



Support for Young People  
Affected by Crime

## Complaints and Compliments Policy and Process

### **Context**

SAFE! is an independent charity which provides support to children, young people and families affected by crime and abuse across the Thames Valley area. We strive to deliver outstanding levels of service but acknowledge that there could be times when we might not achieve the high standards we set for ourselves. We take complaints seriously. SAFE! views complaints as an opportunity to learn and improve, as well as a chance for us to put things right for the person, or organisation that has made a complaint. We recognise that complaints and compliments can be elicited through planned consultation and our monitoring and evaluation processes, but that these can occur spontaneously. All are deemed as being of value for organisational development and within the scope of this policy.

Matters relating to staff grievances, disciplinary processes and whistleblowing are not within the scope of this policy.

### **Legislation**

The Charities Act 2011 (updated 2022)

Charities (Protection and Social Investments) Act 2016,

The Charity Commission Regulations

Fundraising Regulator – Code of Fundraising Practice

### **Definitions**

Compliments are expressions of praise and let us know that we have got something right. Compliments are beneficial for staff morale and motivation and can help us share good practice and improve services. Compliments may be received directly from a service user or from someone acting on their behalf.

Staff are encouraged to share compliments they receive, about themselves, colleagues, or the organisation. They can be shared verbally, or in writing, either via email or by sharing on our 'Virtual Wall of Glory' on MS Teams.

It is not unusual for children, young people, and their caregivers to gift items to SAFE! colleagues as a 'thank you' for the support they have provided. However, it is important to all involved that this is managed appropriately to ensure appropriate boundaries. Appropriate

gifts might include, edible gifts or flowers, within a nominal value of less than £15-20, or handmade items from SAFE! service users.

Staff members should advise their Line manager and record that they have received a gift within the case records for the service user. This policy does not affect the authority of SAFE! to accept charitable donations in furtherance of its governmental purposes. If a member of SAFE! staff receives a gift prohibited by this policy, they must notify the gift giver of this policy and graciously decline or return the gift. Members of staff should also advise their Line Manager and record this within a case note to ensure transparency.

A complaint may be generally defined as an expression of dissatisfaction, however made, about actions taken or a lack of action that requires a response. Where it is unclear whether a communication is a concern or a complaint, SAFE! acknowledges that it is generally best to err on the side of caution and treat it as a complaint. Complaints may be made by SAFE! service users, their caregivers, staff, or volunteers in other agencies, or by the public (all hereafter termed; 'the complainant'). SAFE! aims to ensure that all complaints about SAFE! are acknowledged, taken seriously, thoroughly investigated, resolved to everyone's satisfaction, and used to inform learning and future improvements to services and prevent future complaints.

**A complaint may be:**

**Informal** - where the complainant does not want to follow a formal process but does want to have their concern acknowledged and addressed.

**Formal** – where a complainant wants their concern to be addressed following the formal complaints procedure.

**SAFE!'s commitment to complaints:**

**Ease of access**

- If any individual wishes to make a complaint or register a concern about any aspect of SAFE! they should find it easy to do so.
- SAFE! will offer support for people who need help to make a complaint.
- There is a dedicated 'Comments and Complaints' page on SAFE!'s website with clear advice on the steps to take, including the process for escalation.

**Timely**

- SAFE! is committed to resolving complaints accurately and ensuring that all parties receive a timely response.
- A named person will be responsible for the administration of the procedure.
- Every verbal or written complaint will be acknowledged within five working days.
- Informal complaints will be addressed within 10 working days, and investigations into formal complaints will be held within 28 working days.

### **Fair and sensitive**

- Complaints will be managed with due regard to the upset and worry that they can cause to all those involved.
- All parties will be treated with respect and courtesy and will be kept informed about the progress of any investigation.
- SAFE! will endeavour to keep the process fair and transparent for all parties.

### **Restorative**

- Where appropriate, a restorative process will be used.
- A restorative process may be appropriate, either to address a concern with the aim of avoiding a situation proceeding to a formal complaint, as part of the plan to resolve a formal complaint or following the outcome of the formal complaint.
- If a restorative process is explored, it must be clear that the process is voluntary for all parties.
- Any relationship between the restorative process and the formal or informal complaints process must be made clear.
- A restorative process must be facilitated by a trained and experienced restorative practitioner, working to Restorative Justice Council Best Practice Guidance.

