



Complaints Handling Process



The Association of Translation Companies (ATC) is a professional membership association and the leading voice for companies operating in the UK’s language services industry.

The ATC defines standards of excellence for language service companies by promoting quality-driven language services and best practice to create recognition and trust to stakeholders.

This document describes the ATC’s formal Complaints Handling Process. All complaints against member companies are judged against the ATC’s Code of Professional Conduct.

The ATC is committed to investigating all complaints relating to alleged Code of Professional Conduct breaches fairly and objectively.

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What is a complaint?

A complaint is the submission of an allegation of breach of the ATC's Code of Professional Conduct. In other words, it is a reported case of alleged professional misconduct by an ATC member company. The ATC only investigates complaints against its member companies. Complaints are assessed against the association's Code of Professional Conduct.

Any disputes involving an ATC member company should first be discussed with the member company before submitting a formal complaint to the ATC.

A complaint may be submitted against a member company by an individual or entity who has a grievance against an ATC member or who has become aware of a breach of the ATC's Code of Professional Conduct by a member (henceforth Complainant).

All complaints are communicated to the member company (henceforth Respondent), who is given a copy of the complaint and will have an opportunity to respond to it.

For disputes over translation quality, the ATC also operates an Arbitration Service outside this formal Complaints Handling process.

Code of Professional Conduct

Admission to the ATC is conditional upon members agreeing to adopt and abide by the ATC's Code of Professional Conduct. All ATC members are required to comply with the Code.

The Code of Professional Conduct is designed to support members in maintaining professional standards. The Code is also intended to reassure clients, suppliers and other stakeholders that language services provided by ATC members are conducted in a professional manner.

The ATC expects its members to conduct business in an ethical manner with integrity, honesty and fair dealing. The Code sets out the principles that should constitute ATC members' method of doing business.

The Code does not take precedence over national law. Its provisions are intended as a minimum requirement by members, who must also fulfil any other responsibilities set down in law or other nationally or internationally agreed standards.

Examples of complaints

The below non-exhaustive list contains possible causes of breach of the ATC Code of Professional Conduct.

- Litigation against member company which involves a breach of the ATC Code of Professional Conduct
- Contractual breach
- Demonstrated conflict of interest
- Inappropriate disclosure or use of confidential information
- Intentional data security breach
- Misleading or unsubstantiated claims in documentation or promotional material
- Use of unqualified linguists

Caveats

The ATC complaints handling process may include, where appropriate, mediation for the Voluntary resolution of a complaint against a member company.

Possible outcomes of a successful complaint may include suspension or expulsion of a member, or a recommendation for the Complainant to seek legal recourse.

The ATC does not:

- order the respondent to award compensation;
- investigate complaints submitted more than twelve months after the alleged breach;
- give legal advice about the complaint, or appoint a solicitor to act for the complainant or the respondent.

Submitting a formal complaint

Formal complaints must be made in writing using the ATC Complaint Form, and submitted to the ATC Secretariat at secretary@atc.org.uk.

A complaint must be submitted within twelve months of the alleged breach having become known.

Who can submit a complaint?

A complaint may be submitted by an individual, company or other entity, or an individual representing a company or other entity, who has a grievance against an ATC member, or has become aware of a breach of the ATC's Code of Professional Conduct by a member.

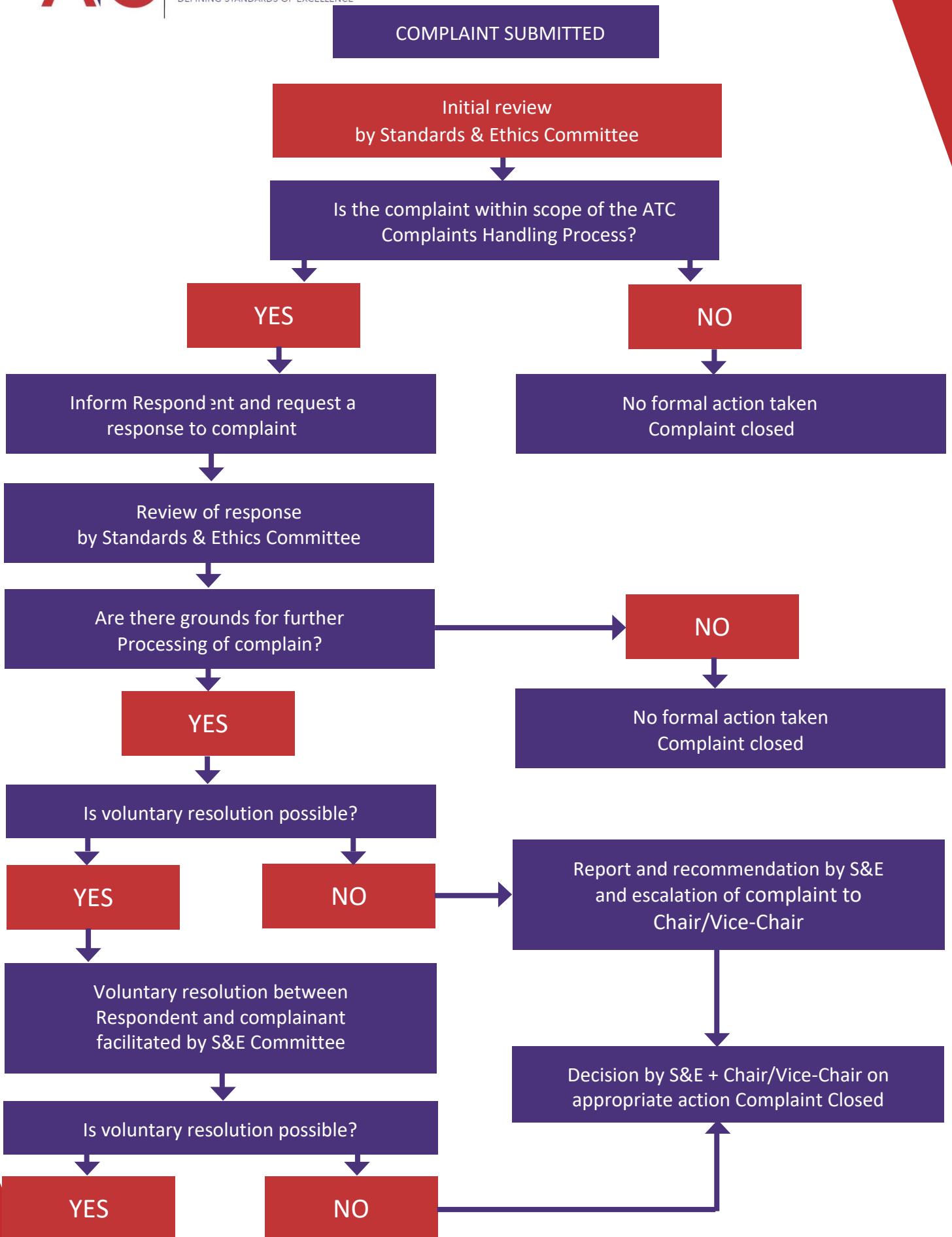
This may be a supplier or client to an ATC member company, their employee, or their peer.

