



Security Industry Authority

Complaints Handling Policy

October 2018

Complaints Handling Policy

Policy Statement:

1. This policy provides details of how we, the SIA, will deal with complaints made by individuals or organisations about us. This policy will tell you:
 - What sort of complaint does this policy cover?
 - How and when should you make a complaint to us?
 - Who will deal with your complaint?
 - How will we deal with your complaint?
 - What can you expect from us in response to your complaint?
 - What if you're not happy with our response?
 - What principles will we apply when dealing with your complaint?
2. This policy also provides information about:
 - Special payments relating to losses
 - Complaints against our Non-Executive Directors
 - Persistent or unreasonable complaints

Scope:

3. This policy is intended to offer advice and guidance to people who wish to make a complaint to us or those that may be advising others on our complaints policy.
4. This policy should also be read and followed by any SIA staff who are receiving, investigating or responding to complaints.

The policy:

What sort of complaint does this policy cover?

5. This policy covers formal complaints about us, the SIA.
6. We define a complaint as any expression of dissatisfaction with what we do that cannot be dealt with quickly or easily by our customer support team. (By 'quickly and easily' we mean where a specific issue can be put right straight away and you have no further issues or concerns.)
7. These might be complaints about:

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- Our failure to carry out our statutory functions
 - Our failure to provide a service, poor service, or avoidable delays on our part
 - The conduct of our staff (such as rudeness, unhelpfulness or incompetence)
8. Our complaints team will also deal with any request for compensation or claims relating to losses that you feel we are responsible for. (See **Special payments relating to losses** below.)
9. There are some things that our complaints team won't be able to help with. These are:
- Appeals against licence decisions. If we have refused, revoked or suspended your licence, please read the letter we sent you for details of how to appeal.
 - Complaints about the behaviour of security operatives or security companies. We will treat any such information as intelligence and it should be reported to us on our website at www.sia.homeoffice.gov.uk/tell-us
10. The above list doesn't cover everything. We will consider every complaint on a case by case basis. If we're not able to deal with a complaint, we will explain why and tell you what we will do instead. If appropriate, we will offer advice on where else the complaint could be submitted.
11. If your complaint relates to matters that have become the subject of legal proceedings, that are under police investigation, or that relate to an ongoing SIA investigation, we may defer the investigation of your complaint until these matters are complete. We will always tell you if we are deferring your complaint and explain our reasons for doing so.

How and when should you make a complaint to us?

12. The best ways to make a complaint are explained on our website at www.sia.homeoffice.gov.uk/complaints
13. Ideally, complaints should be submitted through an SIA online account or the 'Contact Us' link on our website using the phrase 'Formal Complaint' so that it reaches our complaints team promptly.

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14. Complaints can also be made by post to: Complaints Manager, Security Industry Authority, PO Box 74957, London E14 1UG
15. Complaints made through social media will receive a response directing you to the contact details on our website.
16. Complaints should be made by or on behalf of a named individual or group of individuals (this includes companies and other body corporates). We may not agree to investigate a complaint that is made anonymously.
17. Complaints should be made within six months of you becoming aware of the incident or problem so we have the best chance of being able to investigate the facts. We can't promise to be able to resolve a complaint submitted more than six months after the incident or problem occurred.

Who will deal with your complaint?

18. If our Customer Support team is not able to resolve the problem quickly and easily, your complaint will be dealt with by our Complaints Team.
19. The Complaints Manager and their team are responsible for
 - acknowledging complaints;
 - co-ordinating any investigation that may be required and ensuring that it is carried out in line with this policy.; and
 - responding to complaints (or making sure appointed colleagues respond to complaints) in line with this policy
20. Sensitive complaints (for example, complaints involving senior staff or allegations of corruption) may be handled at a more senior level.
21. Senior SIA staff (senior managers, deputy directors, directors or the Chief Executive) will be responsible for carrying out internal reviews (see **What if you're not happy with our response?** below). The person conducting the internal review may appoint review officers from anywhere within the organisation.

How will we deal with your complaint?

22. All complaints are different, but this is the basic procedure we will follow once we have received your complaint and confirmed that it should be dealt with in line with this policy:
- I. We will send you an acknowledgement telling you what we will do next. We aim to do this within **three working days** of your complaint reaching our complaints team.
 - II. We will then check to see if there are any urgent or immediate issues that need resolving. If there are, we will do our best to deal with these straight away. We will keep you updated (this may be with notifications sent to your SIA online account).
 - III. We will then investigate your complaint to find out what went wrong and what else needs to be done to put things right.
 - IV. We will provide a full written response to your complaint within **20 working days (four weeks)** of the date we send our acknowledgement.

What can you expect from us in response to your complaint?

23. If we find that we have made mistakes or that there have been errors or avoidable delays on our part:
- We will apologise.
 - We will explain what went wrong and what we have done to put things right.
 - Where appropriate, we will tell you what we have done to stop the problem occurring in the future.
24. If we find that we are not at fault, or that the problems were not caused by us:
- We will explain what we have done and why we have done it.
 - We will explain how the problem occurred as far as we can tell.

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- We will tell you anything that you can do to resolve the problem or avoid it happening in the future.

What if you're not happy with our response?

