

SCI Complaints Procedure

Not happy with our service?

We are always happy to receive comments, feedback and suggestions. If you have a complaint, there are four stages that you can go through to resolve the problem.

The four stages are:

1 **Stage 1 – Informal**

Speak to the individual(s) concerned or their Line Manager and try to resolve the complaint informally. The individual concerned is required to tell you their name and who their Line Manager is, if you ask them.

Stage 2 – Formally Registering a Complaint

If you are not satisfied with the response you have received at Stage 1, you should then use Stage 2 for this procedure.

- 1.1 Outline the details of your complaint by letter, fax or email and send it to the Executive Director, SCI, 14-15 Belgrave Square, London, SW1X 8PS email: joanne.lyall@soci.org. If your complaint is about the CEO, then you need to address it to the Chairman of the Trustees at the above address (marked private and confidential).

Your complaint will be acknowledged by letter within seven working days from the date it is received. The letter will contain the following information:

- Contact details of the person who will investigate the complaint;
- The date the investigation will start; and



- What support you can receive during the process of the complaint, e.g. in terms of making information accessible.

1.2 You will receive a full response to your complaint within 21 working days from the start of the investigation in writing from the person appointed to investigate the complaint. The response will include the following information:

- Details of the investigation;
- A decision about whether the complaint was upheld or not;
- The reason(s) for the decision;
- The redress, if appropriate, which will be offered to you e.g. an apology;
- Any other action that may be taken in light of the complaint; and
- If it is not possible to provide a full answer to your complaint within 21 working days, the letter will outline reasons and give a date by which a full answer is expected.

2 **Stage 3 – Appeal**

If you are not satisfied with the response to your complaint then you can appeal.

The Appeal Panel will comprise:

- The Chairman of SCI, or his/her representative (provided that the Chairman is not involved in the complaint, in which case the Honorary Treasurer will take his/her place);
- The Executive Director, or his/her representative (provided that the Executive Director is not involved in the complaint, in which case the Honorary Treasurer will take his/her place);

- A Member; and
- An independent person.

The Appeal Panel will make its decisions by majority vote. In the event of a deadlock, the independent person shall have the casting vote.

2.1 **Grounds for Appeal**

The grounds for appeal are that you think:

- we are acting unlawfully;
- we failed to consider the evidence;
- we are acting in breach of our own complaints procedure and that our failure to comply with our own complaints procedure has led to an injustice; or
- new evidence has arisen.

2.2 **What are not Grounds of Appeal**

We will not hear appeals which are:

- Frivolous, vexatious or mischievous; or
- Where you are just unhappy with our decision.

2.3 **Time limits**

You must appeal within two months of SCI notifying you that it has concluded its inquiries into your complaint. The letter notifying you that the complaints process has been concluded will, if appropriate, notify you of your right of appeal. If we cannot deal with your appeal we will let you know within 10 working days.

2.4 **The form of your appeal and your appeal allocation officer**

In the first instance you should set out the grounds for your appeal in writing to the Chairman of SCI. The Chairman will allocate an appeal allocation officer who will be your point of contact at SCI and who will guide you through the appeal process, organise the appeal hearing and make all necessary arrangements. Your letter should explain why you think SCI has come to the wrong conclusion and enclose all the relevant documents (see below paragraph 3.9 Do I need to attend?). If we ask for further information then you have 10 working days to supply it to us.

If you wish to call witnesses to support your evidence at the appeal hearing you should supply us with their details and a summary of the evidence that they will be giving and why it is relevant to your appeal. Alternatively your witnesses can make a signed written statement which can be read out at the appeal hearing rather than them appearing in person. Both you and SCI will only be able to call a maximum of two witnesses.

2.5 **Representation**

You may bring someone with you to support you at the hearing such as a friend or a relative. If you wish to bring a lawyer then you will be responsible for paying your own legal fees.

2.6 **Before the appeal hearing**

Ten days before the appeal hearing we will send you a file containing relevant documents, and either a summary of the evidence to be given by your witnesses or, if your witnesses are submitting written evidence, a copy of their witness statements and either a summary of evidence from members of SCI's staff and SCI's witnesses or, if they will not be appearing at the appeal hearing, written statements. There will also be included a written response by the person who has investigated your complaint.

2.7 **Setting a date and time and expenses**

We will agree a date and place for you to attend the appeal. We will pay you, one supporter (your supporter can be a lawyer but we will not pay your legal fees) and two witnesses for your travel expenses to attend the appeal hearing. You should use public transport wherever possible. We will only pay taxi fares if public transport is not available or if you, your supporter or your witnesses have particular needs (which you should tell us when claiming your expenses). We will pay bus, train, standard-class rail travel or a fixed amount for mileage if you have to travel by car. We cannot pay other costs if you travel by car, such as parking or tolls.

We will also pay a fixed amount to your witnesses for loss of earnings. The amounts are similar to those paid for jury service.

2.8 **Do you have special requirements?**

If you have any particular requirements, such as an interpreter or signer, please let us know as soon as possible and we will make the arrangements.

2.9 **Do I need to attend?**

No. Instead of attending the appeal hearing both you and your witnesses can send us written statements. You will need to tell us:

- What you think the relevant facts are;
- What conclusions you think SCI should have come to; and
- What action SCI should take.

If you do not attend the appeal hearing without letting us know then, at the Chairman's discretion, the appeal may be heard *in absentia*.



2.10 What is the procedure at the appeal hearing?

The hearing will not be open to the general public. The procedure at the appeal hearing will be as follows:

- (a) The Chairman will ask you to give a brief outline of your case. The Chairman will then ask you to state:
 - What you think the relevant facts are;
 - What conclusions you think SCI should have come to; and
 - What action SCI should take.

- (b) The Chairman will invite your witnesses to give their evidence to support what you claim are the relevant facts or alternatively, if you prefer, he will read out your witness statements. The Chairman may allow extra written evidence at the appeal hearing if he considers there are special circumstances.

- (c) The Chairman will then address the members of SCI's staff involved in your complaint including the principal members of staff named in your complaint and the person who has investigated your complaint and any witnesses called by SCI. At the Chairman's discretion written statements by members of SCI's staff or the person who has investigated your complaint may be read out in preference to personal attendance.
- (d) The Chairman will then ask if you have anything to add before the appeal panel decides its case.
- (e) At the end of the hearing the Chairman will tell you that you will receive the decision by post. You will usually hear what the decision is within about two weeks.

2.11 **When will you know the outcome?**

We will not be able to inform you of our decision on the day. We will write to you to inform you of our decision, with reasons, usually within two weeks of the hearing.

Our decision is final. However, you can ask us to reconsider our decision within 10 working days if you think that the appeal panel has failed to take into account relevant evidence or that new evidence has arisen.

3 **Stage Four – Review of Process**

- 3.1 If once you have been through Stages One to Three of our complaints procedure, you are not satisfied that the complaints procedure itself is fair then you can outline the reasons for your dissatisfaction by letter, fax or email



within 21 working days of receiving the Appeal decision and request a review of the complaints procedure, not a further investigation of the complaint.

- 3.2 The Executive Director or the Chairman will make arrangements for a review of the complaints procedure and will inform you of how the review will be carried out.
- 3.3 The decision of the process review will be final. The Chairman or the Executive Director will communicate in writing within 28 working days of receiving your request for a review:
 - Whether or not the procedure is fair;
 - The reason for the decision; and
 - What action may be taken in the light of the review.