Complaints handling process

Complaints are processed by the ATC's Secretariat and reviewed by the ATC's Standards & Ethics Committee. Where necessary, cases may be escalated to the ATC's Chair and Vice-Chair.

The Respondent is always informed of the complaint and given an opportunity to respond to it.

Both the Complainant and the Respondent will be kept updated by the ATC's Secretariat on the progress of the complaint at every stage of the process.



Resolution Outcomes

All complaints are reviewed by the ATC's Standards & Ethics Committee.

No formal action

No formal action will be taken based on a complaint if:

- The complaint falls outside the scope of this Complaints Handling Process; or
- There are no grounds for further processing of the complaint following the Standards & Ethics Committee's review.

Voluntary resolution

Voluntary resolution intends to reach a conclusion that is satisfactory to both parties, without resorting to formal disciplinary proceedings. If agreement is not reached through voluntary resolution as facilitated by the ATC's Standards & Ethics Committee, or voluntary resolution is not an appropriate course of action for handling the complaint, the complaint will be escalated to the ATC's Chair and Vice-Chair.

Suspension or termination of membership

Should a complaint be judged against the Respondent, in consultation with the ATC's Chair and Vice-Chair the ATC's Standards & Ethics Committee may order the Respondent's membership to be suspended for a determinate amount of time, or their membership to be terminated completely.

Recommendation for legal recourse

If a complaint cannot be fairly and objectively judged by the Standards & Ethics Committee in consultation with the Chair and Vice-Chair based on the information available to them, the ATC may recommend the Complainant should seek legal recourse. Any such recommendation is opinion-based only and not considered to be legally binding or intended to be taken either as, or in the place of, formal legal advice.

The ATC reserves the right to re-open a complaint based on the outcome of any legal action.

Informal complaints

The ATC Complaints Handling Process is a formal grievance procedure. The ATC understands that on occasion there may be grounds for an informal complaint against a member, e.g. relating to unethical business behaviour which may have come to the attention of a third party who does not wish to file a formal complaint in their name.

An informal complaint may be communicated to the ATC's Standards & Ethics Committee and Chair/Vice-Chair via the ATC's Secretariat at secretary@atc.org.uk. The ATC reserves the right to judge whether the ATC member implicated should be informed and/or whether the informal complaint is discussed with the member in a positive tone.

Reporting

The outcomes of any complaints processes are reported to the ATC's Council quarterly.

Data privacy

The ATC places great importance on the correct, lawful and fair handling of all confidential information and personal data, respecting the legal rights, privacy and trust of all individuals and organisations with whom it deals.

All data is stored within the ATC's secure repositories. It is only accessible to appropriate ATC representatives, i.e. our administration staff, Chair, Vice-Chair, Standards & Ethics Committee and Chief Executive Officer, who have signed a non-disclosure agreement with the ATC.

By filing a formal complaint, the Complainant gives permission for the ATC and its representatives to access any relevant personal or confidential data required for the complaint handling process, and to inform the Respondent of the details of the complaint.

All personal data is handled in accordance with the ATC's General Data Protection processes.

Definitions

Complaint

The submission of an allegation of breach of the ATC's Code of Professional Conduct against an ATC member company.

Complainant

A person or other legal entity making a complaint. A Complainant may be an individual, a company or other corporate body or institution or an individual representing a company or other corporate body or institution, e.g. an ATC member company's client, employee, supplier or peer.

Respondent

A member who is the subject of the complaint

Standards & Ethics Committee

Committee elected from ATC Council representatives

Chair & Vice-chair

ATC's Officers elected from ATC Council representatives