

VSS Complaints

Policy & Procedures

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Contents

1. Introduction	3
2. Definition of a complaint	4
3. Timescale	4
4. Access - How to make a complaint	4
5. Procedures to be followed by VSS staff	5
STAGE 1: LOCAL RESOLUTION	6
STAGE 2: APPEAL OF COMPLAINT BY VSS BOARD	8
6. Complaints referred to Northern Ireland Public Services Ombudsman	9
7. Vexatious complaints	9
8. Anonymous complaints	9
9. Further questions or guidance	9
10. Exceptions to the Normal Procedure	10
11. Criminal Offences	10
12. Disciplinary Action	10
13. Recording	11
14. Confidentiality	11
15. Legal proceedings	11
16. Withdrawal of services or revision of terms of engagement	11
17. Review	12
APPENDIX 1: VSS Complaint Record Form	13
APPENDIX 2: VSS Complaint Checklist	15

1. Introduction

- 1.1. In April 2012 the Victims and Survivors Service (VSS) was established to provide support and services for all victims and survivors of the Troubles/conflict. In October 2020, the VSS was appointed to provide health and wellbeing support services to all survivors of Historical Institutional Abuse (HIA). Hereafter, any reference to victims and survivors relates to victims and survivors of the Troubles/conflict and survivors of HIA.
- 1.2. The Victims and Survivors Service (VSS) is committed to providing the best possible service to the people with whom we have contact, and acknowledges the need to address any dissatisfaction that a client, partner organisation or any other stakeholder may have with any aspect of that service.
- 1.3. VSS core values encourage that we work, both externally and internally, with integrity, openness, honesty and accountability and with respect for inclusiveness, diversity and equality of opportunity. We aim to provide consistently high levels of service to all users and believe in treating every client as an individual.
- 1.4. This Complaints Procedure has been drafted and updated in line with the following principles, to ensure that the VSS complaints handling process is:
 - Accessible and simple;
 - Fair and impartial
 - Timely, effective and consistent;
 - Accountable; and
 - Delivering continuous improvement.
- 1.5. The purpose of this Complaints Policy and Procedure is to enable you as our client (or any other partner or stakeholder) to advise us immediately if you are unhappy with the services provided by VSS, and thereby assist us as we improve the quality of the service that we provide. It is our policy to address efficiently and in a timely manner any complaints that we receive regarding services we provide.
- 1.6. When a complaint is lodged, you can expect that in dealing with VSS;
 - You will be treated with respect and courtesy.
 - Your complaint or enquiry will be dealt with promptly and efficiently.
 - Your complaint will be treated confidentially.

- You will be provided with a response in a manner which is clear, accurate, complete and relevant.
- You will have full access to the advice and guidance you require.
- Will demonstrate a strong commitment to all clients. Should you be dissatisfied with the service you experience, this will be addressed.
- VSS will learn from your feedback or complaint to monitor and enhance the services that we provide in developing our services.

2. Definition of a complaint

- 2.1. A complaint is an expression of dissatisfaction which requires a response.

If you have a complaint, you should bring it to the attention of the person you have been dealing with or to the Governance and Data Protection Officer, who will try to resolve the issue quickly (Stage 1, Level 1). However, if you still feel dissatisfied after this attempt to deal with your complaint, you may initiate the VSS Complaints Procedure, as detailed below in section 5.9.

3. Timescale

- 3.1. The usual timescale for making a complaint is within three months from the date when the incident takes place or transpires. However, in very serious cases or where the complainant is particularly vulnerable, this timeframe may be extended. A formal process would not usually be undertaken after a calendar year has elapsed. However, this will be at the discretion of VSS Senior Management.

4. Access - How to make a complaint

- 4.1. There are a number of ways to make a complaint. You can contact the VSS to make a complaint via the following means:
- i. By telephone: **028 9027 9100**. The details of your complaint will be taken down by a member of staff. They will read the information back to you, to ensure that the details are accurate. The member of staff will let you know when we will contact you again to follow up on your complaint.
 - ii. By visiting us in person or by writing to VSS at the address below:

The Governance and Data Protection Officer
Victims and Survivors Service
First Floor, Seatem House
28-32 Alfred Street

Belfast
BT2 8EN

- iii. By email: enquiries@vssni.org
 - iv. By submitting information via the 'Contact Us' page on the VSS website (www.victimsservice.org).
 - v. By completing a **VSS Complaints Leaflet** and delivering this to VSS. This will be passed on to the Governance and Data Protection Officer. This leaflet is available at VSS offices, on the VSS website and by request.
- 4.2. In all cases, it is recommended that you clearly state that you are making a complaint.
- 4.3. The **VSS complaints leaflet** summarises the *VSS Complaints Policy and Procedures* and outlines the policy and procedures in a simple and accessible format.
- 4.4. If your complaint concerns the Chief Executive of VSS, please address your complaint to the board of VSS.
- 4.5. In all other cases, please address your complaint to the Governance and Data Protection Officer.

