

PZN YOUTH CIC

PZN Youth Complaints and Whistleblowing Procedures 2024

Quick Reference: Summary of Complaints Procedures

A complaint may be made by any person by phone, email or in writing.

Stage 1 Frontline Resolution

At this stage we will always try to resolve the complaint quickly and to the complainant's satisfaction wherever possible

Stage 2 - Complaint Investigation

1. We will investigate where the complainant is still dissatisfied after Stage 1 outcome
2. Where it is clear the complaint is particularly complex we will undertake detailed investigation
3. We aim to provide a decision on the complaint within five working days unless under exceptional circumstances
4. We will send an acknowledgement of the complaint within three working days and provide a decision within 20 working days unless there is a clear reason for extending the timescale
5. We use all experiences of receiving complaints as educational and an opportunity to improve our work. Where appropriate we will inform the complainant of any changes within our operations, policies and procedures as a consequence of the complaint

Quick Reference: Summary of Whistle Blowing Procedures

1. This procedure is for PZN Youth employees and directors who wish to make an internal or external disclosure exposing malpractice, illegal acts, or omissions at PZN Youth CIC
2. Please see the guidance for employees and directors in the Whistle Blowing Procedures section 3 of this document
3. We will take measures to provide you with appropriate support and swiftly respond to your concern or disclosure. We encourage all reports to be made internally in the first instance to the manager of one of the directors.
3. In circumstances where it is not possible for reports to be made internally, or where having made a disclosure you are unhappy with the outcome, you have a legal right to make a disclosure to an external body. This is called a 'Public Disclosure'
3. Please follow the guidance Internal and External Procedures in this document to make a disclosure or "*Blow a whistle*'

Contact PZN Youth CIC

If you have a complaint, concern or disclosure please contact us as soon as possible at :
 PZN Youth CIC ,Alverton St, Penzance, TR182QP Website: www.pznyouth.org Email: hello@pznyouth.org Tel: 07788 769482

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PZN Youth CIC Complaints and Whistleblowing Procedures 2024

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1. Our Commitment

At PZN Youth we are committed to providing high quality services to our staff team, volunteers and young people using our services or engaging with us. We value every concern or complaint and learn from them to help us improve what we do and how we do it.

If something goes wrong or you are dissatisfied with what we are providing, please tell us – you should feel free to raise matters of concern without risk of disadvantage. This document describes our complaint procedure and how to make a complaint.

PZN Youth is committed to a culture that encourages the highest standards of openness, integrity and accountability and to continuous improvement in the way we support the whole staff team, volunteers, directors and anyone who works for the organisation.

The Whistle Blowing Procedure set out in this document provides guidance on how employees and directors may raise any serious concern that they have about the organisation and details how those concerns will be addressed.

In the interest of maintaining high standards and good practice, all employees and directors are requested to adhere to these procedures. Employees are supported to understand these procedures through inductions, training and supervisions. Procedures are regularly reviewed and updated when necessary.

2. Complaints Policy and Procedures

What is a complaint?:

We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

What can I complain about?:

You can complain about things like:

- the quality and standard of any service we provide
- failure to provide a service
- the quality of our facilities or resources
- unfair treatment or inappropriate behaviour by a staff member or someone representing PZN Youth
- the failure of PZN Youth to follow an appropriate process;
- dissatisfaction with PZN Youth policies;
- fundraising activities undertaken by PZN Youth, or those acting 'in aid of' or 'on behalf of' PZN Youth.

Your complaint may involve more than one aspect of the above or something else.

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What you can't complain about?

There are some things we can't deal with through our complaint handling procedure. These include:

- a request under Freedom of Information or Data Protection legislation;
- a request for information or an explanation of policy or practice;
- an issue which is being, or has been considered by a court or tribunal;
- a request for compensation only;
- an attempt to have a complaint reconsidered where we have already given our final decision following an investigation.

We will not normally treat information received through routine feedback mechanisms – such as responses to questionnaires – as complaints.

