# BREC complaints procedure

(Updated 26/06/2024)

**Complaints relating to BREC**

## Background

The Barnardo’s Research Ethics Committee (BREC) is committed to providing an excellent service in a professional, fair and supportive manner. We recognise though that there may be times when things go wrong, and these procedure deals with concerns when they happen. We encourage colleagues to let us know when our service does not meet their expectations and will strive to put things right and improve for the future.

All colleagues in Barnardo’s involved in BREC are responsible for dealing with potential complaints, issues, queries, concerns or formal complaints (either in writing or verbally) when they are raised. This includes reporting them in line with these procedures in a timely manner. It may include undertaking an investigation, or supporting one, and taking action as a result of the findings.

This document sets out BREC’s procedure for complaints.

## Scope

This procedure applies to all directly employed staff, contractors and volunteers including BREC supporting reviewers, lead reviewers, BREC sponsor and administrative staff. This group is referred to in this document as BREC staff.

It applies to complaints made about services provided, procedures followed and the behaviour of BREC staff.

The procedures excludes:

* + - Matters which have already been fully investigated in accordance with these procedures.
		- Matters where legal or police proceedings are about to start or are already underway.
		- Any complaint arising out of the alleged failure of another responsible body or third party.
		- Complaints about the conduct of research projects relating to third party researchers/evaluators.
		- Internal complaints about BREC staff which will be addressed under the relevant Barnardo’s HR policies and procedures.
		- Anonymous complaints.

A complaint is defined as a statement (either in writing or verbally) that:

* + - The standard and/or quality of service provided by the BREC has not been met.
		- A divergence from BREC procedures resulting in a negative outcome.
		- The behaviour of BREC staff is unsatisfactory or unacceptable and requires an investigation with a written response.

BREC may receive and agree to undertake an investigation of issues involving an alleged failure of a third party, for example a researcher or research team. These concerns are not recorded as a complaint against the BREC, and not included in the BREC complaints log. These issues are covered by our BREC complaints procedure for third parties.

If the complaint is both about BREC and a third party, then this procedure should be followed.

Any service user complaint would have to go through the Children’s Services complaints process: <https://inside.barnardos.org.uk/resources-and-guidance/childrens-services/complaints-and-representations-policy>

**Any safeguarding allegation must be reported to Michell Dougan (Assistant Director Corporate Safeguarding & Compliance) and Richard Simpson (Head of Corporate Safeguarding and Quality) as this is a different process. Here is the link for that process:** [**https://inside.barnardos.org.uk/safeguarding/responding-safeguarding-allegations**](https://inside.barnardos.org.uk/safeguarding/responding-safeguarding-allegations)

## Purpose

This procedure ensures that the complaints process:

* + - Is easy to follow.
		- Provides a speedy acknowledgement of concerns raised.
		- Ensures complaints are investigated thoroughly and fairly.
		- Keeps complainants informed if there are delays.
		- Is fair to complainants and BREC staff.
		- Provides a written response or other means of resolution where appropriate.
		- Means that where appropriate lessons are learned and changes made to prevent, recurrence and services improved.

It also:

* + - Sets out how complaints should be received, acknowledged and investigated, how action should be taken and how responses to complainants should be made.
		- Sets out how complaints should be recorded.
		- Provides guidance on how to manage complaints and to use the lessons learned to proactively improve services.

These procedures are aimed at anyone who is directly affected by:

* + - The standard and/or quality of service provided by the BREC.
		- A divergence from BREC procedures.
		- The behaviour of BREC staff and volunteers.

## Roles and responsibilities

The BREC Sponsor has overall responsibility for ensuring that complaints are managed in line with these procedures.

The BREC Chair is responsible for acknowledging the receipt of a complaint, assigning an Investigating Officer (where appropriate and where resources permit) to manage the complaint, reporting complaints to the BREC team and the management of the BREC Complaints Log. The Complaints Chair is responsible for notifying the relevant Director of any complaints in their Directorate. The BREC Chair is also responsible for making sure that BREC staff are aware of this document.

The Investigating Officer is delegated the task of investigating the complaint according to the procedures set out below.

Any member of staff receiving a complaint is responsible for reporting it in accordance with the procedure.

BREC encourages all staff who receive potential complaints, issues, queries or concerns to attempt to resolve these matters locally and in a timely manner to prevent formal complaints (see ‘Internal Resolution’ below).

## Procedures

**Internal resolution**

BREC encourages all staff who receive potential complaints, issues, queries or concerns to try and resolve these internally and in a timely manner to prevent formal complaints being made. This procedure empowers staff who receive potential complaints to resolve them to the complete satisfaction of the person raising them. This will provide better resolution for both parties.

Where the potential complaint, issue, query or concern is straightforward and local resolution can be achieved, the person raising the potential complaint will be advised by the receiving staff member of the plan of action, an outline of the concerns to be addressed, the proposed timescale and action(s) to be taken. When this has been completed, an update should be provided in writing.

Taking into account the nature and severity of the potential complaint, issue, query or concern, the staff member should report the event to the BREC Chair where possible.

### Receipt and acknowledgement of complaints

A complaint should normally be made within 6 months of an incident occurring, or on the date on which the complainant becomes aware of the matter if this is more than 12 months after the incident. The time limit may be waived if BREC considers there are good reasons for the delay and it is still possible to investigate the matter fully and fairly.

Complaints may be made verbally or in writing. Where a verbal complaint is made, the complainant may be asked to follow this up in writing. Alternatively, notes may be taken by the person handling the complaint and saved on SharePoint.

Complaints may be received directly by the BREC chair, by any member of staff or through one of the organisation’s communications channels which are not allocated to a single individual e.g. the BREC inbox. Where a complaint is received by a member of staff it should be referred to the BREC Chair as soon as it has been received.

The BREC Chair will acknowledge written and verbal complaints using brec@barnardos.org.uk.

### Recording and delegation for investigation

The BREC chair will ensure that the complaint is logged on the BREC Complaint Log.

Complaints are numbered sequentially, with a new log for each financial year.

The BREC Chair will assess whether a complaint falls within the remit of this procedure. If not, the complainant will be contacted, and the decision explained.

The BREC Chair will review the complaint and may delegate it to an appropriate member of the BREC team for investigation. They become the Investigating Officer.

Alternatively, the BREC chair may choose to delegate the complaint to the BREC Sponsor.

Any members can be designated by the BREC chair or sponsor as an Investigating Officer. This is a temporary and time limited role for the purpose of drawing the complaint to a satisfactory conclusion.

### Initial investigation

The Investigating Officer will introduce themselves to the complainant. An initial call is recommended to establish the reasons for the complaint and what the complainant would like to happen as a result of the complaint. The Investigating Officer should take detailed notes from the complainant. They can also use the opportunity to check this back with the complainant over email to ensure a paper trail is kept.

After this call, the seriousness of the complaint will be assessed to determine the extent of the investigation required and whether others need to be informed.

The complainant will then be advised of the expected timescale for the investigation. If this isn’t known at the time, the investigating party will keep the complainant informed as soon as possible.

At this stage, the Investigating Officer will again assess whether the complaint falls within the remit of these procedures. If not, the BREC Chair should be informed who will ensure the complainant is contacted and the decision explained.

### Investigation

When things go wrong and a formal complaint is made, it is important to establish the facts of what has happened in a systematic, timely way. Investigations need to collect and examine evidence in a variety of ways, which may include:

* + - Seeking information from BREC staff as appropriate.
		- Reviewing written and electronic records and copies of documents including the BREC application and supporting documents relating to the complaint.
		- Taking expert advice.

If an investigation cannot be completed in a timely manner, the complainant should be kept informed about the reasons for the delay and the expected timescale for completion.

Once all the evidence has been collected and assessed the Investigating Officer, working with the BREC Chair, will decide whether there has been a deviation from established procedures, the expected and intended level of service and / or the expected level of behaviour. They will conclude whether the complaint is upheld, partially upheld or not upheld and the complainant will be informed of the decision.

The Investigating Officer, working with other staff as required, will take any immediate action required to resolve the complaint and will consider whether any further action or preventative action is needed to prevent recurrence. This may include, but is not restricted to, staff training, changes to practice and procedures and a review of current and established ways of working with a view to improving services provided.

### Responding to the complaint

Every complainant has a right to a response to their complaint which explains how their concerns have been resolved, what action has been taken to deal with the complaint and if appropriate, to prevent reoccurrence. They should know how to take the matter further if they are dissatisfied with the outcome of the complaint.

Each response to a complainant should include the following:

* + - A summary of each element of the complaint.
		- Details of the complaints procedure followed.
		- A summary of the investigation.
		- Details of key issues or facts identified by an investigation.
		- conclusions of the investigation (whether the complaint is upheld, partially upheld or not upheld).
		- What needs to be done to put things right (if appropriate).
		- Things done to prevent a reoccurrence (if appropriate).
		- An apology, if needed.
		- An explanation of what happens next (what will be done, who will do it and when).

The complaint response may be a letter or an email from the Investigating Officer and should be copied to the BREC Chair and BREC inbox. Alternatively, the Investigating Officer may provide a summary of the investigation to the BREC Chair for sending to the complainant. It will be provided within a timely manner unless the complainant has been informed of any delays.

### Concluding action

Full details of the investigation, any action taken and the outcome, including any planned preventative action, should be provided to the BREC Chair together with any related correspondence. These details may include investigation notes and/or the complaint response letter/e-mail. Where the complaint response letter is sufficiently detailed separate investigation notes may not be required.

### Confidentiality

All material associated with a complaint is confidential. It is retained securely, with access being controlled and limited to nominated persons. The complainant should be made aware that potentially confidential information may be collected in the course of the investigation and that it will be retained confidentially.

### Recording, reporting and monitoring

All complaints about BREC will be recorded on the complaints log together with the timelines and action taken so that trends can be identified. The complaints log will be maintained by the BREC Chair.