5. Procedures to be followed by VSS staff

- 5.1. Making a complaint is not always easy. It is important that clients, partner organisations and stakeholders feel able to voice their concerns and VSS staff will give of their time and support to ensure a fair hearing.
- 5.2. Complainants should always be offered the opportunity to attend any meetings with a friend or advocate of their choice and, if they so wish, appoint someone appropriate to manage the process on their behalf.
- 5.3. When a complaint is received it is important to clarify if it is:
- i. A concern where the complainant wishes to speak to someone more senior in the organisation (this may be resolved verbally); or
 - ii. A formal complaint, which should usually, but not necessarily, be in writing (VSS will need to respond to and resolve this in writing) or via equivalent communication appropriate to the complainant.

- 5.4. All complaints must be acknowledged and recorded on the VSS complaints register and documented in the form attached (see [Appendix 1](#)). In the case of a formal complaint the procedure outlined below at must be followed.
- 5.5. All complaints will be dealt with through an efficient and effective process as detailed below. All investigations will be conducted fairly, thoroughly, openly, honestly, objectively and as promptly as possible.
- 5.6. The following protocols outline the action to be taken by staff in responding to complaints, whether they concern VSS or VSS funded organisations.

There are two stages within the VSS Complaints Policy & Procedure:

- Stage 1: Local resolution (dealing with verbal and written complaints)
- Stage 2: Appeal of outcome to VSS board

STAGE 1: LOCAL RESOLUTION

Level 1: Verbal complaints to staff

- 5.7. VSS staff interact with clients, organisations that represent clients (e.g. funded organisations), other partners and stakeholders. It is the responsibility of all staff to deal with clients, partner organisations and all other stakeholders in a thorough, respectful and helpful manner.
- 5.8. Where a client or organisation communicates dissatisfaction at the performance of the VSS, we will aim to resolve locally in the first instance.
- 5.9. Guidelines for staff for dealing with verbal complaints:
 - Make sure that any treatment or care which is needed by the client is given immediately.
 - Seek to understand the nature of the complaint, any issues that are not immediately obvious and try to resolve the complaint sensitively and immediately if possible.
 - Inform the complainant of their options.
 - Discuss the complaint and action to be taken or proposed with the relevant line manager.
 - Record details of the situation on the internal VSS complaints register.
 - If you are unable to resolve the complaint on the spot or if the issues are serious enough to warrant further investigation, involve

the line manager/team leader immediately and move to Level 2 of local resolution.

- 5.10. Similarly, if the issues cannot be resolved verbally or locally, the matter should be escalated to the line manager / team leader for further action (initiating the Level 2 process), outlined below.

Level 2: Formal or unresolved verbal complaints

- 5.11. A written complaint received by front-line staff or an unresolved verbal complaint must be notified to line management/team leader and Governance and Data Protection Officer who will log the complaint on the VSS complaints register. The complaint will then be dealt with through the formal complaints procedure.

- 5.12. Criteria for referral to Level 2: Formal complaints procedure

- Where the complainant requests that their unresolved issue / feedback is treated as a complaint or if complaint is in writing.
- Where the level of distress of the complainant is such that local resolution is unlikely to be successful.
- Where serious matters are concerned e.g. where staff failure may result in disciplinary action or where a client has been put in potential danger.
- Where there is a potential or actual health and safety issue.

- 5.13. **Within 2 working days of receipt of the complaint:** Either the line manager or the Governance and Data Protection Officer should communicate with the complainant to acknowledge the complaint and inform them that a more detailed response will be issued following an investigation within a further 10 working days.

- 5.14. **Within a further 10 working days:** An appointed Investigation Officer will conduct a full investigation, documenting the details, communicating as appropriate with the relevant Senior Management Team member and taking any actions immediately relevant to resolve the issue. He/she will forward all of this information to the Governance and Data Protection Officer who will draft a written response to the complainant, which will be approved by the relevant Senior Management Team member and then issued to the client.

- 5.15. Where an investigation proves to be of a complex nature and takes longer

than the 10 working day response period to furnish a response to the complainant, VSS will update the complainant on progress of their complaint every 10 days.

- 5.16. The Governance and Data Protection Officer will update the complaints register and will communicate with the line manager / team leader to ensure that any lessons learned are incorporated into future practice of the organisation.
- 5.17. If after full investigation and response the complainant is dissatisfied with the outcome, the matter will be referred to Stage 2 of the Complaints Procedure: Appeal to the board.

