

SOSRC

Complaints Procedure

Title	Complaints Procedure		
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Introduction and Purpose

At SOSRC it is essential to maintain certain standards, practice and work performance. This is in order to;

- ensure the smooth running of the project
- protect the well-being of all those involved in the project
- ensure that both complainants, staff and volunteers know what procedure will be followed in the event of a complaint being made
- ensure that the process of investigation is open, thorough and fair to all parties

It is recognised that staff work closely with young women, adults, and vulnerable women and with networks of agencies seeking to provide information, education, and social and welfare services. To be successful staff and volunteers must establish a confidential, trusting relationship with service users.

SOSRC is committed to taking seriously any complaint that is made against -

- Its employees (incl. volunteers, management committee members, consultants, students etc.)
- The delivery of services
- Service users

All complaints are to be investigated properly and resolved at the lowest appropriate level if at all possible.

The complaints procedure is designed to ensure fair treatment for service users who feel that an employee's actions are;

- in breach of the service user contract
- below the requirements expected of them

Or

- To provide protection for staff from malicious or ill-founded complaints.

The complaints procedure is also to be used when service users feel that they have been treated unfairly (see Equal Opportunities Policy).

MAKING A COMPLAINT

Where a service user has a grievance or complaint about anyone listed under 1.3 above they will be asked to put this in writing. No action will be taken unless the complaint is in writing. The letter should include;

- details of the complaint
- date and time of the incident
- details of any witnesses to the incident

Should the complainant have literacy difficulties, an advocate can act on their behalf or assist them in making the complaint.

In the event of a complaint being received 3 months after the alleged action or event took place, the complainant must first establish an acceptable reason for delay in order the complaint to be investigated.

The letter should be addressed to the Chairwoman of the management team at SOSRC, The Hall, West Street, Grays, Essex. RM17 6LL. The Chairwoman will communicate the results of the enquiry to the complainant within a reasonable time. (normally 21 days). All specified time limits will be met unless this is not possible due to annual leave; personal ill health, family circumstances etc. and the complainant will be contacted at the earliest possible opportunity.

The Chairwoman will acknowledge receipt of a complaint within 7 working days. The investigation will commence within seven working days of receipt of the complaint. The chairwoman shall undertake to investigate the circumstances leading to the complaint.

The Chairwoman will liaise with the appropriate member of staff and determine whether the matter is to be dealt with initially as a minor or serious incident. A serious complaint being one that could lead to dismissal or criminal proceedings. If the matter is deemed at this stage to be of a minor nature, the Chairwoman will normally convene a meeting with the service user to discuss the complaint. Where appropriate, the service user can be accompanied by a friend, or advocate when attending the initial meeting.

The Chairwoman will provide the employee(s) with a copy of the complaint at the earliest opportunity and inform them of their right to seek advice.

The Chairwoman will interview the staff involved and if further information is required, interview other persons and/or obtain further documentary evidence. The employee(s) may arrange for a trade union representative or nominated person to be present at any interviews. It should be borne in mind that it may be possible to settle a complaint by having an informal meeting with the complainant and the member of staff concerned together, with the consent of all parties.

A file will be opened which will include details of the complaint and notes of action taken. Written records of all interviews will be kept in sufficient detail to facilitate the application of appeal procedures. Notes of any discussions will be made and these notes will be shared with the service user and their advocate.

Unless the matter appears to be unusually complex, the span of the enquiry should not be more than six weeks. Should this not be possible, and then all parties should be regularly informed of the situation, no less than every four weeks.

Unless the complaint is withdrawn, an investigation may only be concluded when the investigating Chairwoman is satisfied that all necessary information has been obtained and considered.

On conclusion the complainant should be advised in writing as to the outcome of the investigation and the reasons for the final outcome, together with any proposed or intended consequential action.
(normally within 21 days)

The staff member(s) subject of the complaint will also be advised of the outcome.

If the complaint is established, the method of redress or apology will be discussed with the member(s) of staff and the action agreed.

If during the course or on conclusion of an investigation evidence is revealed that leads to an allegation of misconduct or incapability, this should be pursued separately through the disciplinary process.

SATISFACTORY CONCLUSIONS

- Where a conclusion satisfactory to the service user is reached then this will be made explicit in the notes of the meeting.
- No further action will be necessary.