If other procedures or rights of appeal may help you resolve your concerns, we will give information and advice to help you.

Who can complain?

Anyone who receives, requests or is directly affected by the services of PZN Youth can make a complaint to us. We encourage anyone with a complaint to approach us directly but we can accept a complaint made on your behalf (e.g. through a friend or a family member) provided you give us your clear written authority to liaise with your representative, and provided you also give them clear authority to act on your behalf.

How do I complain?

You can complain in person, in writing or by email- see below. It is easier for us to resolve complaints if you raise them as soon as you become aware of the issue. Please talk to any member of our staff team or the PZN youth manager or Lead worker will try to resolve any problems on the spot.

PZN Youth Contact Details

PZN Youth CIC

Alverton St

Penzance

TR182QP

Website: www.pznyouth.org

Email: hello@pznyouth.org

When complaining what do I need to provide ?

- your full name and address;
- as much as you can about the complaint and what has gone wrong
- how you would like us to resolve the matter.

Alternatively, please use the form at the end of this document.

Is there a time limit for making a complaint?

Normally, you must make your complaint within six months of:

- the issue arising, or
- finding out that you have a reason to complain.

In exceptional circumstances, we may be able to accept a complaint after the time limit.

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What will happen with my complaint ?

Our complaint procedure has two stages:

Stage 1 – Frontline Resolution

- We aim to resolve complaints quickly and close to where we provided the service. This could mean an on-the-spot apology and explanation if something has clearly gone wrong, and immediate action to resolve the problem.
- Where possible, you should raise your concerns with the manager, lead staff member or any of our staff team. This can be done face-to-face, by phone, in writing or by email.
- We will give you our decision at Stage 1 within five working days unless there are exceptional circumstances.

Our response will:

- clearly outline our decision providing clear, evidence-based reasons for this decision;
- Respond openly to all the substantive points raised by a complainant and explaining why the organisation considers these points justified or not;
- Take responsibility for the actions of our staff and those acting on behalf of the organisation;
- Acknowledge if things have gone wrong and take proportionate action to put things right, including apologising where appropriate;
- Include any lesson learnt and any changes made to services, guidance or policy as a result of the complaint.
- If you are not satisfied with the response we give at this stage, we will tell you what you can do next. If you choose to, you can take your complaint to Stage 2 of the complaint procedure. You may choose to do this immediately or shortly after you get our initial decision.

Stage 2 – Complaint Investigation

- This stage deals with two types of complaint: those that have not been resolved at Stage 1 and those that are complex and require detailed investigation.
- We have a complaint form, see below, which will help you to state your complaint clearly to us.
- Although we will also accept complaints that are made in person or by email, we encourage you to complete the complaint form in the interests of clarity and in order to best assist the investigation process.
- The complaint form and any supporting documents will be seen by the person investigating your complaint, by anyone named in the complaint and by relevant staff being complained about.

When using Stage 2 we will:

- Acknowledge receipt of your complaint within three working days and tell you who is dealing with your complaint
- Discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for.
- Give you a full response to the complaint as soon as possible and within 20 working days. If our investigation will take longer than 20 working days, we will tell you. We will agree to revised time limits with you and keep you updated on progress.

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Making the complaint process easy to access

We are committed to making our service easy to use. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help you access and use our services and engage with us openly.

Information for all complainants

If you have a complaint about a matter which is the responsibility of PZN Youth, and it has not been possible to resolve this via Stage 1 front line resolution please complete the form below to enable us to investigate your complaint. Paper copies of the form are available by request.