STAGE 2: APPEAL OF COMPLAINT BY VSS BOARD

- 5.18. An Appeal refers to the action taken by VSS when a complaint remains unresolved to the satisfaction of the complainant. The aim of the Appeal is to provide the complainant with an opportunity to appeal the local decision and have the case reviewed by the VSS board.
- 5.19. A complainant can request an appeal to the outcome of their complaint normally in writing or verbally.
- 5.20. **Within 2 working days of receipt of a request for an appeal**, either the line manager or the Governance and Data Protection Officer should communicate with the complainant to acknowledge the request and to inform the complainant that a more detailed response will be issued in due course, detailing the timescale that will apply. While efforts will be made to facilitate this within the following 10 working days, it may only be possible to schedule such a review at the next monthly board meeting.
- 5.21. The Governance and Data Protection Officer will prepare a case file for review by the VSS board. This review may require further meetings with the complainant and any others who can assist with providing full and relevant information. It is the responsibility of the board, via the Governance and Data Protection Officer, to keep the complainant informed of the progress of their review.
- 5.22. On completion of their review, the board will write to the complainant to inform them of the outcome of their appeal.
- 5.23. The letter issued by the board must include the following advice: that if following all of these actions a satisfactory resolution has still not been obtained, the complainant may refer the matter to the Northern Ireland

Ombudsman for their consideration and response. Details of how to do this are noted on the **VSS complaints leaflet** and further information is available in section 6 below.

- 5.24. In all cases, all information relating to the complaint investigation and/or review must be forwarded to the Governance and Data Protection Officer to be held confidentially, to allow for the recording for monitoring purposes and to ensure that any lessons learned are incorporated into future practice.
- 5.25. This is the end of the VSS internal complaints procedure.

6. Complaints referred to Northern Ireland Public Services Ombudsman

- 6.1. Where a complaint is referred to the Northern Ireland Public Services Ombudsman (NIPSO), the VSS will cooperate fully with the Ombudsman's office and any queries and requests it may make.
- 6.2. In the event that the Northern Ireland Public Services Ombudsman initiates a formal investigation into a complaint against the VSS, VSS will advise its sponsor department, the Executive Office, of the investigation and keep the department updated accordingly with regard to its progress.

7. Vexatious complaints

- 7.1. Despite VSS's best efforts, some complaints cannot be resolved to both parties satisfaction. It is important to recognise when a complaint has become unhelpful to the complainant. At that point the Chief Executive will write a closing letter to the complainant.

8. Anonymous complaints

- 8.1. Anonymous complaints should always be recorded and referred to the Governance and Data Protection Officer in the same way as other complaints. The fact that the complaint is from an anonymous source should not in itself justify a decision not to pursue the matter. Nor should it rule out referral to other procedures as relevant. The recording of such a complaint will be treated in the same manner as any other complaint by a body or individual.

9. Further questions or guidance

- 9.1. There is often confusion over the differentiation between a complaint and

a whistleblowing report. A simple way to establish whether a concern is 'whistleblowing' or a 'complaint' is to consider the nature of the concern:

- I. Does the concern refer to 'others', e.g., the organisation, other staff, clients, the wider public? If so, it would be viewed as whistleblowing.
- II. Does the concern refer to the individual ('self'), e.g., a personal grievance about terms of employment, pay or unfair treatment? If so, it would be viewed as a complaint.

9.2. Generally a whistleblower has no self interest in the issue being raised. However, the distinction may not always be clear cut.

9.3. If you have any questions or require any assistance with this procedure, please do not hesitate to contact VSS on 028 9031 1678 or by email: enquiries@vssni.org. You should ask for the Governance and Data Protection Officer, who will be able to resolve your queries.

10. Exceptions to the Normal Procedure

10.1. If the complaint is about the Chief Executive (CEO) of the VSS it must be investigated by an independent panel established to deal with complaints against the CEO. The Chair of the Board is responsible for appointing an independent panel and receiving the panel's subsequent report for consideration.

10.2. If the complaint is about a Board member it must be investigated by the Chair.

10.3. If the complaint is about the Chair of the VSS Board, VSS will take advice from The Executive Office (TEO) on the appointment of an appropriate Investigating Officer.

11. Criminal Offences

11.1. If any investigation gives rise to concern that a VSS staff member or board member has been engaged in any criminal activities the Chair of the VSS board and/or or Chief Executive may refer the matter to the police.

12. Disciplinary Action

12.1. This policy covers complaints and not disciplinary matters. If an investigation of a complaint raises concerns about an employee then the relevant manager may choose to begin a disciplinary process in line with HR procedures and processes. Any evidence gathered during the

complaints investigation may be used in such a process.

