

Complaints Procedure (including Confidential Complaints Procedure) (updated February 2018)

Aims and Objectives

1. The Black Country Consortium Limited (BCC Ltd) is committed to maintaining the highest possible standards of openness, probity and accountability within its work environment and its relationship with members of the public and third parties. This policy recognises that there may be instances when an individual or organisation may feel that the high standards set by BCC Ltd are not being met.
2. In such instances, this document outlines the procedure for making a complaint to ensure that a complaint is dealt with promptly and efficiently.
3. Our objectives are:
 - To make it easy and clear to make a complaint
 - To investigate all complaints fairly, confidentially and in a timely manner
 - To resolve complaints as soon as possible
 - To keep the complainant informed of the progress of the complaint throughout the process

Complaints covered by this procedure

4. This complaints procedure will manage those complaints made in relation to the work of BCC Ltd including the Black Country Local Enterprise Partnership (BC LEP), the Active Black Country Board (ABC) and the Black Country Skills Factory.
5. 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 Black Country Local Authorities. Each Local Authority will have its own complaints procedure.
 - Complaints that are made regarding matters that are the subject matter of legal proceedings.
 - Political complaints – these should be made directly to Councillors.

Confidential Reporting of Complaints

6. We encourage employees and others with serious concerns about any aspect of the work of BCC Ltd, BCLEP, ABC and Black Country Skills Factory to come forward and voice those concerns without fear of reprisal. For employees and those working closely with any of the organisations listed above, please follow the whistleblowing policy at appendix 19 and on our website. For third parties and members of the public, if they believe that their complaint fits the description below, they may report their concerns through the whistleblowing policy procedure set out on the website.

7. **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 individuals own position and has no or very limited public interest.
8. For members of the public or third party where the description above is not met, they may make a confidential complaint by following the confidential procedure outlined below.

Confidential Reporting Procedure

9. If a member of the public or third party wishes 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. BCC Ltd will investigate all complaints or allegations.
10. BCC Ltd 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 e-mail either:

Chief Executive
Sarah Middleton
Black Country Consortium Limited
The Deckhouse
Waterfront West
Brierley Hill
DY5 1LW

Or

Kevin O'Keefe
Company Secretary
Black Country Consortium Limited
The Deckhouse
Waterfront West
Brierley Hill
DY5 1LW

Stating clearly that you want the complaint to remain confidential.

Action taken by BCC Ltd in relation to a Confidential Complaint

11. Upon receipt of the confidential complaint, the designated officer will raise your concern and investigate the complaint. The designated officer will:
 - Contact you within 10 working days to acknowledge the complaint and discuss the appropriate course of action
 - Write to you within 28 working days with the findings of the investigation. If the investigation has not concluded within 28 working days, the officer will write to you to give reasons for the delay in resolving the complaint and the date a reply will be provided
 - Take the necessary steps to rectify the issue

Anonymous allegations

12. BCC Ltd takes all complaints and concerns raised by members of the public and third parties seriously. We will investigate anonymous allegations but 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 BCC Ltd. 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.
13. The Department of Communities and Local Government may request information arising from this process if they have concerns regarding BC LEP or have been approached with similar complaints. The expectation is that this information will be provided on an anonymous basis, but it may be necessary to provide personal details to progress a complaint.

How to make a non-confidential Complaint?

14. All complaints must be made in writing providing as much information as possible. Please include your contact details and preferred contact method.

There are 3 stages in the procedure.

Stage 1 – Informal Resolution

15. Most complaints usually arise as a result of a misunderstanding and we hope to resolve these very quickly. Therefore, in the first instance your concerns should be raised with the team member providing the service to look into the complaint and try to put things right.
16. The complaint will be acknowledged by the team member within 10 working days of receipt of the complaint and a full response will be provided within 28 working days of receipt of the complaint.

Stage 2 – Formal Complaint

17. If it has not been possible to resolve the complaint at Stage 1, you can refer the complaint to BCC Ltd, Chief Executive, Sarah Middleton, Black Country Consortium Limited, The Deckhouse, Dudley Road, Brierley Hill, Dudley DY5 1LW who will investigate the complaint independently.
18. You will be informed within 10 working days that the complaint has been received by the Chief Executive for consideration under Stage 2.
19. The Chief Executive will investigate the complaint and a full response will be provided within 28 working days of the receipt of their request. In some cases, the investigation may take longer and we may need to extend this timescale but if this should be the case, we shall contact you and explain the reasons and provide a date by which we will provide a reply.

Stage 3 – Board of Directors Consideration

20. If it has not been possible to resolve a complaint at Stage 2, you can refer the complaint to the BCC Ltd, Board of Directors who will investigate the complaint further. In such a case, the complaint should be addressed to:

Chair of the Board of Directors
Black Country Consortium Limited
The Deckhouse
Waterfront West
Dudley Road
Brierley Hill
DY1 1LW

21. The Chair will acknowledge the complaint within 10 working days and inform the you that the complaint is being considered under Stage 3.
22. The Board of Directors will investigate the complaint and a full response will be provided within 28 working days of the receipt of the complaint.

Complaints relating to BC LEP only

23. If your complaint concerns the activities of the BC LEP and you are unhappy with the outcome of the complaint under either the confidential procedure or the ordinary procedure or the complaint involves those responsible for the confidential complaints procedure:
24. You can escalate your concerns by making a complaint to the BC LEP's Accountable Body which is Walsall Council, Civic Centre, Darwall Street, Walsall WS1 1TP. This organisation will have its own confidentiality procedures.
25. In relation to complaints concerning BC LEP, if you remain dissatisfied with the action taken, you can report it direct to the Cities and Local Growth Unit in the Department of Communities and Local Government and the Department of Business, Energy and Industrial Strategy, at the following e-mail address: LEPPolicy@communities.gsi.gov.uk or by writing to LEP Policy Director, Cities and Local Growth Unit, Fry Block, 2 Marsham Street, London SW1P 4DF. You should clearly mark your letter or e-mail as "Official – complaints".

Satisfaction Sampling

26. Details of the complaint, whether in relation to BCC Ltd, BC LEP, ABC or Black Country Skills Factory will be formally registered with the Complaints Officer so that BCC Ltd can update best practice and for monitoring purposes.
27. A periodic and random sample will be made of complaints that have used the Complaints Procedure in order to monitor the effectiveness of the procedure and to help improve standards.

Data Protection

28. Where complaints are made, BCC Ltd will put in place appropriate data protection arrangements in line with the Data Protection Act 1998 or such other legislation in force.

Created:	24 February 2018
Version:	1
Review Date:	01 April 2019
Approved by BCC Ltd:	
Approved by Black Country Local Enterprise Partnership Board:	
Approved by Active Black Country Board:	
Approved by Black Country Skills Factory Board:	

Subject to Board approval