### **Confidential**

- The complaints process is regarded by SAFE! as confidential and secure so that people can speak freely. Except in cases where there is a safeguarding concern, permission will be sought before personal information is shared between any parties involved in a complaint.

### **Learning**

- The complaints process is integral to SAFE!'s learning culture which focuses on innovation and change, and not blame. Feedback is encouraged and SAFE! aims to manage complaints positively, regarding them as an opportunity to continually adapt and improve its services, and to prevent repeated complaints.

### **Transparent**

- SAFE! will share anonymised details of all complaints, outcomes and learning with our Board of Trustees and funders.

### **Criminal matters:**

If any investigation gives rise to concern that a SAFE! worker, volunteer or trustee has been engaged in any criminal activities, the CEO will discuss this with the Chair of Trustees before they refer the matter to the police. In this situation, the matter would be managed through SAFE!'s Staff Code of Conduct and related policies.

### **How SAFE! learns from complaints:**

All complaints received by phone or in writing must be recorded in the Complaints Record. This record must be updated to include all actions, dates, responsible people, the outcome,  
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lessons learned, and actions taken to improve the future service. The outcomes of the investigation and the meeting will be recorded and any shortcomings in SAFE!'s procedures should be identified and acted upon.

The SAFE! Board of Trustees will receive reports on all formal complaints made. Complaints and their outcome will be discussed within Trustees meeting to ensure that these principles are adhered to, and that quality improvements are achieved.

**Related policies and procedures:**

Complaints Process (Annex A of the Complaints and Compliments Policy)

GDPR

Equality, Diversity, and Inclusion Policy

Code of Conduct for Staff

Whistleblowing

Safeguarding Children Policy

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!

**Policy review date: November 2024**

## ANNEX A: SAFE! Complaints process.

### 1. Complaints - general considerations

When a complaint is received, the following questions need to be taken into consideration:

- Does the complainant want to pursue this through the organisation's complaints procedure (informally or formally), or is this a matter that can be quickly or easily resolved to their satisfaction?
- Has a substantially similar matter from the same complainant previously been handled through the complaint's procedure? If there are significant differences, the matter should be considered as a new complaint.
- If ongoing communication/contact turns into a 'complaint', this falls the scope of SAFE!'s complaints procedure.

If the SAFE! employee receiving the complaint has had any role in the events which have given rise to the complaint, they must not undertake the investigation. Doing so could compromise the need to be, and being seen to be, impartial. It is for SAFE! to decide who will investigate and not for a complainant to specify.

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. SAFE! staff should use a restorative approach to listen to the complainants' concerns and avoid judgement, blame or defensiveness in responding to the issues raised.

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

### 2. Management of informal complaints

#### a) Receiving the complaint

When a complaint is made verbally, e.g., by phone, the staff member receiving the complaint, having listened carefully to the complainants' concerns, should explain:

- i) their option to pursue the concern **informally** or **formally** (the procedure for managing a formal complaint is set out in the section '**Formal Complaints process**').
- ii) that an informal complaint is addressed by the CEO (unless the complaint is about them), or delegated to a member of SAFE! management, through discussion or review.
- iii) that the CEO or delegated manager will contact the complainant to acknowledge their concern **within five working days**, and their **concerns will be responded to within 10 working days** (of receiving the informal complaint).

### **b) Responding to informal complaints**

The member of staff receiving the complaint should notify their Line manager and the CEO of this **within one working day**, to ensure that the matter can be dealt with in a timely manner.

Once the complaint has been passed onto them, the CEO or delegated manager will contact the complainant, briefly explain what will happen, and ask them if they would like SAFE! to contact them again to let them know what has been done about their concerns, where appropriate.

Following a discussion and review of the issues raised, the CEO/delegated manager will contact the complainant again to communicate and agree the proposed resolution of the issue. **This should be completed within 10 working days of the complaint being logged.** If the complainant is satisfied with the response, the case is closed.

All informal complaints received by phone or in writing will be recorded in 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. The Complaints Record should be updated with details of actions taken, the outcome, and any lessons learned and acted on.

If the complainant remains unsatisfied, they have the option of proceeding to a formal complaint.

### **3. Management of formal complaints:**

#### **a) Receiving the complaint**

Any member of staff receiving a formal complaint, whether that is verbally or in writing, should alert their Line Manager and the CEO to this **within one working day**, to ensure that the matter can be dealt with in a timely manner.

