Procedure for dealing with Complaints about Community Pharmacy NEL Committee members (May 2026)

1. Purpose and Scope

The Code of Conduct for CPNEL sets out the expected values and behaviours of all Committee members to best support their work and the long-term success of community pharmacy in England.

The Code describes how Committee members can individually and collectively support the Values and Behaviours including highlighting and calling out potential instance of non-compliance. However, there more be instances where a Committee member is unable or unwilling to do this, or where a non-Committee member, for example a member of staff, a pharmacy owner or member of the public, has a complaint about a specific Committee member.

The Committee takes any complaints against Committee members seriously. This procedure sets out how such complaints can be reported and how they will be handled.

The Code of Conduct and this procedure apply to Committee members and any observers with the Committee and subcommittee, as well as members of other sub-groups, for example working groups. The use of the term "Committee member" in this procedure includes all of the above roles.

This procedure relates to complaints about the conduct of an *individual* Committee member. It may also be used to investigate complaints relating to a breach of confidentiality where no Committee member is identified but one is suspected.

Separate procedures are in place for complaints about the services provided by CPNEL.

2. Making a Complaint

Complaints should be made to the Office Manager. Complaints should be sent by email to Rebecca Dew, Office Manager, office@cpnel.org

3. Procedure for dealing with Complaints

3.1 Initial Assessment

The office manager will pass the complaint to the Chair of the Committee or Vice Chair if the complaint relates to the Chair who will make an initial assessment of the complaint and decide whether to deal with the matter themself, or to refer it for formal review and investigation.

This initial assessment will take account of a range of factors including the nature of the complaint and evidence provided, the circumstances, proportionality, any previous complaints and any previous concerns regarding the Committee member's behaviour. It is recognised that a failure to exhibit exemplary or good conduct does not necessarily mean that a Committee member is in breach of the Code of Conduct. Even where there is evidence that the Code may have been breached, the Chair or Vice Chair of the Committee may decide that dealing with the matter themselves, informally, is in the best interest of CPNEL, for example, by providing advice, guidance or support or formal rebuke to the Committee member.

CPNEL will not consider abusive, persistent, frivolous or vexatious complaints.

The Chair or Vice Chair of the Committee, or their nominee, will usually contact the complainant within ten working days and inform them of initial steps and expected timeframes. They may decide:

1. To deal with the complaint themselves.
2. To refer for formal investigation under this complaints procedure.
3. To refer to a different complaints process.
4. The complaint should be closed and will explain why - this may be because they do not consider it meets the threshold for a complaint to be dealt with under (1), (2) or (3) above, or that it is abusive, persistent, frivolous or vexatious.

Exceptionally, the Chair or Vice Chair of the Committee may decide that the matter is so serious that it needs to be referred to another body.

The Committee member concerned will usually be informed at this stage about the complaint and if/how it will be investigated. However, there may be circumstances where it is not appropriate to inform the Committee member.

In instances where the complaint relates to a breach of confidentiality where no Committee member is identified but one is suspected, the. Chair or Vice Chair of the Committee may ask the CEO to undertake an initial investigation to ascertain which Committee member (if any) has breached confidentiality. The Chair or Vice Chair of the Committee will then decide whether to deal with the complaint themself, refer for formal investigation or to close the complaint.

The decision of the Chair or Vice Chair of the Committee in terms of communicating with relevant parties is final. The complainant may appeal to the Governance Subcommitee against the decision determining the course of action.

3.2 Formal investigation

Responsibility for formal investigation of complaints remains with the Chair or Vice Chair of the Committee who determines the form of investigation required and how it should be undertaken and by whom (this may include another LPC if necessary], taking account of the resources available and any confidentiality issues, and ensuring that the investigation is proportionate to the complaint. The aim of any investigation is to understand the circumstances and identify any action needed to enable the effective operation of CPNEL in the long-term best interest of community pharmacy in England.

The Chair or Vice Chair of the Committee, which may appoint an investigator to assist its investigation of the complaint, will usually inform both the complainant and the Committee member concerned of the Chair or Vice Chair of the Committee's decision regarding the form of investigation and the anticipated timeframe for the investigation. They will usually do this as soon as practicable; however, there may be instances when they decide it is not appropriate to update either the complainant or Committee member concerned.

The Chair or Vice Chair of the Committee has the right to determine that an investigation is not needed and that the complaint should be closed. This may be because it does not consider it

meets the threshold for a complaint to be dealt with, or that it is abusive, persistent, frivolous or vexatious. The complainant will be informed if this is the case.

The investigation will be undertaken in accordance with the Chair or Vice Chair of the Committee's agreed approach and timeline.

The Committee member shall be invited to provide an explanation or to comment to the investigator before the report is prepared. The complainant and/concerned may be asked for more information as part of this process and statements under oath may be requested. All Committee members are expected to cooperate with the investigation and provide relevant factual information, and statements under oath, including the Committee member who is the subject of the investigation.

3.3 Determinations

The Committee will consider the findings of an investigation. It may determine that there is no case to answer and that the complaint is not upheld.

If the Commitee decides to uphold the complaint, it will agree any action needed in relation to the Committee member concerned. It may determine:

1. To give informal advice or support to the Committee member
2. To give a warning to the Committee member
3. To suspend the Committee member from the Committee for a specified period
4. To remove the officer or member from the Committee. In this case, the member shall not be eligible for election or appointment to the Committee for the current Term of the Committee or 12 months, whichever is the greater.

The Committee or its investigator, will inform both the complainant and Committee member concerned when the Committee have concluded their deliberations. The complainant may be informed of the outcome and action being taken, but this will be dependent on the nature of the complaint and circumstances, including any need for confidentiality.

4. Appeals

4.1 Complainant

Decisions of the Committee are final and there is no right of appeal for the complainant.

4.2 Committee member

Committee members have no right to appeal any sanctions determined by the Committee but if there is an error of fact or law identified by the Committee member, the Committee will review its decision.

5. Review of the Procedure

The Commitee will review the procedure at least every three years and recommend any changes to the Committee for its approval.