



Making a Complaint About or Providing Feedback to Safer London

Policy & Procedure

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Policy Owner	SLT
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Approved by	SLT
How policy will be disseminated	Saved on S: drive for giving to people who wish to make a complaint
Does policy require training for implementation	No
Describe cascade mechanism for communicating the policy	Via item in Staff Newsletter and verbal review with Practice Managers
Linked /related policies / procedures	* Complaints Policy (2) – Managing Complaints * Managing Allegations Policy * Internal Investigations & Hearings Guidance * Whistleblowing Policy * Grievance Policy * Equality, Diversity & Inclusion Policy * Data Protection policies and procedures
Document control	A controlled version of this document is available on the S: drive in the Policies and Procedures folder in the All Staff directory on the S:drive. Any printed versions are classified as uncontrolled.

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Policy Statement

Safer London is committed to providing a high quality, transparent and accessible service to everyone we deal with. In order to do this we need you to tell us when we get things wrong. We want to help resolve your complaint as quickly as possible.

We will listen to your complaints, treat them seriously, and learn from them so that we can continuously improve our services.

All complaints are treated confidentially and only those people who genuinely need to know will be kept informed of both the detail and the management of any complaints.

1. Definitions and Interpretation

- 1.1. A complaint may be defined as being a grievance, criticism, protest, grumble, moan, objection, whinge or gripe: in other words, it is negative feedback.
- 1.2. More specifically, in the context of this policy a complaint is any negative feedback on any aspect of Safer London's work **that requires us to take some form of action in response.**

2. Scope

- 2.1. This policy covers complaints about:
 - standards of service that are not what you should expect from us;
 - the behaviour of our staff in delivering that service, whether this is an individual or a team;
 - any action, or lack of action, by our staff or others in response to a situation in which they might reasonably have been expected to act or not act.
- 2.2. This policy does not cover:
 - comments about our policies or policy decisions – these are dealt with in line with the processes set out for each policy;
 - matters that have already been fully investigated under this policy or under other policies or procedures – these will not be investigated any further;
 - complaints by a staff member about another staff member – these should be logged and managed in line with the Grievance Procedure;
 - complaints by a volunteer about a staff member or about another volunteer – these fall under the Volunteer Policy;
 - allegations about staff behaviours that create safeguarding concerns – these should be raised and managed under the Managing Allegations Policy;
 - concerns that certain behaviours are placing the organisation, its staff or stakeholders at risk – these should be raised and dealt with under the Whistleblowing Policy;
 - anonymous complaints – while these will be logged and any learning taken from them they will not be investigated.

3. Our standards for handling complaints

- 3.1. We will accept complaints submitted verbally, by letter or email, or by any alternative means if required by virtue of reasonable adjustments.
- 3.2. We treat all complaints seriously.
- 3.3. You can expect to be treated with courtesy, respect and fairness at all times. We expect that you will also treat our staff dealing with your complaint with the same courtesy, respect and fairness.
- 3.4. We will treat your complaint in confidence, sharing relevant information and details only with those staff members who genuinely need to be involved or informed.
- 3.5. We will deal with your complaint promptly.
- 3.6. We will not treat you less favourably than anyone else because of your:
 - sex or legal marital or same-sex partnership status: this includes family status, responsibility for dependants, and gender (including gender reassignment, whether proposed, commenced or completed);
 - sexual orientation;
 - colour or race: this includes ethnic or national origin or nationality;
 - disability;
 - religious or political beliefs, or trade union affiliation;
 - any other unjustifiable factors, for example language difficulties, age, pregnancy and maternity.

4. Time limit for making a complaint

- 4.1. The time limit for making a formal complaint within the scope of this policy is normally six months from the date of the event which triggered the complaint.
- 4.2. This time limit may be extended at the absolute discretion of Safer London, and any decision to accept a complaint about something more than six months in the past will be made by the Director for Quality & Internal Resources in consultation with the Chief Executive and the Director for Safeguarding.
- 4.3. Any decision on extending the time limit will depend on factors including:
 - whether it is still possible to investigate the complaint effectively and fairly;
 - issues which may have made it difficult or impossible for the complaint to have been raised earlier;
 - the seriousness of the issue being complained about.