13. Recording

- 13.1. A central register of complaints will be maintained to log and record all complaints.
- 13.2. The Senior Management Team will have access to this register; it will be maintained centrally at VSS by the Governance and Data Protection Officer.
- 13.3. The use of information regarding complaints (for example, for monitoring purposes or in the interest of improving service delivery) will only ever use anonymised or redacted records. This is in keeping with the imperative to maintain confidentiality with regard to complaints (see point 14 below).

14. Confidentiality

- 14.1. It is essential to maintain confidentiality at all time during a complaints investigation. The Data Protection Act 2018 classifies complaint documentation as personal data.
- 14.2. Complainants are able to request copies of their complaint file in the same way as they can request access to other records.
- 14.3. All documentation of any kind relating to a complaint should be retained for five years after the last entry in the record. These should be treated as confidential documents and kept separate from other records.

15. Legal proceedings

- 15.1. If the complainant has either instigated a formal legal process, or notified intent to do so in writing, the complaints procedure should be stopped. The complainant and any person identified in the complaint will be advised accordingly.

16. Withdrawal of services or revision of terms of engagement

- 16.1. It may, on occasion, be necessary to withdraw or amend the services available to a client. Such a decision should be taken in line with the *VSS Policy on Handling Unacceptable Behaviour from Members of the Public*. It is possible that this decision may instigate a formal complaint process. Therefore any decision to withdraw or revise the terms of a service, will be recorded on the complaints database so information is readily available in this instance.

17. Review

17.1. This policy will be reviewed in 3 years' time, or sooner, if required.

Approved:  Date: 23/11/20
Head of Corporate Services

APPENDIX 1: VSS Complaint Record Form
VSS Complaint Record Form

Date Complaint received:

Complaint regarding;	
VSS Funded Organisation	
VSS itself	

Staff Details

Name	
Job Title	
Location	

Complainants Details

<p>Name:</p> <p>Address:</p> <p>Contact number:</p> <p>Preferred method of contact:</p>

Nature of complaint

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Actions Taken

ORIGINAL: VSS Complaints File

COPY: Client File

APPENDIX 2: VSS Complaint Checklist

VSS Complaint Checklist

Please tick the appropriate box 'yes' or 'no' and provide comment where requested.

STAGE 1: Local Resolution LEVEL 1 (Unresolved Complaint)

	Yes	No
Was the complaint written or unresolved verbal and resolved through local resolution level 2?		
Was the Governance and Data Protection Officer informed at this time?		
Was the complaint acknowledged in writing within 2 working days of receipt?		
Who carried out the investigation? Name:		
Did the complainant confirm they were satisfied?		
Was a written response sent to the complainant within 10 working days of receipt? (Please attach copy)		
If unresolved what date was the complaint passed on and to whom? Name: _____ Date: _____		

Signature: _____

Date: _____

Governance and Data Protection Officer

	Yes	No
Has the complaints handling procedure been operated correctly?		
If not, what part(s) of the policy was not followed?		
Have all recommendations been notified to appropriate managers for action?		

Have the details of the complaint been recorded for monitoring purposes?		
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Signature: _____

Date: _____

STAGE 2: Panel Appeal

	Yes	No
Was the complaint resolved through Panel Appeal?		
Who reviewed the complaint? <i>Name:</i> _____ <i>Date:</i> _____		
Was a written response sent to the complainant within 10 working days of receipt? (Please attach copy)		
If the complainant remained dissatisfied with VSS's response to their complaint, was the matter referred to the VSS board?		
If 'yes', please give details, including whether the matter was resolved to the satisfaction of the client at that stage:		
If the complainant remained dissatisfied, were they informed that they had exhausted internal procedures and to whom they should now refer the matter?		
Has all the information relating to this complaint been forwarded with this report to the Governance and Data Protection Officer?		

Signature: _____

Date: _____

Governance and Data Protection Officer

	Yes	No
Has the complaints handling procedure been operated correctly?		
If not, what part(s) of the policy was not followed?		
Have all recommendations been notified to appropriate managers for action?		
Have the details of the complaint been recorded for monitoring purposes?		

Signature: _____

Date: _____

FINAL OUTCOME:

1. Please select one:

In this instance, the Complaint has been:

- a) Upheld _____
- b) Not upheld _____
- c) Partially upheld _____
- d) Withdrawn _____
- e) The Complaint has requested that no further action be taken _____

2. Was this complaint was properly handled within the timescales stated in the VSS Complaints Policy and Procedures?

12.1. Yes / No

If not, what was the time delay and why did it occur?

Details:
