in England.
- From 2<sup>nd</sup> December 2019 any Social Work candidate who presents false documentation or has a serious allegation made against them is referred to Social Work England. This is the regulatory body responsible for investigating allegations of serious misconduct against Social Workers in England.
- If an allegation is of a less serious nature and does not require referring to the above department, we will suspend the candidate and require them to attend an interview with Ackerman Pierce about the incident as previously described.

### Referring concerns of candidates working with vulnerable users

#### Occupational Therapy referrals

The client or Ackerman Pierce can refer a case to the HCPC, upon which they will conduct an investigation and if appropriate, a panel hearing to decide whether the social worker should continue in practice, be admonished or removed from the register entirely.

<https://www.hcpc-uk.org/concerns/raising-concerns/employer/>

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### Summary:

It is Ackerman Pierces utmost priority that incidents and complaints are dealt with in a fair manner.

If at any time a complainant is not satisfied with the treatment of their complaint, then Ackerman Pierce has a clear line management structure for the complaint to be referred to a more senior level in line with REC guidelines and legislation.