

## **How the RCN Can Help Defence Personnel with Complaints and Concerns**

Queens Regulations for the Armed Forces state a Service Person may become a member of a civilian trade union and professional associations in order to enhance their trade skills and professional knowledge and as an aid to resettlement into civilian life. They are not to participate in industrial action or in any form of political activity organized by civilian trade unions or professional associations.

### **RCN Assistance for Managing Clinical Performance Concerns**

Joint Service Medical Policy 950 Leaflet 5-2-4 outlines the process to be followed for managing fitness to practise concerns for all Armed Forces personnel. After a concern has been identified, patient safety is of paramount importance

Upon receipt of a nursing<sup>1</sup> performance concern the Chain of Command should formally raise the performance concern with the individual and attempt to resolve it at the lowest appropriate level. This may involve additional teaching, mentorship and support for building competence or discipline for conduct matters. If the issues remain unresolved at Unit level, a fitness to practice panel is convened to manage the employment of the nurse. Throughout the performance concern process, nurses are encouraged to be represented by the Royal College of Nursing or their preferred trade union throughout the process.

RCN members who are Armed Forces nurses are free to call RCN Direct on 0345 772 6100 or use the [www.rcn.org.uk](http://www.rcn.org.uk) > get help page of member support services which include advice guides, legal support, peer support and counselling, and ask for a trade union representative to be assigned to them.

Representation for Armed Forces nurses by a trade union is permissible because managing a clinical practice concern is classed as a Special to Type (STT) complaint, that is an internal complaint with its own mechanism for resolution which has not/may not have reached the level of a Service Complaint. The STT process must be completed before a SC can be investigated, although of course, this does not affect the right to complain under the Armed Forces Act before the STT complaint has been concluded.

## **Where the RCN Cannot Represent the Complainant**

### **Service Complaints**

As with other organisations, within Defence informal line management processes are used to raise complaints and seek redress. When informal communication fails, or is inappropriate, to resolve an issue, the service complaints process is used.

The service complaints process is detailed in Joint Service Policy 831 and aims to be a fair, effective and efficient system to deal with complaints from serving or ex-serving personnel. A statement of complaint is submitted using Annex F to the policy, providing evidence<sup>2</sup> of the complaint and the redress sought. Complaints must normally be submitted within 3 months of the date of the issue, unless there are mitigating circumstances. Undue delay or dissatisfaction with the process or outcome can be raised to the Service Complaints Ombudsman<sup>3</sup>.

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<sup>1</sup> Nursing is inclusive of all Registered Nurses, Healthcare Assistants and Student Nurses

<sup>2</sup> Employment law standard of proof is applied, evidence should find 'on the balance of probability'.

<sup>3</sup> Details at <https://www.servicecomplaintsombudsman.org.uk>

A Service complainant or respondent must have an Assisting Officer who must (JSP 831 Ch 7 para 2a) be an officer, warrant officer, senior non-commissioned officer or civil servant of equivalent grade; therefore, they cannot have a trade union steward attend any hearings. A Serving complainant or respondent can also nominate someone to act as their Assisting Officer, but they must fulfil the policy criteria above and must not be a trade union representative. Armed Forces nurses are still able to seek assistance from the RCN Direct helpline 0345 772 6100 for their service complaint matters.

### **Bullying and Harassment Complaints Process**

It is MOD policy that all Service and civilian personnel, regardless of rank or grade, have a right to be treated with dignity. All Service and civilian personnel also have a responsibility to do all they can to ensure that the working environment is free from all forms of bullying and harassment and that the dignity of others is respected. All anti-discrimination legislation applies to service in the Armed Forces, except for the employment provisions of the Disability Discrimination Act 1995 or the Employment Equality (Age) Regulations 2006. Joint Service Policy 763, the MOD Bullying and Harassment Complaints Procedure, articulates the advice, support and options for complaint resolution, which follows the Service Complaint process above. A Service complainant or respondent must have an Assisting Officer who must be an officer, warrant officer, senior non-commissioned officer or civil servant of equivalent grade; therefore they cannot have trade union representation or a trade union steward attendance. For Civilian staff the AO may be a trade union representative. (para 4.15 pg 20 of JPS 763 refers and also enforced by para 1 a of pg 51). There is no reason the RCN Direct help line 0345 772 6100 can not be used for advice and guidance for all. Six confidential counselling sessions can be requested for membership support.

## Reference List

### Relevant Policies and Guidance

Joint Service Publications (JSP) provide standardisation and authoritative guidance across the services and MOD, with regard to certain areas.

- JSP 950 Part 1 Lft 5-2-4 (V2.) Jun 16  
[http://defenceintranet.diif.r.mil.uk/libraries/library1/DINSJSPS/20150608.1/JSP\\_950\\_Leaflet\\_5-2-4\\_Management\\_of\\_Clinical\\_Concerns.pdf](http://defenceintranet.diif.r.mil.uk/libraries/library1/DINSJSPS/20150608.1/JSP_950_Leaflet_5-2-4_Management_of_Clinical_Concerns.pdf)
- JSP 757 (Tri-Service Guidance on Appraisal Reporting)  
<http://defenceintranet.diif.r.mil.uk/Reference/DINsJSPs/Pages/JSP757.aspx>
- JSP 763 (MOD bullying and harassment complaints procedures):  
<https://www.gov.uk/government/publications/jsp-763-the-mod-bullying-and-harassment-complaints-procedures>
- JSP 831 (Redress of individual grievances: service complaints)  
<https://www.gov.uk/government/publications/jsp-831-redress-of-individual-grievances-service-complaints>
- JSP 101 (Defence Writing) <https://www.da.mod.uk/publications/JSP-101-Defence-Writing-Guide>
- Armed Forces Act 2006 is available at  
<http://www.legislation.gov.uk/ukpga/2006/52/contents>

### RCN resources

The RCN Defence Nursing Forum are a professional resource to support, advise and empower members.

