



Her Majesty's
Inspectorate of
Probation

Complaints procedure

HM Inspectorate of Probation

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Contents

1. Introduction	2
2. Complaints we deal with.....	2
3. What we cannot deal with	3
4. The complaints process	3
5. Complaints feedback.....	6
6. Contact details.....	6

1. Introduction

We are committed to ensuring that all we do is transparent and fair and our work is of a professional standard. This includes handling complaints proficiently, in an open and rigorous way, investigating the matters raised thoroughly, and replying as quickly as possible to any concerns raised with us.

We will keep a log of all formal complaints and report annually on complaints received and complaints upheld.

You can make a complaint if you are dissatisfied with the way in which we carry out, or fail to carry out, our business. This includes the quality of our work or the way we work, including the conduct of the organisation or individual members of staff.

We aim to address any concerns or dissatisfaction as early as possible, preferably before they are escalated to formal complaint.

2. Complaints we deal with

We define complaints as any expression of dissatisfaction about the way in which we have carried out, or failed to carry out, our work and which requires a response from us.

The types of complaints we would consider under this policy are generally about aspects of the service we have provided. This could include complaints about:

- failure to follow our published policies or procedures without a reasonable explanation
- how we have conducted our inspection, for example unprofessional behaviour or conduct of staff or how we have come to our conclusions
- bias or unfair treatment.

3. What we cannot deal with

If we cannot deal with your matter, we will write to you to explain why. Some examples of where we may not be able to assist include:

- a complaint about an inspection (or any other action we have taken) that we receive from a third party not directly involved, such as a service user or a victim. Any complaints about the inspection would need to be routed through the inspected organisation
- a complaint from a service user or victim about a youth offending or probation service
- where you disagree with our published policies, procedures or methodology; in these circumstances we would expect views to be fed in via our usual public consultation processes
- matters that have been previously investigated by HM Inspectorate of Probation
- issues that are the subject of, or are related to, legal proceedings or potential legal proceedings, against us or a third party
- a complaint that is considered 'out of time' (see step 2 of the complaints process).

4. The complaints process

Step 1 – Early resolution

Some concerns can be resolved informally. We encourage all and any concerns about our work to be expressed to us at the earliest possible time. These issues should be raised with the individuals involved. The intention of this approach is to provide an early opportunity to clarify any misunderstandings or to resolve matters of concern quickly and informally.

If your concern relates to an inspection or inspection staff then you should raise it with the lead inspector as soon as possible, during the inspection. This includes any concerns about the inspection process or how the inspection is being conducted. We will attempt to address any issues immediately if possible; and certainly, before the publication of the final inspection report if we can.

If your concerns are not resolved directly with the lead inspector to your satisfaction, then you should raise your concerns with the relevant [Head of Programme at HM Inspectorate of Probation](#).

Before we publish any full inspection report, the organisation being inspected will be able to see it and will be given the opportunity to comment on the factual accuracy of the final inspection report. At the factual accuracy checking stage, the inspected body has the opportunity to challenge any rating, should they have the evidence to

do so. These procedures allow any issues to be dealt with informally and at the earliest opportunity during the inspection process. We would not expect issues of factual accuracy to be raised in a complaint as a rule, given that the inspected body will have had adequate time to consider the full report prior to publication. The Director of Operations is the final decision-maker on matters raised at this stage, having looked at the evidence and taken advice from the Lead Inspector and the Head of Programme.

Our inspection standards and our approach to ratings can be found here: [standards and ratings](#).

We will not change inspection reports and judgements simply because they are disappointing to the provider or on the basis that improvements have been made since the inspection, or that improvements are promised in the future.

We actively encourage feedback from staff and managers of organisations whose work has been inspected. During inspection we issue feedback evaluation forms to all those we have interviewed and review that feedback carefully. We also seek feedback from the senior leaders of the inspected body post-publication, particularly regarding how we can improve our inspection processes. We also issue an annual stakeholder feedback survey. This is often the best way for inspected bodies to provide their views. We do welcome feedback at any time. Feedback can be directed to HMIP.enquiries@hmiprobation.gov.uk.