25. If you're not happy with our response you can ask for an internal review by contacting us as detailed above.
26. You should make clear why you are dissatisfied with the response we have provided. This will help us to make sure we address your remaining concerns during our review.
27. The review will be carried out by a senior member of SIA staff.
28. We aim to provide our reviewed response within **20 working days (four weeks)** of the date we acknowledge your request for a review.
29. If you are still not satisfied following an internal review, you will be able to take your complaint to the Parliamentary and Health Services Ombudsman (PHSO) by speaking to your local MP. The PHSO will expect you to have completed our internal complaints process before they will accept your case. You can find the contact details for your local MP here: www.parliament.uk/mps-lords-and-offices/mps/. More information about the PHSO can be found here: www.ombudsman.org.uk/making-complaint.

What principles will we apply when dealing with your complaint?

30. When we investigate and respond to complaints we will use the following principles:
31. **Fairness:** complaints will be handled fairly, objectively and in confidence. SIA staff who are the subject of a complaint will be given an opportunity to respond. We will provide a balanced response and, when we have done something wrong, we will say so.
32. **Promptness:** We will make sure that urgent issues are looked into as soon as possible. We will provide you with an update once a problem is resolved (this may be in the form of a notification sent to your SIA online account). We will then aim to provide a full response to your complaint within 20 working days (four weeks).

33. **Transparency:** We will tell you the outcome of any investigation and give our reasons for the decision to uphold or dismiss your complaint. If we can't tell you something, we will explain why and refer to any relevant legislation (e.g. Data Protection Act).
34. **Helpfulness:** We will give you clear information about anything that you need to do to resolve your issue and about your options if you are dissatisfied with our response.
35. **Responsiveness:** When possible, we will do all we can to make sure that any problems you encountered won't happen again. We will tell you about any actions we have taken to improve our processes, procedures or services as a result of your complaint.

Special payments relating to losses

36. If you believe that you have suffered financial losses because of errors or delays on our part, we can consider making a special payment to cover your losses.
37. Before we can consider making a payment, we will need evidence of the losses you have incurred.
38. If you are asking us to reimburse you for costs you have incurred (e.g. to replace a missing document), this should be the receipt or proof of payment.
39. If you are claiming a payment relating to loss of earnings, we will require evidence of your losses before we can consider making a payment. We will always tell you what evidence we require, but in general this will be as follows below.
40. If you have previously held a licence from us:
- Proof that you were working in a licensable role in the private security industry before you were prevented from doing so because of errors or delays on our part. This could be payslips, invoices or remittance notices.
 - Evidence of the earnings you missed out on. This could be evidence of a job offer with rate of pay and the hours you could

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have worked or written evidence from a potential employer of the hours and pay you had been offered.

- Where appropriate, proof that you have worked (or have sought work) in a licensable role in the private security industry since your licence was granted.

41. If you have not previously held a licence or worked in the private security industry:

- Written confirmation from a prospective employer of roles you were offered but could not accept because you did not hold a licence, and the pay rate and hours that had been offered.
- Evidence of the income you were receiving in your previous role. This could be payslips, invoices or remittance notices.
- An explanation of when and why you left your previous employment.

42. If your claim relates to any other form of loss or compensation, we will tell you what evidence we require when we acknowledge your complaint. If we don't agree that your claim is covered by this policy, we will explain why we cannot consider a payment in your case.

43. If we decide to make a special payment, it is made voluntarily, without a legal obligation to do so, and without any acknowledgment of legal liability.

44. When considering making a special payment relating to delay, we will consider whether the time taken was excessive in the circumstances.

45. Where the complaint relates to a failure of service on our part, when deciding the amount of any special payment, we will take into consideration any action that you have taken (or failed to take) to reduce the impact of the service failure.

46. We may seek confirmation of the accuracy of any evidence you submit. In the event that any information provided is fraudulent or misleading we may seek to recover any monies paid, plus our costs, and may choose to refer the matter to the police.

Complaints against our Non-Executive Directors

47. Our Non-Executive Directors (sometimes referred to as ‘the Authority’) are appointed by, and are answerable to, the Home Office.
48. If you make a complaint against one of our Non-Executive Directors, the complaint will be logged and acknowledged by the complaints team as per the complaints procedure outlined above.
49. If it falls within this policy’s definition of a complaint, it will be passed to our Chair for investigation **unless** the complaint is about our Chair, in which case it will be passed to one of the other Non-Executive Directors to investigate.
50. If you are dissatisfied with our response then you can ask for the case to be reviewed, in which case it will be reviewed by our Chief Executive or one of our Executive Directors.
51. If you are still dissatisfied with our response then you can complain to the Home Office.

Persistent or unreasonable complaints

52. We welcome any feedback about the quality of our service and we are committed to offering a fair complaints process.
53. We may consider a complaint to be unreasonable in some circumstances. This may be:
 - When a complaint is persistently pursued after our complaints procedure has been fully exhausted and the person making the complaint has been advised to seek a referral to the Parliamentary Ombudsman.
 - Where the complaint is identical or substantially similar to a previous complaint made by or on behalf of the same person.
 - When the complaint has the effect of harassment, or when the behaviour of the person making the complaint can be fairly characterised as obsessive or manifestly unreasonable.
 - When the subject matter of the complaint is, or has been, the subject of legal proceedings.

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54. The decision as to whether a complaint is considered unreasonable will be made by a senior manager.

55. We reserve the right to deal with complaints that are considered to be unreasonable by:

- Limiting communication with the person making the complaint to just one form and to one point of contact.
- Confirming to the person making the complaint in writing that the investigation/review is complete, that continued correspondence will serve no purpose and that no further action in response to their complaints.
- If there is continued contact by telephone, the member of staff receiving the call will be authorised to bring the conversation to an end by explaining that the case has been closed and, if necessary, by terminating the call.

Review of this policy

56. This policy will be reviewed annually.

End of document.

Appendix 1: Complaints Process