CONCLUSION IS NOT SATISFACTORY TO SERVICE USER

- If the service user feels that a satisfactory conclusion has not been reached, then they have the right to take the matter further.
- In this situation, the service user should put in writing to the Chairwoman the nature of their dissatisfaction enclosing a copy of their original complaint. Should the service user have literacy difficulties an advocate can write on the woman behalf. The procedure will be explained verbally to women at the first point of contact.
- The Chairwoman will acknowledge receipt of the complaint by within 7 working days.
- The Chairwoman will convene a meeting with the service user to discuss the complaint within ten working days of its receipt.
- Where appropriate the service user can be accompanied by a friend or advocate at this meeting.
- The Chairwoman and appropriate staff member will be in attendance at this meeting.
- Notes of the discussion will be taken and these notes will be shared with the service user and their advocate.
- Where satisfactory conclusion is reached then this will be made explicit in the notes of the meeting and no further action will be necessary.

TAKING THE COMPLAINT FURTHER

- If the service user feels that a satisfactory conclusion has not been reached then they have the right to request a meeting with representatives of SOSRC's Management Committee.
- If the appeal statement raises fresh information about the complaint, the panel will decide on whether the matter should be put back to the original investigating Chairwoman. If not, then all papers relating to the complaint will be forwarded to the panel
- The Chairwoman will convene a panel comprising three members of the Management Committee including the Chair and arrange a meeting within fifteen working days with the service user to ascertain the grounds for continuing dissatisfaction.
- The service user can be accompanied by a friend or advocate at this meeting.
- Following the meeting, the Chairwoman and panel will review all elements of the process of investigation, all documentation and other evidence. This will not be a re-hearing. In reaching a conclusion as to whether or not the investigation and its conclusions are sound, consideration shall be given to whether all available evidence was considered and whether the evidence supports the findings.
- The service user will be informed, in writing, of the decision made within ten working days of the meeting and a copy provided to the staff member concerned.
- If the complainant remains dissatisfied, the Chair shall be asked to arrange for a new panel to be set up with the power to co-opt new members for advice.
- The previously detailed procedure will again be followed and the complainant, staff member(s) and management advised of the outcome.
- In the case of complaints being made unreasonably and repetitively the committee reserves the right to take no further action.
- If the complainant continues to be dissatisfied, they should be assisted as far as possible to identify any continuing rights beyond SOSRC policy. Depending on the nature of the complaint this could be, e. g such bodies as Equal Opportunities Commission, The Commission for Racial Equality, ACAS etc. It may be that a complainant could resort to legal action.

COMPLAINING TO LOCAL COUNCILLORS OR MEMBERS OF PARLIAMENT (MP'S)

- Where a service user wishes to speak or write to their local councillor or MP then details of how to do this will be given to the service user.

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COMPLAINTS ABOUT OUTSIDE AGENCIES

- If the complaint is regarding actions taken by an outside agency, the complainant should be helped as far as possible to register it with the appropriate authority. Assistance is available through SOSRC or alternatively the Citizens Advice Bureau staff may undertake this.

ACTION BY THE AGENCY

- Where a service user's complaint against an employee has been upheld, then SOSRC will support the service user and take action against the employee concerned in line with the agency's Disciplinary Process and Procedures.
- Where the complaint concerns service delivery and the complaint is upheld, SOSRC will take all necessary action to support the service user and remedy the situation.

SERVICE USER INFORMATION

- Details of how to make a complaint are available in the SOSRC office or by asking a member of staff.

RECORD KEEPING

- Written records of all interviews shall be kept in sufficient detail to facilitate the application of the appeal procedure.
- No correspondence, documentation or other reference to a complaint should be kept on the personal file of a member of staff except when the findings result in disciplinary proceedings, when the rules relating to the relevant procedure will apply.
- Where the complaint is not founded a summary of the alleged incident and resolution will be kept by the Director for a minimum of three months and maximum of one year.
- Where the complaint is founded but does not constitute proceedings under the disciplinary process, the investigating officers report, all relevant correspondence and documentation will be held by the Director for such period as is appropriate to the circumstances and having regard to the possibility of civil action, but in all cases for at least three months and a maximum of one year.

Review Statement

This policy has been reviewed as part of the SOS Rape Crisis annual review cycle. It is to be reviewed annually as standard, or earlier if required in response to legislative, organisation, or operational changes.

END OF POLICY