



## **SPCC Complaints Policy**

### **1. Purpose**

We strive to deliver an excellent service. However, we understand there may be occasions when we fall short of the high standards we set ourselves. The purpose of this policy is to outline how to make a complaint about, or provide feedback on, aspects of our service.

### **2. Our Commitment**

The SPCC is committed to developing a culture of excellence by setting clear standards about the service that can be expected from us by all those involved in complaints and other matters dealt with under the Service Police (Complaints etc) Regulations 2023, and by providing opportunity for feedback. The way in which we handle complaints is underpinned by the values of the SPCC which are:

- independence and fairness
- honesty and transparency
- respectful treatment, and
- professional behaviour.

### **3. Complaints handling standard**

We will provide a service that complies with the principles of effective complaints handling. The benchmarks of quality are:

- Responding to complaints effectively, sensitively, fairly and thoroughly.
- Getting it right, taking account of the rights of complainants by acting in accordance with relevant law and providing clear governance for complaints management.
- Listening carefully to complainants and providing an accessible complaints service with clear and simple procedures.
- Being open and accountable, providing honest evidence-based explanations as well as publishing clear information and service standards.
- Acting fairly and proportionately, without discrimination, ensuring that complaints are investigated thoroughly and decisions are proportionate, appropriate and fair.

- Putting things right, acknowledging mistakes and apologising where appropriate with prompt and proportionate remedies.
- Seeking continuous improvement, by regularly reviewing and using all feedback and the lessons learnt from complaints to improve service design and delivery.

We are held to account by the delivery of these standards and have a commitment to deal promptly and openly with complaints about our decisions and the service we provide.

We will respond to complaints effectively and deal with them sensitively, fairly and thoroughly. We will not treat any individual less favourably on the basis of their protected characteristics (race, religion or belief, sex, sexual orientation, marriage or civil partnership, age, disability, gender reassignment, pregnancy and maternity).

## **5. What is a complaint?**

We define a complaint as any expression of dissatisfaction about any aspect of our service. It may be made by, or on behalf of, a person who has been directly involved in the service of which complaint is made and wishes the matter to be handled as a complaint rather than feedback.

A person making a complaint on behalf of another will need written authorisation to do so from the complainant. In these circumstances, there may be restrictions on information that can be shared. Restrictions will be explained at the outset of the complaints process.

Nothing in this section is intended to prevent individuals from making complaints under other applicable legislation or policy.

## **6. What is feedback?**

Feedback is a useful tool to provide reflections to highlight where things have gone right, as well as to inform improvements to processes and procedures.

The best way to provide feedback to the SPCC is to contact the person assigned to your case directly (usually the Lead Investigator), as they may be able to help straight away.

You can also provide feedback to [people-dpt-spcc-enquiries@mod.gov.uk](mailto:people-dpt-spcc-enquiries@mod.gov.uk).

## **7. Scope of the policy**

This policy covers complaints about the following matters:

- complaints about the way our staff and investigating officers have conducted themselves
- legal, procedural and investigative decisions where the complainant identifies grounds indicating that the decision may have been unlawful, procedurally improper, unreasonable or otherwise materially flawed.

This policy does not cover complaints about the following matters:

- matters which are, or have been, subject to legal proceedings before a civilian or Service court or tribunal
- matters which follow procedures set out in legislation, such as the Data Protection Act, UK General Data Protection Regulation or Freedom of Information Act
- abusive or vexatious complaints, or complaints where our formal complaints procedure has been exhausted
- complaints about partner organisations
- repetitious complaints (unless there is significant new evidence)
- the SPCC's role and remit, which is set out in the Service Police (Complaints etc.) Regulations 2023
- the outcome of a review carried out by the SPCC under the regulations; these decisions may be subject to challenge via the judicial review process.

## **8. Timing of complaints**

Complaints should be made within three months of the date of the matter that gives rise to the complaint.

If a complaint is made to us after the three-month deadline, we will consider it if:

- we believe there were appropriate reasons for not making the complaint before the deadline
- it is still possible properly to consider the complaint

## **9. How to complain**

Complaints can be made to us:

- by email: [people-dpt-spcc-enquiries@mod.gov.uk](mailto:people-dpt-spcc-enquiries@mod.gov.uk)
- in writing: Service Police Complaints Commissioner  
6M Ministry of Defence Main Building  
Horse Guards Avenue  
London  
SW1A 2HB

## **10. What information will need to be provided**

To ensure that a complaint can be dealt with quickly and efficiently, the complainant or their representative should provide the following information:

- Full name
- Postal address
- Email address
- Contact details (including the detail of the complainant's nominated representative, where applicable)
- Full details of the complaint and the way in which the complainant was directly involved with the SPCC
- Preferred method of contact (letter, email, telephone)

## **11. How we manage complaints**

The SPCC will deal with all complaints sensitively, fairly and confidentially and will inform the complainant whether their complaint has been upheld, either wholly or in part, or not upheld. If the complaint is upheld, we will apologise, try wherever possible to put the matter right and take steps to ensure that it does not happen again by capturing and acting upon any learning.

The complaints process comprises the following stages:

### Local Resolution

It may be possible for the cause of the dissatisfaction to be resolved immediately and the SPCC should aim to do so by providing an explanation, apology or other appropriate outcome within three working days. If we are unable to resolve concerns satisfactorily then the complainant may wish to pursue a formal complaint following the outlined procedure.

### Stage 1 – Acknowledgement

The SPCC will acknowledge your complaint within five working days, and you will be issued a unique reference number.

### Stage 2 – Investigation

Your complaint will be reviewed by a member of the Office of the SPCC, other than the Commissioner. Additional information may be requested. In certain circumstances the Commissioner may decide that it is necessary to proceed directly to Stage 4 where, for example, the complaint is about the Office of the SPCC.

If accepted, we aim to complete an investigation into your complaint within 30 working days.

### Stage 3: Resolution

The SPCC will provide you with a written report explaining the outcome of your complaint and will include:

- our understanding of your complaint
- the reasons for any decisions made
- any steps taken to put things right
- details of any outstanding actions, if applicable

### Stage 4: Review

If you are dissatisfied with the outcome of your complaint, you may ask for your complaint to be reviewed. The review will be carried out by the Commissioner. You must include reasons for your dissatisfaction.

### Additional steps

If you are still not satisfied with the outcome of your complaint, you may be able to challenge the conclusions of the review (Stage 4) via the **judicial review process**.

## **12. Standards of behaviour & respect**

We recognise that making a complaint can be a result of a stressful or upsetting experience. We will handle complaints with respect and empathy, however we will not tolerate abuse or unreasonable behaviour. If behaviour becomes unreasonable, it may be necessary to terminate our engagement with you.

## **13. Circumstances not provided for**

It is almost impossible to encapsulate every possible type of complaint or the substance thereof. The SPCC reserves the right to deviate from the strict letter of this policy where the interests of justice allow. Where that is the case, the complainant will receive a written explanation as to why it has been necessary to deviate from this policy and what this means for the complaint. However, even where such a deviation takes place, the complaints handling standards at section 3 continue to apply.

## **14. Reasonable adjustments**

We will consider any requests for reasonable adjustments. Please raise these as soon as possible following the initiation of a complaint.

## **15. Confidentiality & data protection**

We handle all information in line with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.