5. Representation by a third party

- 5.1. You may wish to have a third party act on your behalf. A third party is any person or organisation acting on behalf of or making enquiries for you as the complainant. Third parties may include, for example:
 - advice organisations;

- professionals such as social workers, community psychiatric nurses, doctors or solicitors;
 - family members or friends.
- 5.2. If you have asked a third party to help you with your complaint, we will need written consent from you to that effect. Once we have received this we will take all possible steps to keep the third party informed of progress on the complaint.
- 5.3. We do not need written consent if a MP or elected Councillor is helping you with your complaint as their constituent, and we can disclose information to them in response to their enquiries.

6. Continuous learning and reporting

- 6.1. Safer London is committed to learning from complaints and to this end all complaints will be logged by the Complaints Coordinator and relevant information – suitably anonymised to ensure that complainants cannot be identified – extracted from both the original complaint and the organisation’s response to enable us to:
- identify trends and address recurring problems, whether with an individual, a team or our processes;
 - identify learning to ensure improvements are made and embedded in response to a complaint, including for example changes to policies and procedures, or providing additional learning and development for relevant staff members.
- 6.2. Key details of all complaints received will be used in an annual report to our Senior Leadership Team and our Trustees setting out:
- the number of complaints received;
 - the number of complaints resolved satisfactorily and at what stage;
 - the number of complaints taken to the final review stage;
 - statistics around sex, age and relationship to Safer London of complainants;
 - overview of learning taken from complaints and changes made in response.

7. Confidentiality and Data Protection

- 7.1. All complaints received will be dealt with confidentially and in accordance with the requirements of the Data Protection Act 2018 and with Safer London’s own Data Protection Policies.
- 7.2. Information from complaints will be used for the purpose of reporting in line with our internal governance requirements but this information will be largely numeric and nature and any details about complainants will be anonymised.

8. Related policies and procedures

- 8.1. Depending on the nature of your complaint it may need to be dealt with under one of the following policies or procedures:
- Managing Allegations Policy – if the complaint includes serious safeguarding concerns about a staff member’s or volunteer’s behaviour.

- Whistleblowing Policy – if the complaint concerns behaviours on the part of senior staff members that create risks for service users, other stakeholders, Safer London staff or the organisation as a whole.
 - Grievance Policy – if you are a Safer London staff member with a complaint about a colleague or Safer London manager.
- 8.2. Any complaints will be dealt with as set out in the Managing Complaints Policy and Procedures and will also be subject to relevant conditions set out in the following policies:
- Equality, Diversity & Inclusion Policy.
 - Data Protection policies and procedures.
- 8.3. Please contact our Complaints Coordinator or the manager assigned to respond to your complaint if you wish to see copies of these policies.

9. Review

- 9.1. This policy will be reviewed every two years or any time if:
- it is invoked and use suggests that amendments are needed;
 - organisational restructures lead to changes in reporting lines or other processes;
 - legal requirements or good practice guidance around the management of complaints changes.
- 9.2. The designated policy owner is responsible for ensuring that the policy and procedures are reviewed and updated as needed, including when there are changes to any of the individuals or roles mentioned in the policy or procedures.

Procedures

1. How to complain to Safer London

- 1.1. If you wish to make a complaint, you can do so by telephone, in person, by email or letter or via our on-line complaint form.
- 1.2. If you are disabled, and need a reasonable adjustment to ensure you can register your complaint, you can:
 - ask a third party to help you to submit your complaint;
 - ask a Safer London staff member to help you in writing out your complaint;
 - ask a Safer London staff member to arrange for our interpreter service to help you to express your complaint – this service can provide interpreters for a number of languages including sign-language.
- 1.3. You can find contact details in the Contacting Us section below. If you require different adjustments, let us know and we will try and put those arrangements in place where we can.

2. How we will respond to your complaint

- 2.1. We have a two-stage handling procedure, explained below. At each stage it will help us to resolve your complaint quickly if you can give us as much clarity and detail as possible, including providing any documents and correspondence and stating that you are making a complaint. If we do not have all the details required to deal with the complaint, we may contact you and ask you for further information.

2.2. *Stage 1 – informal resolution*

This is the first opportunity for us to resolve your dissatisfaction. We expect the majority of complaints to be resolved at this stage. On receipt of your complaint we will ask a senior manager who is not directly involved in managing the person or team you are complaining about to respond to your complaint.

