



Support for Young People
Affected by Crime

Complaints Policy

Context:

SAFE! is a charity that provides support to young people affected by crime and bullying in Oxfordshire, Buckinghamshire and Berkshire. All complaints about SAFE! services are taken seriously and are thoroughly investigated.

This is the mandatory procedure to follow if a complaint is received about any SAFE! service or activity. Complaints may be received directly from a complainant or from someone acting on their behalf. This policy and procedure is for internal use only.

This policy does not consider internal staff grievances and disciplinary processes.

Principles:

- The process is part of a learning culture which focuses on innovation and change, and not blame.
- Service user feedback is encouraged, and complaints are managed positively as an opportunity to continually improve services.
- Complainants will, at all times, be treated with respect and courtesy, and be kept informed about the progress of any investigation.
- The process is fair and transparent to all parties: complainant and staff.
- All appropriate steps are taken to increase access to the procedure for people who need help to make a complaint.
- Complaints are resolved accurately and all parties will receive a timely response.
- The process is confidential and secure so that people can speak freely.
- Action is taken to improve services to reduce and prevent repeated complaints.
- This policy is regularly monitored to make sure that it works, and is applied consistently.

The Board of Trustees will receive reports on all complaints made to ensure that these principles are adhered to, and that quality improvements are achieved.

Definition:

A complaint is an expression of dissatisfaction that requires a response. A complaint may be:

- Informal - where the service user does not want to follow a formal process, but does want to have their concern acknowledged and addressed.
- Formal – where the concern must be addressed following the formal complaints procedure.

Informal complaints procedure:

Complaints can often be managed informally as most people simply want their concerns to be heard and acknowledged in a timely fashion, and to be taken seriously. Informal complaints should be recorded and managed following these steps.

1. When a complaint is made by phone, explain to the service user:
 - a. their option to pursue the concern informally or formally. The procedure for managing a formal complaint is set out below.
 - i. An informal complaint is addressed by the Director (unless the complaint is about them) through discussion or review.
 - ii. A formal complaint involves an investigation by the Director or the Chair of the Trustees (unless the complaint is about them). They will interview the person who is the subject of the complaint and relevant witnesses, and report their findings in writing.
 - b. the relevant manager will contact them to acknowledge their concern within 5 working days, and their concerns will be addressed within 10 working days (of receiving the informal complaint).
2. Record all informal complaints received by phone or in writing on the Complaints record. As complaints involve personal data, the Complaints record and all other electronic complaints information must be stored securely on the approved site.
3. The Manager should briefly explain what will happen and ask the complainant if they would like us to contact them again to let them know what we've done about their concerns, where appropriate.
4. The Manager will communicate and agree the proposed resolution of the issue to the complainant. This should be completed within ten working days of the complaint being logged.
5. If the complainant is satisfied with the response, the case is closed.
6. The Complaints record should be updated with details of actions taken, the final outcome, and any lessons learned and acted on.

Formal Complaints Procedure:

This procedure must be followed in all cases where service users want to make a formal complaint about SAFE! or an activity. Complaints can be made by the service user directly, or by someone acting on their behalf, for example a parent or carer.

- A formal complaint should normally be made within six months of the date when the incident took place or came to light, there can be exceptions to this due to vulnerability
- Complaints must never be investigated by the subject of the complaint.