Once completed, this form should be submitted:

- by Email to: hello@pznyouth.org or by post to: PZN Youth CIC, Alverton St, Penzance, TR18 2QP

<p>PZN Youth CIC Stage 2 Complaint Form</p>	
<p>If you have a complaint about a matter which is the responsibility of PZN Youth, and it has not been possible to resolve this via Stage 1 front line resolution, please complete this form to enable us to investigate your complaint.</p>	
<p><u>Your Details:</u> Please provide your details so we can contact you.</p>	
First Name:	Last name:
Address:	
Email:	Tel:
<p>By providing these you agree that PZN Youth can store and use your details for the purposes of contacting you about the complaint.</p>	
<p><u>Your Complaint</u></p> <p>A. Please provide a summary of your complaint below (300 words max).</p>	
<div style="border: 1px solid black; width: 100%; height: 100%;"></div>	

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- B. Please describe what action you have taken to pursue the complaint to date
(200 words max)

- C. Please provide a brief explanation of the issue(s) you consider to be unresolved
(400 words max).

- D. Please explain how you would like your complaint to be resolved (200 words max).

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- E. If you are submitting a complaint more than six months from when you first became aware of the problem, please provide a brief explanation for the delay (200 words max).

Supporting documentation

If you would like to submit additional documentation, please send them with this form and list documents below:

Sending this form:

Once completed, this form should be submitted by email to hello@pznyouth.org or by Posted to PZN Youth CIC, Alverton St, Penzance, TR18 2QP

Your Signature:

Signature

Date:

3. Whistleblowing Procedures for Employees & Directors

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Whistle Blowing Statement

At PZN Youth we aim to encourage our staff team to feel confident in raising serious concerns at the earliest opportunity and to question and act upon concerns.

We are committed to providing open communication channels for you to raise those concerns and receive feedback on any action taken;

We will ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied; reassure you that you will be protected from possible reprisals or victimisation if you have made any disclosure in good faith. We are committed to safe open-communication systems and a culture of co-operation.

This whistleblowing policy and procedure applies to all who work and volunteer with us at PZN Youth . It outlines when, and how, to raise any genuine and serious concerns that do not align with these values and the protection you are afforded as a whistle blower

What is a Whistle blower

- A “whistle blower” is someone who discovers something that is wrong and alerts his employer or the relevant authorities to what is going on.
- The law protects whistle blowers from their employer subjecting them to detriment or dismissal by reason of their having “blown the whistle” and from detrimental treatment by their colleagues.
- To be protected by the law, the act of whistleblowing must fall within the legal rules and the whistle blower must reasonably believe that their disclosure of wrongdoing is made in the public interest.

A Qualifying Disclosure

This term is given to a disclosure or report made by someone who genuinely and in good faith believes one of the incidents outlined below is happening, has happened or likely to happen in the future. The full parameters of a protected disclosure are set out in the Employment Rights Act (ERA) 1996

A qualifying disclosure must be in the public's best interests and relate to:

- a criminal offence
- a failure to comply with a legal obligation
- someone’s health and safety being put at risk
- risk or actual damage to the environment
- a miscarriage of justice
- a belief someone has covered up, or is covering up, wrongdoing in the above categories.

What Whistleblowing Is Not

Whistleblowing does not include the following types of disclosures or reports:

- personal grievances such as bullying, harassment or discrimination
- safeguarding concerns
- disciplinaries or grievances

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There are occasions when a concern related to the above could be considered in the public's interest and therefore become a whistleblowing concern. However, in most circumstances you should review the relevant organisational policies and procedures.

Malicious Practice

Provided you are acting genuinely, with reasonable belief of a concern, and in the best interests of the public, it does not matter if you are mistaken. However, if it is proven through an investigation process that an allegation of wrongdoing has been made maliciously, then the person who made the allegations may face disciplinary action, up to and including dismissal, and in some cases may be subject to criminal investigation where illegality has occurred. Malicious allegations include but are not limited to:

- raising a matter which you know to be untrue
- making an allegation without having reasonable grounds for believing it to be substantially true
- improperly collecting the information to support the allegations
- being involved in any way in the malpractice qualifying disclosure
- making an allegation for personal or third party gain. When a malicious allegation has been made it is unlikely a person will have protection.

