

**Coast to
Capital**



Complaints

Complaints Policy and Confidential Complaints Procedure 2021

Version Control

Version	Reason for update	Publication Date
V2 – 2021	Reviewed as part of Governance Review.	February 2021
V1 – 2019	Included in 2020 Assurance Framework	January 2020

Introduction

Coast to Capital views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person or organisation that has made the complaint.

Our policy is:

1. To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint
2. To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint
3. To make sure everyone at Coast to Capital knows what to do if a complaint is received
4. To make sure all complaints are investigated fairly and in a timely way
5. To make sure that complaints are, wherever possible, resolved and that relationships are repaired
6. To gather information which helps us to improve what we do.

Definition of a Complaint

Not all complaints to us will be dealt with under this policy. Please see below for guidance on what we cannot deal with under this policy.

Disclosers should not raise malicious or vexatious concerns, nor should they raise knowingly untrue concerns. In addition, this procedure should not be used to raise concerns of a HR/personal nature, such as, complaints relating to a management decision or terms and conditions of employment. These matters should be dealt with using the relevant alternative procedure, for example, the LEP Grievance Procedure. Equally, this policy would not apply to matters of individual conscience where there is no suggestion of wrongdoing by the LEP but, for example, an employee or LEP Board Member is required to act in a way which conflicts with a deeply held personal belief.

The following types of complaints cannot be considered under this Complaints procedure.

- Complaints made by members of the public against a third party e.g. one of the Local Authorities. Each Local Authority will have its own complaints procedure.
- Complaints where there is an alternative existing right of objection. This is where there is a more appropriate individual or organisation to deal with your complaint such as a tribunal, Ombudsman or court.
- Complaints that are made regarding matters that are the subject matter of threatened, prospective or active legal challenge or proceedings (for example regarding whether a decision, action (or lack of action) is lawful).
- Political complaints – these should be made directly to Councillors.
- Complaints about issues that occurred over 12 months ago We would not normally investigate complaints about something that happened more than a year ago, unless there are exceptional circumstances.
- Complaints from contractors or potential contractors relating to the award of contracts.
- Complaints about Freedom of Information (FOI) or Subject Access Requests under Data Protection legislation.

This list is a guide and is not exhaustive.”

Where Complaints Come From

Complaints may come from any person or organisation who has a legitimate interest in Coast to Capital.

A complaint can be received by email or in writing.

This policy does not cover complaints from members of the Coast to Capital Team who should use the Discipline and Grievance policy as laid out in the Team Manual.

Confidentiality

All complaint information will be handled sensitively, informing only those who need to know and following any relevant data protection requirements. Our arrangements to enable third parties and the public to confidentially report concerns about LEP processes and decisions can be found under our Confidential Complaints Procedure.

Responsibility

Overall responsibility for this policy lies with the Board of Coast to Capital and its implementation is one of the responsibilities of the Chief Executive.

Review

This policy is reviewed regularly and updated as required.

Publicised Contact Details for Complaints:

Written complaints should be sent to Coast to Capital at Pacific House (Second Floor), Hazelwick Avenue, Three Bridges, Crawley, RH10 1EX or by e-mail at contact@coast2capital.org.uk. Complainants should provide any information or evidence that may be relevant to the complaint, including names, dates or documentation in this correspondence.

Complaints Procedure

We will try to resolve any issues, as quickly as possible; and in many cases is best resolved by the person responsible for the issue that is being complained about. However, if an issue cannot be resolved informally then the Complainant should refer to the formal complaints procedure as detailed below.

Stage One

All information regarding a formal complaint should be passed to the Chief Executive and the designated Complaints Officer (Coast to Capital Governance Officer) within five working days of receiving a formal complaint by email or letter. This should include any information about informal resolution efforts and we may request additional information relevant to the complaint. Coast to Capital employees are responsible for ensuring these deadlines are met.

On receiving the complaint, the Complaints Officer records it in the Coast to Capital Complaints Log. The Chief Executive will delegate to an appropriate person to investigate and to take the appropriate actions. If the complaint relates to the Chief Executive all information regarding the complaint should be passed to the Complaints Officer and Corporate Manager who will delegate to an appropriate person to investigate and to take the appropriate actions.