Managing formal complaints

1. When a complaint is received by phone explain to the service user:
 - a. their option to pursue the concern informally or formally. The procedure for managing an informal complaint is set out above.
 - i. An informal complaint is addressed through discussion or review
 - ii. A formal complaint involves an investigation by the Director or the Chair of the Trustees (unless the complaint is about them). They will interview the person who is the subject of the complaint and relevant witnesses, and report their findings in writing.
 - b. that their formal complaint can be made:
 - i. in writing by email, letter or using the website
 - ii. by phone with the details recorded in writing during the conversation.
 - iii. with the help of someone else, if they wish
 - c. that their complaint will be passed on to, and managed by the Director or Chair of the Trustees who will investigate their concern, unless the complaint is about them. The manager will contact them within 5 working days.
2. All complaints received by phone or in writing must be recorded on the Complaints record.
3. The Manager should contact the complainant:
 - a. initially, to acknowledge their concern in writing within 5 working days of its receipt. This is the date that the complaint was first logged.
 - b. at the end of the investigation to explain how the concern has been resolved.
 - c. if required, to inform the complainant if a delay to the timeframe for completion is anticipated, and the reasons why.
5. The investigation should be completed within 30 working days of receipt, where possible, and a response communicated to the complainant immediately afterwards.
6. The Complaints record must be updated to include all actions, dates, responsible people, the outcome, lessons learned, and actions taken to improve the future service.
7. Complaints about SAFE! may also be made directly to the Office of the Police and Crime Commissioner for the Thames Valley using the address below:

FAO: OPCC Policy Development Manager
OPCC for Thames Valley
The Farmhouse, Force Headquarters
Kidlington,
OX5 2NX

The investigation:

Formal complaints will be managed by the appropriate Manager who must:

- Carry out the investigation
- Agree a date for a draft response to be prepared
- Monitor response timelines and make sure that all actions are appropriately completed
- Make sure that a full response is prepared within 30 working days of the complaint being received, and passed onto the complainant as soon as possible thereafter. If there is an unavoidable delay this must also be recorded, communicated and explained.
- Identify and record any outcomes that can be used as lessons learned to reduce complaints in future
- Demonstrate how lessons learned have been acted on

Carrying out the investigation:

The investigating manager must not have been involved in the complaint at any stage, or be the subject of the complaint.

The investigating officer must consider only the substantive issues raised by the complaint:

- Details of the complaint
- Evidence relating to the complaint
- Dates, times, places and people involved in key events
- The names of any witnesses
- Relevant papers, letters etc
- Any evidence of how the matters under investigation have affected the complainant or impacted on SAFE!
- Any indication of what the complainant might expect as an outcome of the investigation

The investigating officer may need to contact the complainant during their investigation to clarify any points that arise. This is also an opportunity to keep complainants informed about the progress being made in their case. They should be given a telephone number or email address to make contact if they want any further updates.

Response to the complaint:

The written response to the investigation should:

- Be approved by the Director or Chair of Trustees (whoever is not carrying out the investigation) before issue Evidence relating to the complaint
- Acknowledge distress which the complainant has felt
- Address all the issues raised by the complainant
- Identify and explain any action taken and / or planned in response to the complaint.
- Be written in plain language and avoid use of jargon and acronyms
- Be balanced and fair.

If the complaint is not upheld this should be explained clearly, and the reason for this decision set out in the response.

Appeals:

The response to a complaint must advise the complainant that they have the right to appeal the decision if they are not satisfied. The complainant may believe that the:

- Main points of the complaint have not been addressed
- Outcome is not satisfactory
- Process of investigation was flawed or unfair.

Appeals will be managed by the Chair of the Trustees. This will involve a review of the process so far, and of the investigative material.

The same timescales apply to an appeal:

- Acknowledgement within 5 working days of the receipt of the appeal
- An assessment of the case material and process will be carried out within 30 working days of the receipt of the request to appeal. A response will be sent to the complainant in writing immediately afterwards.
- Any delay must be explained to the complainant. This could include cases where a new investigation of the case is ordered.
- Decisions made as a result of the appeal are final.

Criminal offences:

If any investigation gives rise to concern that a SAFE! Worker, or trustee has been engaged in any criminal activities, the Project Manager will discuss this with the Chair of the Board before they refer the matter to the police.

Related Policies and Procedures:

Data Protection Policy
Equal Opportunities

Reviewing:

All policies are subject to an annual review and any additional regular review to reflect, for example, changes in legislation or to the structure of policies of SAFE!

The next planned review of this policy will be August 2016.