Protection of the Whistle Blower

The Public Interest Disclosure Act 1998 (PIDA) grants protection to employees, as well as certain workers, contractors, trainees and agency staff. However, there are gaps in the law that mean other individuals do not have legal protection.

They include, but are not limited to:

- Interns
- Volunteers
- Priests or ministers of religion
- Foster carers
- Members of the armed forces
- Self employed workers Section 43 of PIDA provides protection for individuals who raise legitimate concerns, as outlined in section 2.2. PIDA provides protection from detriment, dismissal or redundancy to people disclosing information

However, in order to show our commitment to working ethically and to maintaining high standards of quality, integrity, accountability and professionalism we will, in so far as is possible, aim to treat all individuals making a disclosure in the ethos of PIDA

Types of Whistleblowing

Internal whistleblowing - The most common form of whistleblowing is internal, where an employee reports wrongdoing to another party within the organisation. The procedures are outlined in this whistleblowing policy. For the report to be handled effectively by your employer, it's essential to consult and comply with this policy.

External whistleblowing - Whistleblowing externally involves reporting the incident to sources outside the organisation such as a relevant prescribed body. When doing so, employees must reasonably believe that the malpractice falls within the remit of the organisation they are reporting to.

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Responsibility of the Manager and Directors

- The Management Team is required to take all reports seriously, with confidentiality and promptness. All evidence and documentation should be preserved.
- The manager or director to which the report was initially made shall promptly inform other members of the management team for recommendation on how to proceed and together will decide on the appropriate course of action.
- Unless the report was made anonymously, and unless otherwise inappropriate, the employee making the report will be informed of the status of the report.
- In the event that an employee is not happy with the organisation's response they may appeal directly to the manager or directors, who will discuss the matter and respond.

Internal Procedures

- This procedure provides an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace.
- This policy applies to all PZN Youth employees and directors in all areas of the organisation including volunteers and freelancers
- PZN Youth recognises that employees are often the first to notice that there may be something wrong within the organisation. Most concerns are of a relatively minor nature and where possible should be resolved through employee's normal line management.

▪ Making a Disclosure

- Employees are required to report a whistle blowing disclosure as soon as possible
- Every effort will be made to keep the identity of an individual making a disclosure confidential provided that this is compatible with a proper investigation. Depending on the circumstances of the case it may not always be possible. Where this is a reality, you will be informed of this and the reasons why it was not possible.
- The employee making a disclosure must reasonably believe that their disclosure of wrongdoing is made in the public interest.
- Employees should 'Blow the whistle' if they have a concern about the conduct of others in the organisation or the way in which the organisation is run as outlined in which is reasonably believed to be in the public interest to disclose.
- Employees wishing to raise a specific concern are encouraged to directly and openly discuss their concern first with their manager or if not, one of the directors, as this is the fastest and preferred way to resolve any issue and the best way to ensure a good and an open work environment.
- We recognise that you may not express your concerns due to feelings of disloyalty to colleagues, or fear or punishment or unfair treatment. We want to reassure you that our employees can raise serious concerns without such fear. Any concerns, however, must be brought forward as early as possible, thus reducing the risk of any problem becoming more serious.

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- Employees do not have to be able to prove the allegations, but will require a reasonable and genuine belief that the information they have is true and that they are acting in the public interest.
- Some allegations may prove to be unfounded but we would prefer the issue or concern to be raised, rather than run the risk of not detecting a problem early on.
- If an employee does not feel comfortable raising concerns with the lead worker or manager, the employee may go to the Directors
- If the issue is complex a detailed email or letter may help ensure your concerns are fully understood, providing background and the reason for the concern, together with as much detail as possible including names, dates, places.
- Employees should avoid any form of external communications regarding any reports unless internal investigations have been completed and all internal alternatives have been exhausted. i.e.; an employee should allow the organisation an appropriate period of time to investigate the issue and determine a course of action if the matter is substantiated.
- It is incumbent upon the organisation to ensure the employee involved is kept up-to-date on progress of an investigation and informed of the actions taken as well as to ensure the employee is not made to feel isolated or victimised.

