



Complaints Procedure incorporating confidential reporting of complaints for third parties and the public

COMPLAINTS POLICY & PROCEDURE

1. Introduction

This policy sets down how C&W LEP intend to deal with complaints; the general principle and the detailed procedure. The implementation of the confidential complaints procedure is independently handled by Warwickshire County Council on behalf of the CWLEP Board.

2. General Principles

- i. CWLEP encourages feedback and intends to use it constructively and sees feedback as an integral part of service provision. It demonstrates organisational values in seeking, accepting and acting on feedback.
- ii. CWLEP encourages the business community, public sector and general public to have a clear channel of feedback and complaint.
- iii. CWLEP is committed to deal with all complaints fairly and impartially and to deal with all complaints confidentially.
- iv. We are committed to satisfying complaints as early in the process as possible. CWLEP allow for complainants to appeal and request further investigation if they are not satisfied with the treatment or solution offered in the initial contact and investigation. Appeals against decisions of Stage 1 or 2 will only be accepted if received within 28 working days after the respective Stage 1 or 2 full response was received unless there are exceptional circumstances.
- v. Whenever a complaint or appeal is complex or the complainant has difficulties in explaining their complaint, it may be helpful to make an initial contact to clarify details and confirm understanding with the CWLEP executive team by emailing; contact@cwlep.com.
- vi. The appeals stages (i.e. Stage 2 or 3) are designed to review the process of the previous stage and the justification of the decision made. For this reason, no new evidence will be accepted during these stages and complainants will not be given a revised decision unless a procedure or outcome was found to be unjustified, missing or inappropriate.



- vii. The only exception to these principles is if the nature of the complaint is about the Chair. In this situation, it will be passed directly to and dealt with by the Finance & Governance Board.

3. Definition of complaint

An expression of dissatisfaction of the standard of service, actions or lack of actions by C&W LEP or its workforce, affecting an individual, group or organisation.

The Complaints Procedure is not intended to cover:

- i. requests for service or information
- ii. requests for explanation of process and practise.
- iii. informal matters which could be resolved speedily to the satisfaction of the person raising them.
- iv. matters over which CWLEP has no control.

4. Process

4.1 How to complain

Any initial complaint should be sent electronically to the CWLEP executive team via the following email address contact@cwlep.com or in writing to the Chair and posted to the CWLEP registered office, Coventry and Warwickshire Local Enterprise Partnership, Old Clink, The Holloway, Off Market Square, Warwick, CV34 4SJ, or electronically to chairman@cwlep.com.

4.3 Stages of the Complaints Procedure

Stage 1 – An initial investigation and response by CWLEP executive team and a full response provided within 15 working days or, in case of an investigation taking longer than anticipated, the complainant will be updated on the time scale and reasons for delay.

- An initial acknowledgement will be sent to the complainant within five working days of receiving the appeal, providing a confirmation that we are aware of the complaint and that it is being dealt with by the CWLEP executive team.
- A full response will be sent within 15 working days of receiving the complaint. This response should follow a general format:
 - A statement of what we understand the complaint to be.
 - What was found on investigation and any actions planned or undertaken.
 - A formal apology if the complaint has been found justified.
 - Detailed instructions for the complainant to appeal if they are not satisfied with the outcome of Stage 1. Included within these instructions, will be the appropriate contact information for the CWLEP Chair for the Stage 2 appeals process.



Stage 2 - Referral to CWLEP Chair with a full response provided within 20 working days or, in case of an investigation taking longer than anticipated, keep the complainant updated of the time scale and reasons for delay.

- If the complainant is dissatisfied with the justification of the Stage 1 decision, or the procedure followed in Stage 1 and wishes to appeal, they should contact the CWLEP Chair using the contact information provided within the full response at Stage 1.
- When contacting the CWLEP Chair they should explain their reason for dissatisfaction and request to proceed to Stage 2 of the procedure.
- The Stage 2 appeal will be conducted by the CWLEP Chair, who will investigate the outcome of Stage 1 and determine whether the decision was justified, and the procedure was correctly followed.
- The appeals process does not aim to present a second, independent, inquiry into a complaint, but a review of whether the initial procedure was correctly followed or not.
- The Chair will:
 - Examine the information provided in Stage 1.
 - Examine the decision of Stage 1.
 - Determine whether the decision is appropriate and whether the process was followed correctly.
 - Identify any faults in the complaints process or outcome that led to the complainant's dissatisfaction and recommend changes that would prevent these problems in the future.
- An initial acknowledgement will be sent to the complainant within five working days of receiving the appeal, providing confirmation of the appeal and that it is being dealt with by the CWLEP Chair.
- A full response will be sent within 20 working days of receiving the Stage 1 appeal request. This response should follow a general format:
 - Stating what is understood to be the complaint.
 - Presenting what was found on investigation and a description on the planned actions for future improvement in CWLEP working and complaints procedures.
 - A formal apology, where the complaint has been found justified.
 - Detailed instructions for the complainant to appeal if they are not satisfied with the outcome of Stage 2. Included within these instructions, will be the appropriate contact information for the Stage 3 appeals process.

