

## **FEEDBACK AND COMPLAINTS POLICY**

### **Introduction**

Inquiry staff interact with a large number of members of the public. We aim to undertake the work of the Inquiry to a high standard. However, there will be occasions when we fall short of the high standard that we set ourselves. The purpose of this Feedback and Complaints Policy is to outline how those with whom the Inquiry interacts can provide feedback or make a complaint in respect of its day to day operations.

### **Our Commitment**

The Inquiry's terms of reference set out its role and purpose.

We are committed to developing a culture of excellence when we interact with members of the public. The way in which we handle complaints is therefore an important feature of that work.

We will respond to complaints effectively and deal with them sensitively, fairly and thoroughly. We will not treat any member of the public less favourably on the basis of their gender, sexual orientation, race or ethnicity, disability or religion or belief and all complaints will be treated in the strictest confidence.

### **What does this Policy cover**

The policy applies to feedback and complaints regarding the Inquiry's interaction with members of the public. It does not apply to actions or decisions that are required to be taken by the Inquiry under the Inquiries Act 2005.

### *Feedback*

We encourage members of the public to provide us with feedback, both positive and negative. We welcome your views on your experience of dealing with us or your opinion on any aspect of the Inquiry's work.

Any member of the public can provide feedback to the Inquiry and we ask that this is done, wherever possible, within three months. All feedback will be recorded and

analysed so that we can make improvements in the way we deal with members of the public.

### *Complaints*

We consider a complaint to be an expression of dissatisfaction about any aspect of the way in which the Inquiry undertakes its work by a member of the public or their representative who has had direct contact with the Inquiry or has been directly affected by the work complained of.

The Inquiry is a decision making body which is judicial in character. It must act fairly and in accordance with the provisions of the Inquiries Act 2005 and the Inquiry Rules 2006. Observations on the manner in which the Inquiry has made decisions or disagreement with a decision the Inquiry has made are not complaints falling within the ambit of this Guidance.

We treat all complaints including anonymous complaints seriously and will take action to consider them further, wherever this is appropriate. Generally, we will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it further.

We may decline to deal with: complaints that are abusive; persistent correspondence; or complaints where our formal complaints procedure has been exhausted.

This policy does not apply to complaints or feedback about organisations other than the Inquiry, which should be directed to the organisation concerned.

### **Feedback Procedure**

#### *How do I provide feedback?*

The Inquiry encourages members of the public to provide us with both positive and negative feedback. We welcome your views on your experience of dealing with us or your opinion on the way we carry out our work.

Any member of the public can provide feedback to the Inquiry and are asked to do this within three months wherever possible. All feedback received will be logged and recorded, however the Inquiry will not enter into correspondence with those who have provided feedback.

If you would like to provide feedback to us, you can do so by contacting us in the following ways:

- Email to [contact@iicsa.org.uk](mailto:contact@iicsa.org.uk)
- Post to IICSA, PO Box 72289, London SW1P 9LF
- Telephone our helpline on 0800 917 1000

It will help us if you explain when making contact that you wish to provide Feedback.

*How will my feedback be used?*

All feedback received from members of the public will be formally recorded and will be analysed in order to identify improvements which can be made to the work of the Inquiry.

## **Complaints Procedure**

*Who can make a complaint?*

Anyone who has had direct contact with the Inquiry or is directly affected by its work can make a complaint.

A complaint can be made directly by the individual concerned or on their behalf by a nominated representative such as a family member or friend, support group, solicitor or other professional. If you nominate a representative to complain on your behalf, you will need to give permission for the representative to act for you. We will liaise with the representative and treat them as if they were the complainant.

Where a complaint discloses an allegation of criminal conduct, in line with paragraph 8 of the Inquiry's terms of reference, this will be referred to the police (and no further action will be taken in accordance with the complaint procedure).

### *How can I make a complaint?*

If you wish to make a complaint about the Inquiry, you may do so in the following ways:

- Email to [contact@iicsa.org.uk](mailto:contact@iicsa.org.uk)
- Post to IICSA, PO Box 72289 London SW1P 9LF
- Telephone our helpline on 0800 917 1000

It will help us deal with your complaint appropriately if you make clear when you contact us that you are doing so to raise a complaint.

We aim to ensure that all members of the public find it easy to make a complaint or provide feedback on our service. If you are unable to use any of the options set out above, then we will be happy to receive your feedback or complaint in an alternative format.

All complaints referred to the Stage Three of the complaints procedure should be provided in writing either by email or post. However, where this is not possible or practicable, please contact us or ask a representative to contact us on your behalf so that we can consider how we can best enable you to make your complaint.