▪ Who To Report To

- The Manager and Directors have responsibility for implementing this Whistleblowing Policy. Please raise your concerns immediately with the manager, however if this is not possible please contact a Director
- If you wish to meet with the manager or a director then a confidential meeting can be arranged. Any necessary action to arrange such a meeting will be taken immediately by the senior management team.

▪ Investigation

- On receiving a whistleblowing alert, the management team will appoint someone with an appropriate background to undertake an investigation.
- The person appointed to be the investigating officer will usually be a Director or senior staff member, as appropriate.
- Wherever possible, when outside agencies also carry out an investigation, we will endeavour to carry out the internal investigation in conjunction with the external investigation.
- The investigating officer will have the right in serious cases to recommend suspension where he/she feels that it is appropriate.

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- The investigating officer will take whatever action is necessary to ensure a comprehensive investigation is undertaken into the area of concern. This may involve interviewing staff and other relevant people, checking documentation and records and visiting different sites.
- It should be noted that the completion of an internal investigation does not prevent a separate disciplinary hearing, external enquiry or referral to another statutory
- The report of the investigating officer will be returned to the manager and directors for recommendations for action.
- Any whistleblowing alert will be dealt with as quickly as practically possible. Employees will receive confirmation of their disclosure report within three working days. It is then likely an investigation will follow and you will be asked to attend a meeting to explain your disclosure in full

▪ Feedback & Progress

Employees will be kept informed of progress during the investigation and provided with a summary of the investigation, an outline of its findings and any action taken.

Typically, the matters raised may result in one or more of the following:

- no action required
- action being taken under other policies
- an internal investigation under this policy
- a referral to the police or relevant statutory body
- a referral to external auditors
- an independent enquiry

▪ Anonymous Reports

In view of the protection afforded to an individual raising a genuine concern, it is considered desirable that they disclose their personal information. However, anonymous disclosures will be accepted and treated as equally as those bearing a name.

When receiving an anonymous report:

- a decision will be made about whether it is possible to pursue the report based on the information provided
- a complete and comprehensive investigation will be more challenging as there is no option to seek further information or clarification
- it will not be possible to share any outcome or actions from an investigation

External Procedures

- We encourage all reports to be made internally in the first instance. To do our best to resolve any issues, in circumstances where this is not possible, or where having made a disclosure you are unhappy with the outcome, you have a legal right to make a disclosure to an external body. This is called a 'Public Disclosure'.
- An external body may be non-regulatory; such as an MP, legal advisor or the police.

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- Alternatively it may be regulated, in which case, the disclosure can be made to 'prescribed' persons should the malpractice fall within that body's regulatory remit.

These prescribed bodies include but are not limited to:

- Your Local Authority
- The Children's Commissioner
- HM Revenue & Customs
- The Health and Safety Executive
- The Financial Services Authority
- The Office of Fair Trading
- The Environment Agency
- The Information Commissioner
- The Serious Fraud Office

- The relevant regulatory or non-regulatory body will carry out investigations as necessary and in line with the procedures and processes outlined by them.

- A full list of prescribed persons and bodies can be found in the schedule to the Public Interest Disclosure (Prescribed Persons) Order 1999 (SI 1999/1549) or through the government website.

- The disclosure will be protected under legislation in the same way as a disclosure made internally as long as it meets the same conditions.

Further Advice

- For protection under the Public Interest Disclosure Act 1998, employees need to be aware of the strict rules governing disclosures.

- If at any stage you feel unsure or would like to discuss it with someone independent, you can discuss your concern with someone at Protect.

- Protect is an Independent Whistleblowing charity- They provide confidential advice to would be whistle blowers who are concerned about making a disclosure.

Their contact details are:

www.protect-advice.org.uk

Advice line: 020 7404 6609 and 020 3117 2550

Email: whistle@protect-advice.org.u