Stage 3 - Referral to the CWLEP Finance & Governance Board with a full response within 28 working days or, in case of an investigation taking longer than anticipated, keeping the complainant updated of the time scale and reasons for any delay.

- If the complainant is dissatisfied with the justification of the Stage 2 decision, or the procedure followed in Stage 2 and wishes to appeal, he/she should contact the CWLEP using contact information provided within the full response at Stage 2.



When contacting the CWLEP he/she should explain the reason for dissatisfaction and request to proceed to Stage 3 of the procedure.

- This appeal will be examined by the CWLEP Finance & Governance Board who will investigate the outcome of Stage 2 to determine whether the procedure was followed correctly and the response justified. As with the Stage 2 appeals process, this appeal does not aim to present an independent inquiry into the complaint, but aims to reflect whether the complaints procedure was correctly completed or not.
- An initial acknowledgement will be sent to the complainant within five working days of receiving the appeal, providing confirmation that CWLEP are aware of the appeal and that it is being dealt with by the CWLEP Finance & Governance Board.
- A full Stage 3 appeal response will be sent within 28 days of receiving the appeal request for Stage 3.

CONFIDENTIAL COMPLAINTS

The LEP is committed to creating a work environment with the highest possible standards of openness, probity and accountability. In view of this commitment we encourage employees and others with serious concerns about any aspect of the LEP's work to come forward and voice those concerns without fear of reprisal. For employees and those working closely with the LEP, please follow the [whistleblowing policy procedure](#). For third parties and members of the public, please follow the confidential complaints procedure outlined below.

If a member of the public or third party believes that their complaint fits the description below, they may also report their concerns through the [whistleblowing policy procedure](#).

Whistleblowing - where an individual who has concerns about a danger, risk, contravention of rules or illegality provides useful information to address this. In doing so they are acting in the wider public interest, usually because it threatens others or impacts on public funds. By contrast, a grievance or private complaint is a dispute about the individuals own position and has no or very limited public interest.

1. Confidentiality

If a member of the public or a third party wants to make a confidential complaint or raise a concern, it will be treated in confidence and every effort will be made to protect the person's identity if they wish to remain anonymous. The LEP will investigate all complaints or allegations.

2. Anonymous allegations



The LEP takes all complaints and concerns raised by members of the public and third parties seriously. We will investigate anonymous allegations but remind complainants that when people put their names to an allegation the ability to investigate and therefore reach firm conclusions is strengthened. Concerns expressed anonymously will be considered at the discretion of the LEP. When exercising this discretion, the factors to be taken into account would include:

- the seriousness of the issue raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

The Ministry of Housing, Communities and Local Government may request information arising from this process if they have concerns regarding a LEP or have been approached with similar complaints. The expectation is that this information will be provided on an anonymous basis, but it may be necessary to provide personal details to progress a complaint.

Where details are gathered, the LEP will put in place appropriate data protection arrangements in line with the [Data Protection Act 1998](#).

3. Confidential Complaints Procedure

The LEP is aware that the organisation's ordinary complaints procedure may not be suitable if someone wants the complaint to remain confidential. If you would like to make a confidential complaint, please write or email to:

Monica Fogarty, Joint Managing Director, Warwickshire County Council
monicafogarty@warwickshire.gov.uk
Warwickshire County Council,
Shire Hall,
Warwick,
Warwickshire,
CV34 4SA.

State that you want the complaint to remain confidential.

4. Action taken by the LEP

The designated complaints officer will raise your concern and investigate the complaint.

You can expect the officer to:

- Contact you within 10 working days to acknowledge the complaint and discuss the appropriate course of action.
- Write to you within 28 working days with findings of the investigation. If the investigation has not concluded within 28 working days, the officer will write to you to give reasons for the delay in resolving the complaint.
- Take the necessary steps to rectify the issue.



5. If you are unhappy with the outcome of the complaint or the complaint involves those responsible for the confidential complaints procedure:

You can escalate your concerns through other organisations mentioned in the normal complaints procedure e.g. the LEP's Accountable Body which is [*name of relevant Local Authority*]. These organisations will have their own confidentiality procedures.

If you are either unable to raise the matter with the LEP or you are dissatisfied with the action taken you can report it direct to the Cities and Local Growth Unit in the Department of Communities and Local Government and the Department of Business, Energy and Industrial Strategy, at the following email address: LEPPolicy@communities.gsi.gov.uk or by writing to **LEP Policy Deputy Director, Cities and Local Growth Unit, Fry Block, 2 Marsham Street, London, SW1P 4DF**. You should clearly mark your email or letter as "Official - complaints".