

Being Complained about Guidance for Staff and Investigating Managers

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Guidance for staff that are named in a complaint

We believe that complainants have a right to be heard, understood and respected and staff should be afforded these rights too. These four principles below underpin our complaint principles.

FAIRNESS

The Investigating Manager will remain impartial.

You will have the opportunity to:

- *say what happened in relation to a complaint*
- *provide evidence to support what you say*
- *say whether or not you agree with the complaint decision*

TRANSPARENCY

Both you and the complainant will be kept up to date with the progress of the complaint, along with the decision and outcome of the investigation.

CONFIDENTIALITY

We will deal with complaints in the strictest of confidence in line with our policies and legislation.

We aim to always tell a staff member when there is a complaint made about them or in the way they have handled a situation.

EFFICIENCY

We aim to minimise unnecessary stress by responding and investigating complaints without delay.

Guide for staff who have been named in a complaint

- If a complaint has been made about you, the Investigating Manager will meet with you confidentially to discuss the issues raised. The Investigating Manager should not be your direct line Manager, and will be impartial during the investigation.
 - The notes of any meetings will be recorded and made available to you as soon as practically possible.
 - In the case of serious allegations you can have access to a named contact person who can support you during the complaint process. This can be arranged through HR. You can contact them directly or ask the Investigating Manager to refer on your behalf.
- If the complaint may lead to disciplinary action HR will be involved.
- Once the Investigating Manager has conducted their investigation, they will meet with you to discuss their findings, decision and proposed resolution. Irrespective of whether the complaint is upheld or not, you will be told straight away about any implications relating to the decision, including any potential 'next steps' and what this might mean for you.
- Your Line Manager will be advised of any recommendations for next steps and lessons learned so these can be taken forward through 121s and training if required.
- If the complaint is escalated further, you will be advised promptly and there will be a further opportunity to have access to a named person for support.
 - If internal escalation, the above process will start again.
 - If escalated to an external review, the Investigating Manager will keep you updated.

Useful Links

Castle Rock Edinvar Complaints Leaflets

https://www.castlerockedinvar.co.uk/media/94741/complaints_leaflet.pdf

CRE Being Complained about Good practice guidelines:

https://intranet.pfpshare.co.uk/_layouts/15/WopiFrame.aspx?sourcedoc=/IntraLib/Castle%20Rock%20Edinvar/CRE%20-%20Being%20Complained%20About%20Guidelines.docx&action=default&DefaultItemOpen=1

SPSO spsso.org.uk

Behaviour at Work Policy

<https://bcr.pfpshare.co.uk/policy-reg/policies/Behaviour%20At%20Work%20Policy.docx>

Employee Assistance Programme – Care First

<http://ourplace/business-apps/details?i=295>

Guide for Managers Investigating Staff Mentioned in a complaint

- If you are the Investigating Manager of a complaint where a person has been named or been identified you must confidentially advise the staff member as soon as practically possible that a complaint has been received involving them.
- If the complaint may lead to disciplinary action or if there is a potential for a criminal investigation, as the Investigating Manager, you must contact HR without delay for guidance. You must do this before speaking to the staff member.
- You will hold a confidential meeting with the person being complained about and provide them with as much information about the complaint as possible allowing them the opportunity to respond to the issues raised. It must be made clear that the discussion is recorded formally so any comments can be discussed at a later date and staff member receives a copy for their records.
- In the case of serious allegations, you must verify if the person complained about wants access to a named contact person who can support them during the complaint process. If so, advise the person complained about to contact HR or offer to do so on their behalf.
- Conduct the investigation.
- Meet with the staff member to discuss the findings, decision and proposed resolution. Irrespective of whether a complaint is upheld or not, the person complained about will be told straight away about any implications relating to the decision, including any potential 'next steps' and what this might mean for them.
- Inform the Line Manager of the person being complained about what the recommendations are for next steps and lessons learned so these can be taken forward through 121s and training if required.
- Feedback to the complainant on the findings and outcome of the complaint.
- If the complaint is then escalated, either internally or to an external agency, we must ensure the person being complained about is fully informed.

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