You will receive a response in writing setting out what was agreed between you and the complaint manager in order to resolve your complaint.

2.3. *Stage 2 – investigation*

If you are dissatisfied with the response at stage 1, or if your complaint is more serious, we will hold an investigation. This will be carried out by a senior manager or director who is not directly involved in managing the person or team you are complaining about.

The investigation may involve talking to people who may know specific details of the thing(s) you are complaining about. This may include, for example, colleagues of the person you are complaining about, their line manager, colleagues from partner organisations who are also working with you or with the person you are complaining about, and anyone who may have witnessed any incidents relating to your complaint.

It may also include looking at your Safer London case file and at the personnel file of the staff member(s) involved in the complaint.

- 2.4. You will receive our response in writing, setting out what has been done to investigate your complaint and what we will do to resolve it.

3. Timescales

3.1. Stage 1 – informal resolution

- We will acknowledge complaints within 2 working days of receiving your complaint.
- If we are not able to give you a full response immediately we will make every effort to send a full response within 10 working days of receiving your complaint.
- If you make a complaint in person to a member of our staff (at an event or meeting), we will record your complaint in writing within 1 working day, and acknowledge it within 1 working day after you have agreed the written record.
- Unless agreed otherwise we will update you at the end of the first working week on actions taken with regard to your complaint and on progress with our response.

3.2. Stage 2 - investigation

- We will acknowledge receipt of your complaint within 2 working days, and assign it to an investigating manager within 3 working days.
- We will make every effort to complete our investigation and send you a full response no more than 25 working days after receiving your complaint.
- While we are investigating your complaint we will update you at the end of every working week of our progress unless we agree something else with you.
- If we are unable to respond within 25 days – for example because your complaint is very complex and requires us to review detailed case file or personnel records or because key people that need to be interviewed are unavailable - we will let you know this as soon as possible and give you a timeline for when you can expect our response.

4. Possible responses to a complaint

4.1. When we get things wrong we will act to:

- accept responsibility and apologise;
- explain what went wrong and why;
- put things right by making any changes required;
- learn lessons from mistakes and change policies and practices where it is proportionate and sensible to do so.

- 4.2. The action(s) we take in response to a complaint to put matters right may include any combination of the remedies responses set out in the list in paragraph 4.6. below.

- 4.3. The general principle we follow is that you should, as far as possible, be put in the position you would have been in had things not gone wrong.
- 4.4. Our response will as far as possible be proportionate and appropriate to the failure in service, taking into account what you are hoping to achieve when you complain and what we can offer within our available resources.
- 4.5. Our responses may include:
 - a full apology, explaining what happened and/or what went wrong (please note that an apology is not an acceptance of liability under Section 2 of the Compensation Act 2006);
 - remedial action, which may include reviewing or changing processes in the service given to you;
 - putting things right by, for example, making changes to relevant procedures or processes to prevent future difficulties of a similar kind, either for you or others;
 - ensuring that relevant staff members receive additional training or supervision or a combination of both;
 - financial compensation.

5. If you are not happy with our response

- 5.1. If you are not happy with the way your complaint has been managed or with our response in either of the stages set out above you may ask the CEO to review our response. You need to do this in writing within 10 working days of receiving our response under either Stage 1 or Stage 2.
- 5.2. The CEO will arrange for a Review Panel to look at the investigation and the response – they will let you know at least 5 working days in advance when the Review Panel will meet and invite you to attend. The Panel will decide:
 - that our investigation of your complaint was thorough and our response appropriate; or
 - that further investigation is needed, in which case another senior manager will be asked to investigate your complaint further.
- 5.3. If the Panel decides that our response was appropriate they will let you know within 3 working days of their meeting.
- 5.4. If the Panel decides that further investigation is needed we will let you know what the timeline for this will be.
- 5.5. The decision of the Panel is final and no further correspondence or conversation will be entered into about the complaint.

6. Vexatious and repetitive complaints, and unreasonable or abusive behaviour

- 6.1. All complaints will be dealt with in accordance with this policy where applicable (see section 2 – Scope - of the Policy Statement). However, unreasonable or abusive complaint behaviour does happen from time to time and handling such

situations can place strain on time and resources and can be stressful for staff who have to deal with these complex and challenging issues.

- 6.2. See Appendix 1 for more information about vexatious complaints and unreasonable or abusive behaviour.

7. Complaints records

- 7.1. Complaint details, outcomes and actions taken are recorded by us and used for service improvement. We record all complaints we receive and collate data from them to help us understand what types of problems are most prevalent, and how well we are doing to resolve them.
- 7.2. Records relating to complaints are stored in a limited-access directory and only those people who genuinely need to access the records relating to any one complaint are given access to those records. The Complaints Coordinator is the only person with unrestricted access to all complaints records.
- 7.3. We value your feedback and will use it to help us to:
- get things right in the future;
 - become more customer-focused;
 - be more open and accountable;
 - act fairly and proportionately;
 - seek continuous improvement.
- 7.4. Your information will always only be processed and retained appropriately and legally, in line with data protection legislation and with Safer London's Data Retention, Archiving & Deletion Policy.

8. Contacting us

- 8.1. Complaints can be submitted verbally by telephone or face to face to any Safer London staff member or by calling our central number: 020 7021 0301.
- 8.2. Complaints can also be submitted by e-mail to any Safer London staff member or to the dedicated complaints inbox: complaints@saferlondon.org.uk, or via our on-line webform: <https://saferlondon.org.uk/get-in-touch/>
- 8.3. If submitting a complaint by post please send it to:
The Complaints Coordinator
Safer London
Skyline House
200 Union Street
London SE1 0LX
- 8.4. Unless otherwise agreed requests for a review under these complaints procedures should be sent by post to the above address or by e-mail to the complaints inbox.

9. Comments and feedback

- 9.1. Quality of service is an important measure for us of our effectiveness. Learning from complaints is a powerful way of helping Safer London to continuously improve and enable us to better deliver to our values and standards.
- 9.2. As well as learning from your complaints we are also interested in ideas you may have on when we do things well and how we can do these even better.
- 9.3. Your comments will be passed on to the relevant team and we will use them to help improve our service and the way we do things – for example by sharing good practice in one team with the other teams.
- 9.4. You can give us your comments and feedback by contacting any member of our staff, or you can e-mail us at info@saferlondon.org.uk.

Appendix 1 - Vexatious complaints, unreasonable and abusive behaviour

1. Vexatious or repetitive complaints

- 1.1. We sometimes receive complaints which can be deemed ‘vexatious’ or ‘repetitive’, and responding to these may be a disproportionate use of our staff’s time.
- 1.2. Deciding whether a complaint is vexatious requires us in each case to take into account the context and history of the complaint. We will consider whether the complaint is likely to cause unjustified distress, disruption or irritation to our staff, and we will consider the following issues in particular:
 - Could the complaint fairly be seen as obsessive?
 - Is the complaint harassing or causing distress to staff?
 - Does the complaint appear to be designed to cause disruption or annoyance to Safer London as a whole or to a specific staff member or team?
 - Does the complaint lack any serious purpose or value?
- 1.3. By its ordinary meaning, the term ‘vexatious’ refers to activity that “is likely to cause distress or irritation, literally to vex (annoy or upset, irritate or anger) the person to whom it is directed”.
- 1.4. For a complaint to be considered vexatious, we will look at whether there is a proper or justified cause for it. We will not only examine the complaint itself, but also its context and history. That context may include other complaints made to us by the complainant, the number and subject matter of any previous complaints, and the history of other dealings between the complainant and ourselves. The effect a complaint will have may be determined as much, or indeed more, by that context as by the complaint itself.
- 1.5. Factors we will take into consideration when determining whether a complaint is vexatious will include, but are not limited to:
 - if the complaint includes requests for information which has already been provided;
 - if the nature and extent of the complainant’s correspondence with us suggests an obsessive approach;
 - if the tone adopted by the complainant in correspondence or conversations is confrontational, angry, rude or takes the form of ranting, and suggests that the purpose is to argue rather than to obtain information;
 - if the complaint, and specifically the way in which it is presented, could reasonably be expected to have a negative effect on the health and well-being of our staff¹;

¹ If the complaint is a genuine one and concerns inappropriate or unacceptable behaviour on the part of a staff member it will not be considered vexatious; our investigation in such cases will take the staff member’s health and wellbeing into account but we will not refrain from investigating such complaints solely in order to protect our staff.

