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Internal Complaints Procedure

Version	2
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You may also be interested in these policies;

Grievance Policy and Procedure
Equality, Diversity and Inclusion Policy
Code of Conduct Policy
Anti-Fraud Policy

Introduction

1. Staff welfare is an essential part of the work of the Commission for Victims and Survivors (the Commission), augmenting and supplementing other aspects of personnel and line management.
2. The Commission has several policies in place which facilitate the making of complaints by staff including:
 - (i) the Grievance Policy and Procedure
 - (ii) the Equality, Diversity and Inclusion Policy
 - (iii) the Code of Conduct Policy.
3. In the first instance, staff should refer to these policies and follow the procedures set out there. However, if these policies do not appear to cover the issue which is of concern, staff may make a complaint – or bring attention to a particular matter – by following the procedure set out below.
4. The following procedure is designed to ensure that all members of staff have a fair and consistent means of making a complaint through the structure of the Commission.

Making a Complaint

5. There may be occasions on which members of staff have significant disagreements or grievances.
6. Staff are encouraged to raise the matter if they feel they are being treated in a manner which;
 - (i) Does not promote diversity of opinion or equality of opportunity
 - (ii) Threatens their personal safety
7. Staff are also encouraged to raise the matter if they believe that they are being required to act in a way which;
 - (i) Is illegal, improper or unethical
 - (ii) Is in breach of a professional code
 - (iii) May involve possible maladministration, fraud or misuse of public funds
 - (iv) Is otherwise inconsistent with the Code of Conduct.
8. Staff should draw attention to cases where;
 - (i) They believe there is evidence of irregular or improper behaviour elsewhere in the organisation, but where they have not been personally involved;
 - (ii) There is evidence of criminal or unlawful activity by others; or
 - (iii) They are required to act in a way which, for them, raises a fundamental issue of conscience.

9. We do not look on complaints as unwanted. They help us to see where our policies or procedures might be improved. Even if you do not think your particular concern amounts to a 'complaint' we would still like to know about it. You may help us to deal with something we would otherwise overlook.

Step 1 – Making a complaint

10. When something occurs that requires action under this policy, staff should raise the matter promptly with their Line Manager. If the complaint relates to action which the Line Manager has taken, then staff may raise the matter with the Secretary to the Commission. Where the Secretary is the Line Manager, staff should raise the matter with the Commissioner or the Chair of the Audit and Risk Assurance Committee.
11. The complaint should be in writing and should set out:
- the matter which is the reason for the complaint;
 - the action which has already been taken to resolve the matter (if any);
 - the outcome which the complainant would like to see achieved.

Step 2 – Meeting to discuss the complaint

12. The complainant will be invited to attend a meeting to discuss the complaint with the person dealing with the matter. This person will give proper consideration to all the details of the case, including the findings of any investigation he or she has carried out in advance of the meeting.
13. The complainant may be accompanied at the meeting by a Trade Union official, another employee or a friend.
14. A written record of the meeting will be made. The complainant will have an opportunity to see the draft of the written record and suggest any amendments that he or she considers necessary.

Step 3 – Communication of the response

15. The person dealing with the complaint will endeavour to provide a response to the complainant within 10 working days of the meeting. If this is not possible, the complainant will be informed of the delay and when a response can be expected.
16. Sometimes the matter may be of such severity that the person dealing with the complaint may bring in other people to assist with the investigation and ensure impartiality. The investigation may include further meetings with the complainant.
17. Having obtained all the information possible, the person dealing with the complaint will consider whether the facts support the complainant's case, and, if so, what action should be

taken. A written report of the investigation and the conclusions will be prepared and a copy will be made available to the complainant. The complainant will also be informed of the appeal process.

Step 4 – Appeal process

18. Where the complainant is unhappy with the conclusions reached and/or the action proposed, he or she may request further consideration of the matter by a senior person. Where the initial complaint was dealt with by the Line Manager, the appeal should be made to the Secretary of the Commission. Where the Secretary dealt with the initial complaint, the appeal should be made to the Chair of the Audit and Risk Assurance Committee.
19. Where the Chair of the Audit and Risk Assurance Committee dealt with the initial complaint, there is no further internal appeal process but it may be possible to raise the matter with someone outside the organisation (see step 5 below).
20. If the complainant wishes to make an appeal, this should be in writing and should set out clearly the reasons why the complainant is dissatisfied with the outcome of the initial investigation. A copy of the report of the initial investigation should be attached.
21. The process for considering an appeal will be similar to that followed in relation to investigation of the initial complaint, including one or more meetings with the complainant, gathering additional information and preparing a written report.
22. The complainant will be informed of the findings of the appeal within 10 working days of the meeting to discuss the appeal, where possible. If this is not possible, the complainant will be informed of the delay and when a response can be expected.
23. A written report of the consideration of the appeal and the conclusions will be prepared and a copy will be made available to the complainant. The complainant will also be informed of any further appeal process available.

Step 5 – Appeal outside the organisation

24. If the complainant is still unhappy with the conclusions reached and/or the action to be taken, he or she may seek advice from outside the organisation. It should be noted that external agencies will only consider issues when the internal process has been exhausted.
25. The Northern Ireland Public Services Ombudsman deals with complaints about maladministration by public authorities and may be able to advise on further action. The contact details are as follows:

The Ombudsman
Progressive House
33 Wellington Place
Belfast BT1 6HN

Tel 028 9023 3821
Textphone 028 9089 7789
Fax 028 9023 4912
email nipso@nipso.org.uk

26. The Equality Commission for Northern Ireland offers advice on issues relating to all aspects of anti-discrimination legislation, including discrimination relating to race, disability, sex (including gender reassignment), marital or civil partnership status, sexual orientation, religious belief, age, dependents and political opinion. Their contact details are as follows:

The Equality Commission for Northern Ireland
Equality House
7-9 Shaftesbury Square
Belfast BT2 7DP

Tel 028 9050 0600
Textphone 028 9050 0589
Fax 028 9024 8687
email information@equalityni.org

Variations to this process

27. The paragraphs above describe the standard process for investigation of complaints within the Commission. However, there may be occasions when the nature of the complaint or the severity of it requires a variation to this process. If this occurs, the person investigating the complaint will discuss any variations with the complainant at the meeting to discuss the complaint (step 2).