

Caring for your customers  
in private hearing care  
**The BSHAA Customer Care Scheme**



A photograph of a middle-aged man with glasses and a woman sitting together, looking at a document. The man is smiling and holding a pen. The woman is also smiling and looking at the document. The background is bright and slightly blurred.

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# 1. The BSHAA Customer Care Scheme

The British Society of Hearing Aid Audiologists (BSHAA) together with businesses in the sector, operate a Customer Care Scheme (CCS) which offers customers who use a business in the scheme, a user-friendly, complaints resolution service. The BSHAA Customer Care Scheme is supported by Action on Hearing Loss.

The BSHAA CCS:

- is a user-friendly procedure for resolving complaints which will deal responsively with any concerns a customer has about the product or service they have received from a member company,
- should reassure customers that those companies who are registered (and their staff) are committed to dealing with customer concerns in accordance with the CCS rules and guidelines.

## 2. Informing customers about the company complaints procedure

2.1 BSHAA expects its members to deliver the highest standards of customer care. Information detailing the participant's complaints handling scheme must be given to the customer at the beginning of their relationship with them. This should ensure that the customer is fully informed about how to raise any concerns and if necessary, register any complaint about the product or service; at any stage from point of sale, through pre-contract to contract and into aftercare.

2.2 Participating companies must have a:

- user-friendly procedure for complaints, which has no more than three levels of management dependent on the size of the company,
- specified reasonable time limit for responding to complaints, willingness to co-operate with local consumer advisers or any other intermediary acting on behalf of a customer when making a complaint.

2.3 The BSHAA CCS offers:

- A conciliation service with the objective of arriving at a decision acceptable to both parties.
- An independent redress scheme (an arbitration process paid for by the company) to resolve customer complaints which are not resolved by conciliation – decisions from the arbitration scheme are binding on participating companies. The costs of arbitration are paid for by the business. However, BSHAA would only allow a case to go to arbitration if all other avenues had been exhausted and it considered that the customer had a reasonable case. Vexatious and frivolous complaints will not go through to arbitration, however if the customer still insists on arbitration they can do so but they will have to pay for all costs of arbitration.

## 3. Complaints handling procedure

Participating companies undertake to:

- Inform the customer how to make a complaint; to whom within the company a complaint should be addressed; what information the customer has to provide and the timescales that will apply in dealing with the complaint.
- Have a user-friendly procedure for dealing with a complaint, which will have an appropriate structure commensurate with the size of the company and in any event sufficiently efficient to deal with any complaint within the timescales mentioned above. The procedure should allow for two levels of management for medium and large companies allowing the complainant to be considered by someone other than the person with whom they originally dealt. Ownership of the complaints process must be at the top level of the organisation [delegating the administration of the process does not absolve directors or owners of the business of their responsibilities for the CCS].
- Acknowledge a complaint within 5 working days of receipt and aim to resolve complaints within 20 working days.
- Ensure that all communications with the customer (verbal and written) are carried out in a courteous and professional manner.
- Ensure that staff are trained in customer care and are fully conversant with all aspects of the complaints resolution procedure.

## *Complaints handling procedure (continued)*

- Ensure that a complaint is logged and a step by step log of progress on the complaint is maintained and can be made available to the conciliation or independent redress service if required. Likewise a log of all communications and copies of all correspondence and documentation relating to the complaint (and the patient journey) will be kept and made available if required.
- Give maximum co-operation with advisers or any other intermediary consulted by the customer, such as a Citizens Advice Bureau or Trading Standards Officer.

The customer will be informed by the Company that should a complaint not be resolved to the customer's satisfaction, they have the right to contact BSHAA, who will follow the procedure outlined below for conciliation and if need be, the process for independent redress (arbitration).

## 4. The BSHAA conciliation service

- 4.1 BSHAA will provide, at no cost to the customer or the Company, a conciliation service with the aim of resolving a complaint in a manner acceptable to both parties.
- 4.2 On receipt of a complaint, confirmation will be sought that in-company resolution procedures have been exhausted and if not, will refer the customer back to the Company. If they have been exhausted (or when they are) BSHAA will seek detailed information from the customer on the nature of the complaint; and will seek a report from the company, including documentation, to be returned within 7 working days.
- 4.3 Where appropriate the complaint will be allocated to a trained conciliator, who will seek to facilitate resolution within 20 working days from receipt of the request for conciliation.
- 4.4 The company will make available to the conciliator, within 7 working days, any further information, documentation or access to personnel, which the conciliator deems necessary to facilitate successful conciliation.
- 4.5 The conciliator may access, via BSHAA, any specialist advice which they deem necessary to facilitate successful conciliation.

### *the BSHAA Conciliation Service (continued)*

Conciliation is aimed to resolve the matter in a manner acceptable to both parties. It is not an investigation. However, should it be considered, after reviewing all documentation, that the customer has a case against the Company then the company will be advised accordingly. BSHAA will always take an impartial review of the facts and try to seek common ground for resolution. If the Company disagrees with BSHAA in this regard then it will be incumbent upon the company to make a valid counter-argument. If BSHAA consider the counter-argument to be invalid it will advise the Company and if the Company does not change its view BSHAA will advise the customer accordingly. Similarly if BSHAA consider that the complaint is not valid it will inform the customer accordingly.

If the CCS identifies any potential breaches of its Code of Practice it will refer the matter to the CEO and this will be dealt with outside of the CCS process.



## 5. Independent redress

If a complaint is not resolved by conciliation, the customer may be offered access to independent redress via arbitration. This process is binding on the company but should a customer reject the findings their only other route is probably through the courts. However the customer has the right to forego arbitration and pursue other legal avenues of redress, but at the risk that failure to take up the offer of arbitration could seriously prejudice the customer's chances of redress through the courts.

Where referral to the Independent Arbitrator is chosen, an Arbitrator will be appointed, via BSHAA, at no cost to the customer. The Company will meet the costs of arbitration.

The objective of the Arbitrator is to arrive at a conclusion that is fair and reasonable in the circumstances, looking at all the evidence presented by both parties. The Arbitrator is an individual who is completely independent of BSHAA and of the industry. BSHAA will use the OFT-approved Independent Consumer Arbitration Service administered by IDRS Ltd. The Conciliation Officer will pass all the evidence gathered, including copies of all correspondence between the parties and BSHAA to the Independent Arbitrator within five working days.

## 6. The business obligation to BSHAA

Businesses in the BSHAA CCS are under an obligation to BSHAA to adhere to the rules and timescales as set out above. Any deviation from these, without mitigating circumstances, could lead to the company being excluded from the Customer Care Scheme.

- 6.1 The BSHAA CCS is funded by the subscriptions of BSHAA members and therefore sole traders will have to be members of the Society and multi-audiologist companies either have or are working towards full BSHAA membership.
- 6.2 If a complaint is received involving an audiologist who is not a BSHAA member, BSHAA will deal with the complaint but will charge the company the equivalent of the current BSHAA membership fee.
- 6.3 Companies are expected to have due regard for the BSHAA Guidance in Customer Care.

## 7. Confidentiality

Audiologists, as HCPC registrants must adhere to relevant HCPC Guidance. In particular the Guidance on confidentiality, whereby there is a duty to keep confidential customer's (Service Users) confidential information. BSHAA will obtain consent from the Service User for the business to release to BSHAA, their personal records and will send a copy of this consent to you as your authority to disclose this information.

Service Users currently have a right to access their own personal records and can do so at any time. However, in order for the conciliation scheme to work effectively the Service User has specifically agreed to waive their right to have copies of any discussion between BSHAA and the audiologist/business provided the subject matter of such documentation is negotiations pertaining to a resolution of the complaint.