If the complaint relates to a specific person, they should be informed and given a fair opportunity to respond.

Complaints should be acknowledged by the person handling the complaint within five working days. The acknowledgement should say who is dealing with

the complaint and when the person complaining can expect a reply. A copy of this complaints procedure should be attached.

Ideally complainants should receive a definitive reply within four weeks. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is justified or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

Stage Two

If the complainant feels that the problem has not been satisfactorily resolved at Stage One, they can request that the complaint is reviewed at Board level. At this stage, the complaint will be passed to a Working Group of unconflicted Board Directors.

The request for Board level review should be acknowledged within five working days of receiving it. The acknowledgement should say who will deal with the case and when the complainant can expect a reply.

The Working Group may investigate the facts of the case themselves or delegate a suitably senior person to do so. This may involve reviewing the paperwork of the case and speaking with the person who dealt with the complaint at Stage One.

If the complaint relates to a specific person, they should be informed and given a further opportunity to respond.

The person who dealt with the original complaint at Stage One should be kept informed of what is happening.

Ideally complainants should receive a definitive reply within four weeks. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is upheld or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

The decision taken at this stage is final.

Stage Three

If the complainant is not satisfied with the outcome of the complaint the complainant can approach the Accountable Body. The Accountable Body will, in investigating complaint liaise with Coast to Capital to ensure that the matter is properly investigated and responded to. The Accountable Body will consider whether the LEP has followed its complaints procedure correctly.

Failing adequate resolution by the Accountable Body the complainant can report it directly to the Cities and Local Growth Unit in the Ministry of Housing, Communities and Local Government and the Department for Business, Energy and Industrial Strategy, at the following email address:

localgrowthassurance@communities.gov.uk or by writing to: LEP Compliance 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'.

If you would like help making a complaint, you can contact your Local Councillor or MP. You can also get help from a specialist advice agency or organisation which represents people, such as Citizens Advice Bureau (CAB).

Confidential Complaints Procedure

Coast to Capital 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 Coast to Capital, please follow the Whistleblowing Policy on our website. For third parties and members of the public, please follow the confidential complaints procedure outlined below.

However, if a member of the public or third party believes that their complaint fits the description below; they can elect to 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 individual's own position and has no or very limited public interest.

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. Coast to Capital will investigate all complaints or allegations.

Anonymous allegations

Coast to Capital takes all complaints and concerns raised by members of the public and third parties seriously. We will investigate anonymous allegations. However we 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 Coast to Capital. 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. However it may be necessary to provide personal details to progress a complaint.

Where details are gathered, Coast to Capital will put in place appropriate data protection arrangements in line with the Data Protection Act 2018.

Procedure

Coast to Capital 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:

- Jonathan Sharrock – Chief Executive –
jonathan.sharrock@coast2capital.org.uk

Kristel Smith – Corporate Manager (Kristel.Smith@Coast2Capital.org.uk)
Alternatively, you can use our secure website form which can be accessed on our website - <http://www.coast2capital.org.uk/contact-us/>.

Please include all the relevant information regarding the complaint and state that you want the complaint to remain confidential. Please note that we may request supplementary information.

Action Taken

The Complaints Officer will raise your concern and investigate the complaint. You can expect the officer to:

- Contact you within 10 clear working days to acknowledge the complaint and discuss the appropriate course of action.
- Write to you within 28 clear working days with findings of the investigation. If the investigation has not concluded within 28 clear 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.

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 Coast to Capital's Accountable Body which is Brighton and Hove City Council who will have their own confidentiality procedures.
- If you are either unable to raise the matter with Coast to Capital or you are dissatisfied with the action taken you can report it direct to the Cities and Local Growth Unit in the Ministry of Housing, Communities and Local Government and the Department for Business, Energy and Industrial Strategy, at the following email address: localgrowthassurance@communities.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".

Date Approved: February 2021

Approved by: Board

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