- if the complaint, viewed as a whole, appears to be intended simply to re-open issues which have been disputed several times before, and is, in effect, the pursuit of an earlier complaint by alternative means;
- if responding to the complaint would likely entail substantial and disproportionate financial or administrative burdens for us;
- if it is not a one-off complaint but the same complaint(s) being made repeatedly, or if the particulars of the complaint are changed, making it difficult to know exactly what the complainant is seeking and making it less likely that the request can be satisfied.

- 1.6. It is unlikely that any one of the above factors would lead to a finding that a complaint was vexatious. However, a complaint may be deemed vexatious by Safer London based on the strength of some or all of these factors in combination, taken together with the history and context of a complaint.
- 1.7. A complaint will not automatically be considered vexatious just because the complainant may have submitted an earlier complaint that was considered to be so. This is particularly the case if, on the face of it, the new complaint seems to be specific, stand alone and straight forward.
- 1.8. However, it is entirely appropriate and necessary, when considering whether a complaint is vexatious, to view that complaint in context - if, say, the complaint is part of a wider grievance against Safer London and is, for example, inextricably linked to an individual's quest to hold the organisation to account for perceived shortcomings.
- 1.9. Complaints can sometimes become a vehicle for individuals to try to reopen previous issues. Although we recognise that people are not always satisfied with the responses they receive, the raising of complaints is not a solution for problems that have not been resolved to the complainant's satisfaction through other channels. Continuing to complain after the original complaint has been addressed goes beyond the reasonable pursuit of a satisfactory or acceptable resolution and will be considered to be a repetitive complaint.
- 1.10. If a complaint is considered to be vexatious, the complainant will be notified in writing that no further correspondence or conversations will be entered into on the matter in question.

2. Unreasonable or abusive behaviour

- 2.1. Safer London understands and accepts that people may act out of character in times of distress or due to frustration. We do not view behaviour as unreasonable just because a complainant is forceful or determined, and our staff will always make reasonable allowances for a complainant's behaviour.
- 2.2. However, the situation between a complaint and Safer London staff can sometimes escalate to the point where the behaviour of the complainant becomes unacceptable, for example becoming abusive, aggressive or threatening. Such abusive, aggressive or threatening behaviour may put Safer

London in the position where we need to restrict or bring to an end communication and access to our premises or staff.

- 2.3. Our staff have the right to undertake their work free from abuse, threats and harassment. Safer London has a duty to protect the welfare and safety of its staff and considers that violence, threats or abuse towards staff is unacceptable and we expect our staff to be treated with courtesy and respect.
- 2.4. However, we also expect our staff to treat complainants with courtesy, respect and fairness.
- 2.5. Complainants who harass, or have been abusive, aggressive or threatening on one or more occasions towards, our staff - or their families or associates - directly or indirectly, will be considered unreasonable.
- 2.6. Any threats or acts of violence will lead to direct contact with the complainant being stopped. Violence includes behaviour or language (written, oral, or in tone or otherwise) that may cause staff to feel afraid, threatened or abused. Examples of unacceptable behaviour includes threats, verbal abuse, derogatory remarks, rudeness, racist, sexist, homophobic, transphobic, disablist or other harassment based on personal characteristic or obscene remarks, repeatedly demanding disciplinary action be taken against staff, and recording meetings or telephone conversations without staff members' knowledge or consent.
- 2.7. We also consider that inflammatory statements and unsubstantiated allegations can amount to abusive behaviour and will treat this as such.
- 2.8. Safer London staff will tell the complainant that their language or behaviour is unacceptable and ask them to change it; if they fail to do so the meeting, conversation or correspondence will come to an end.
- 2.9. If a staff member considers behaviour to be unreasonable they are advised in the first instance to refer it to their manager who may seek advice and guidance before determining future contact with the complainant, be that by telephone, in person, or electronically.
- 2.10. If unreasonable or abusive behaviour is determined the complainant will be notified in writing that Safer London staff will have no further contact with them and, if appropriate, a no-contact period specified. Any further contact that may still be necessary will be made through a Director or other senior manager. A decision to restrict contact will be reconsidered if the complainant subsequently demonstrates more reasonable behaviour.
- 2.11. All incidents of harassment or aggression will be documented and referred to senior staff. If the behaviour breaks any laws, including those relating to discrimination or assault, the complainant may be referred to the police and Safer London may consider taking appropriate legal action without prior warning.

Appendix 2: Complaints process flow-chart