## **Military Terminology**

ADMN – Academic Department of Military Nursing

AP – Assistant Practitioner

CBRN – Chemical, Biological, Radiological and Nuclear

CCAST – Critical Care Air Support Team

CMT – Combat Medical Technician

CoC – Chain of Command

DARTS – Deployable Aeromedical Response Team Squadron

DCHET – Defence College of Healthcare Education and Training

DCMH – Department of Community Mental Health

DIN – Defence Instructional Notes

DMG – Defence Medical Group

DMRC – Defence Medical Rehabilitation Centre

DMS - Defence Medical Services

DNA – Defence Nursing Advisor

DNNS – Director Nursing Naval Services

DNS – Director Nursing Services

DONC – Defence Operational Nursing Competencies

DPHC – Defence Primary Healthcare Service

FM – Flight Medic

HSO – Health Support Officer

HQSG – Head Quarters Surgeon General's Department

JHG – Joint Hospital Group

JSP – Joint Services Publication

MA – Medical Assistant

MERT – Medical Emergency Response Unit

MNP – Military Nurse Practitioner

MSO – Medical Support Officer

MTF – Medical Treatment Facility

OR – Other Rank

PHC – Primary Health Care

PJHQ – Permanent Joint Headquarters

PMRAFNS - Princess Mary's Royal Air Force Nursing Service

QARANC - Queen Alexandra's Royal Army Nursing Corps

QARNNS - Queen Alexandra's Royal Naval Nursing Service

RAF – Royal Air Force

RCDM – Royal Centre for Defence Medicine

RO – Reporting Officer

RN – Royal Navy

RNR – Royal Navy Reserves

# DefenceFocus



	ROYAL NAVY	ROYAL MARINES	ARMY	ROYAL AIR FORCE	MOD CIVIL SERVANTS
****	ADMIRAL	GENERAL	GENERAL	AIR CHIEF MARSHAL	PUS
***	VICE ADMIRAL	LIEUTENANT GENERAL	LIEUTENANT GENERAL	AIR MARSHAL	SENIOR CIVIL SERVANT PAY BAND 3
**	REAR ADMIRAL	MAJOR GENERAL	MAJOR GENERAL	AIR VICE-MARSHAL	SENIOR CIVIL SERVANT PAY BAND 2
*	COMMODORE	BRIGADIER	BRIGADIER	AIR COMMODORE	SENIOR CIVIL SERVANT PAY BAND 1
(Stars are allocated to the most senior ranks across defence)					BAND B1
	CAPTAIN	COLONEL	COLONEL	GROUP CAPTAIN	BAND B2
	COMMANDER	LIEUTENANT COLONEL	LIEUTENANT COLONEL	WING COMMANDER	BAND C1
	LIEUTENANT COMMANDER	MAJOR	MAJOR	SQUADRON LEADER	BAND C2
	LIEUTENANT	CAPTAIN	CAPTAIN	FLIGHT LIEUTENANT	BAND D/SKILL ZONE 4
	LIEUTENANT COMMANDER	MAJOR	MAJOR	SQUADRON LEADER	BAND C2
	LIEUTENANT	CAPTAIN	CAPTAIN	FLIGHT LIEUTENANT	BAND D/SKILL ZONE 4
	SUB LIEUTENANT	LIEUTENANT	LIEUTENANT	FLYING OFFICER	Within the MOD Civil Service there are also band E1/skill zones 2 & 3, and band E2/skill zone 1 staff. However, no equivalent military ranks have been established for these grades)
	MIDSHIPMAN	SECOND LIEUTENANT	SECOND LIEUTENANT	PILOT OFFICER	
	WARRANT OFFICER 1	WARRANT OFFICER CLASS 1	WARRANT OFFICER CLASS 1	WARRANT OFFICER	<p>Don't worry where I fit in... I'm just 'ere to 'old the ladder!</p>
	WARRANT OFFICER 2	WARRANT OFFICER CLASS 2	WARRANT OFFICER CLASS 2	WARRANT OFFICER	
	CHIEF PETTY OFFICER	COLOUR SERGEANT	STAFF SERGEANT	FLIGHT SERGEANT	
	PETTY OFFICER	SERGEANT	SERGEANT	SERGEANT	
	LEADING HAND	CORPORAL	CORPORAL	CORPORAL	
		LANCE CORPORAL	LANCE CORPORAL	SENIOR AIRCRAFTMAN	
	ABLE RATE	MARINE	PRIVATE	AIRCRAFTMAN	

## THE PECKING ORDER

AS ANYONE who works in defence knows, there are clearly defined rank structures. But, while the pecking order may be clear within your own Service, equivalent ranks or grades in the other Services may be less apparent. With joint operations becoming increasingly common and many bases run by a

mix of uniformed and civilian MOD staff, you need to know where you stand. If nothing else, we hope this poster helps you to know whom you should salute, and to find your way to the correct mess.

■ Special ranks peculiar to some units are not included here. This is a broad guide only.