Step 2 – Making a formal complaint

If your concern is about an inspection or other area of our work and has not been resolved at step 1, you can raise a formal complaint. The process is set out below.

1. You should set out your full complaint no later than 10 working days following the incident of concern. We will not normally consider complaints submitted after the 10 working-day period, as these will be considered 'out of time'. If the complaint has already been considered at step 1 you should provide new evidence as to why you consider the step 1 conclusion to be inaccurate.

We do not normally withhold publication of an inspection report or withdraw a published inspection report while we investigate a complaint, unless there are exceptional circumstances. This is because there is a public interest in the prompt publication of all reports. Her Majesty's Chief Inspector also has a legal duty to report the findings of inspections to the Secretary of State. We consider whether to withhold publication or to withdraw a published report on a case-by-case basis. A challenge to the inspection ratings or disagreement with the inspection findings alone are not normally considered to be exceptional circumstances.

2. Complaints should be addressed to Her Majesty's Chief Inspector of Probation. They should be sent to the following email address:
HMIP.enquiries@hmiprobation.gov.uk.
3. We will log the complaint and acknowledge its receipt within five working days.
4. For us to deal with your complaint we will need you to send us all relevant supporting information as soon as possible. Specifically, we will need:

- a concise account of your concerns and any actions already taken to resolve these
- what you expect should happen as a result of your complaint
- all supporting documents
- contact details.

We will store any information you send us securely. We may need to provide some of the information you give us to others, to deal effectively with your complaint. If that concerns you, then please let us know.

If you submit several complaints at the same time we may choose to undertake a single investigation of them all and provide a single response.

5. A senior member of HM Inspectorate of Probation staff who has no direct connection with the matter will be appointed as the Investigating Officer and will investigate your complaint. We will give you the name and contact details of this Investigating Officer.
6. If the complaint is about a member of HM Inspectorate of Probation staff, they will be informed of the matter and given the opportunity to comment.
7. The formal investigation will conclude within 20 working days from receipt of the complaint.
8. The Investigating Officer will reply to you in writing within 10 working days of the conclusion of the investigation.
9. If, exceptionally, we are unable to investigate the complaint within these timescales you will be informed and given a date by which you will receive a full response.

Step 3 – Requesting a review

If you are unhappy with the way your complaint has been handled, you can request an internal review. You should submit a request for an internal review within 10 working days of the date of our decision letter.

The review will not be a re-investigation of the issues raised in your original complaint. We will consider how we handled the complaint. The review will be based on information from the original investigation. New concerns raised or new evidence presented will not normally be considered as part of this review.

A senior member of staff who has not been involved in conducting the investigation will carry out the internal review. We aim to complete an internal review within 30 working days of your request being accepted. We will let you know if it is likely to take longer.

You will receive the outcome of our review in writing. This will address whether or not your original complaint was investigated fairly and properly in line with published policy. The decision of our internal review is final and represents the end of our complaints process.

Once our internal complaints process has been exhausted, should you remain dissatisfied, you may have recourse to legal proceedings.

5. Complaints feedback

We take all complaints very seriously and try to handle concerns objectively, fairly and efficiently. You are invited to provide feedback on how your concerns were handled. Feedback will be used to improve our complaints handling process and improve the quality of our investigations and responses where appropriate. Please submit any feedback in writing to HMIP.enquiries@hmiprobation.gov.uk.

6. Contact details

Please send all complaints correspondence or enquiries to:

Post

HM Inspectorate of Probation
1st Floor, Manchester Civil Justice Centre
1 Bridge Street West, Manchester
M3 3FX

Email

HMIP.enquiries@hmiprobation.gov.uk.

Telephone enquiries

0161 240 5336