When a complaint is received verbally, e.g., by phone and the complainant has chosen the option of pursuing the concern formally, **the staff member receiving the call should explain that their formal complaint can be made:**

- i) In writing by email, letter, or using the website.
- ii) By phone with the details being recorded in writing by the employee, during the conversation.
- iii) and, always with the help of someone else, if they wish.

#### **b) Responding to formal complaints:**

The staff member receiving the call should explain that the complaint will be passed on to, and managed by the CEO or Chair of the Trustees who will investigate their concern (unless the complaint is about them) and that this person will contact them **within the next five working days.**

Whether the complaint has been received verbally or in writing, the **CEO or Chair of the Trustees should contact the complainant in writing within five working days** of its receipt to acknowledge their concern and explain the investigation process. It may be useful at this stage to produce a summary or statement of the complaint. The CEO or Chair of the Trustees might want to agree this through communication with the complainant before pursuing the investigation, especially if the complaint is particularly complex or contains multiple issues. This can significantly reduce the likelihood of a complainant complaining at a later stage of the process that the investigation has not addressed their concerns.

If the complainant is not prepared to have the investigation conducted by SAFE! they should be advised to contact 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

#### **4. Investigation of the complaint:**

Immediately on receipt of a formal complaint SAFE! should launch an investigation and within 28 working days should be able to provide a full explanation to the complainant, either in writing or by arranging a meeting with the individuals concerned.

Formal complaints will be managed by the CEO or Chair of Trustees (the 'Investigating Officer') 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 28 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.
- Implement opportunities for this learning to take place, e.g., through training or communicating to staff through team meetings.
- Demonstrate how lessons learned have been acted on.

The Investigating Officer must not have been involved in the complaint at any stage or be the subject of the complaint.

The complainant should be given the name, telephone number or email address of the investigation officer, so that they can make contact if they want further updates. If the

complaint was made by another individual on the complainants' behalf, then consent, preferably in writing, must be obtained from the complainant.

### **Actions to take when carrying out an investigation:**

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 the complainant informed about the progress being made in their case.

The Investigating Officer should inform the complainant if a delay to the timeframe for completion is anticipated, for example if the issues are too complex to complete the investigation within 28 working days.

The Investigating Officer may need to interview staff members (if they are involved in any allegation relating to the complaint). They have the right to be accompanied by a colleague or Union representative. If the complaint is upheld then this may lead to disciplinary measures taken against the staff member.

If the complaint raises potentially serious matters, advice should be sought from a legal advisor for SAFE! If legal action is taken at this stage any investigation by SAFE! under the Complaints process should cease immediately.

### **Outcomes of investigations:**

Where possible, the outcome of a complaint should be communicated to the complainant in person.

If a meeting is arranged the complainant should be advised that they may, if they wish, bring a friend or relative or a representative such as an advocate.

At the meeting a detailed explanation of the results of the investigation should be given and an apology if it is deemed appropriate (apologising for what has happened need not be an admission of liability). Such a meeting gives SAFE! the opportunity to show the complainant that the matter has been taken seriously and has been thoroughly investigated.

After the meeting, or if the complainant does not want a meeting, a written account of the investigation should be sent to the complainant.



The written response to the investigation should:

- Be approved by the CEO or Chair of Trustees (whoever is not carrying out the investigation)
- Acknowledge distress which the complainant may have 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.
- Include details of the appeals process

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

## 5. Appeals process:

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 should explain why they are appealing the outcome. They may believe that:

- The main points of the complaint have not been addressed.
- The outcome is not satisfactory.
- The process of investigation was flawed or unfair.

Appeals will be managed by the Chair of the Trustees, or another Trustee if the Chair was the Investigating Officer. This will involve a review of the process so far, and of the investigative material.

The same timescales apply to an appeal:

- **Acknowledgement within five working days** of the receipt of the appeal
- An assessment of the case material and process will be **carried out within 28 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 situations where a new investigation of the case is ordered.

If a complaint is about fundraising, and the complainant is not happy with the response from SAFE!, they can be advised to contact the Fundraising Regulator.

If a complainant has a serious concern about how SAFE! is being run and they are not happy with the response from SAFE!, they can be advised to contact the Charity Commission.