### *What information will I need to provide?*

To ensure that a complaint can be dealt with quickly and efficiently, you should provide the following information:

- Full name
- Postal address
- Email address
- Inquiry reference number
- Contact details (including the details for your representative, where you wish to use one)
- Full details of the complaint
- Preferred method of contact (letter, email, phone)

If you have already tried to resolve your concerns informally with the Inquiry, you should also provide details of the Inquiry member of staff who assisted you.

*How long do I have to make a complaint?*

Complaints will only be considered if they are received **within 3 months** of the matter complained of. If your complaint is not made within this time limit, we will not examine your complaint.

If you remain dissatisfied following a reply to your complaint you may wish to escalate it to the next stage. This should be done **within 21 days** of the date of receipt of the reply to your complaint. Complaints received outside this timescale will not be considered.

*How will my complaint be handled and what will the outcome be?*

We will deal with all complaints sensitively, fairly and confidentially. We will inform you if your complaint has been upheld, either wholly or in part, or not upheld.

If your complaint is justified we will apologise, try wherever possible to put the matter right and take steps to ensure that it does not happen again.

*When will I receive a response to my complaint?*

- We will acknowledge your complaint **within 3 working days** of receipt;
- We will reply to complaints at Stage One and Two **within 15 working days** of receipt; and
- The Solicitor to the Inquiry will respond to Stage Three complaints **within 30 working days** of receipt.

If it is not possible to provide a response within these timescales, we will contact you to explain why there is a delay and the date by which we hope to provide a response.

*What are the stages in the complaint procedure?*

Early Resolution

Many individuals who are dissatisfied with the service that the Inquiry has provided will want someone to review their concerns as quickly as possible. The initial step is to contact the person whose service has been unsatisfactory to ask them to resolve

the complaint informally. It may be possible for the cause of the dissatisfaction to be resolved immediately and we will aim to do so by providing an explanation, apology or other appropriate outcome.

If we are unable to resolve your concerns satisfactorily then you may wish to pursue a formal complaint following the following procedure.

### Stage One

Complaints made at Stage One of the procedure will be formally recorded and managed by the part of the Inquiry to which the complaint relates. The complaint will be directed to the relevant manager responsible for the subject matter of the complaint. They will look into your complaint and reply to you within 15 working days. Where it is not possible to complete the investigation and provided a response within that timescale we will confirm with you the date by which we hope to reply.

### Stage Two

If you remain dissatisfied with the response received at Stage One you may refer your complaint to a member of the Solicitor to the Inquiry's (STI) team. Your referral should be made in writing where possible. If this is not possible, please contact us or arrange for a representative to contact us to explore alternative options for making a Stage Two complaint. You should provide details of why you remain dissatisfied and the STI team member will review your complaint and provide a response within 15 working days. Where it is not possible to complete the investigation and provide a response within that timescale we will write to you providing the date by which we hope to reply.

### Stage Three

If you remain dissatisfied following Stages One and Two of the complaints procedure you can refer your complaint to the Solicitor to the Inquiry himself. Your referral must be made in writing, where possible. If this is not possible, please contact us or arrange for a representative to contact us to explore alternative options for making a Stage Three complaint. The STI is responsible for handling and investigating complaints from members of the public in relation to the quality of the interaction between the Inquiry and members of the public and adherence to its published complaints procedure.

The STI will acknowledge receipt of your complaint and will provide a full response within 30 days of receipt. If it is not possible to complete the investigation and reply within that time, the STI will contact you to explain why there is a delay and provide a date by which he hopes to provide a response.

### **Confidentiality**

Confidentiality is important in complaints handling. We will maintain the confidentiality of your complaint in accordance with Inquiry policies. We will also comply with legal requirements such as the data protection legislation.

We recognise that the investigation of some complaints may require different parts of the Inquiry, for example Panel Members who are not otherwise involved in the complaint procedure may need to be consulted where an issue of Inquiry policy is raised. Where that is necessary and requires disclosure of aspects of a complaint for this consultation to take place, this will be undertaken in a proportionate and sensitive way that respects confidentiality as far as possible.

### **Learning from Complaints**

At the earliest opportunity after closure of the complaint, the complaint handler will make sure that you and the staff of the part of the Inquiry involved understand the findings of the investigation and any recommendations made. Senior management and the Inquiry Panel will review the information gathered from complaints regularly and consider whether the Inquiries service standards, internal policies and procedures should be updated.