

HMI Probation Complaints Procedure

HM Inspectorate of Probation (HMI Probation) is eager to ensure that its inspection processes are transparent and fair. Underpinning its work the Inspectorate has a code of practice, which incorporates the Government's ten principles of inspection in the public sector. Key elements of the code of practice are:

HMI Probation aims to achieve its purpose by:

- undertaking work in an honest, professional, fair and polite way
- the use of impartial evidence
- showing openness about its inspection processes
- reporting and publishing inspection findings and recommendations for improvement in good time and to a good standard
- promoting race equality and wider diversity issues in all aspects of our work, including within our own employment practices and organisational processes
- for the organisations whose work we inspect, keeping to a minimum the amount of extra work arising as a result of the inspection process.

These principles are applied in inspections through the following practices:

- feedback on initial findings at or soon after the fieldwork visits
- sending the draft report to the organisation whose work we are inspecting for comment on matters of factual accuracy before finalisation.

These procedures should allow ample opportunity for exploration and clarification, and we expect that any issues will normally be dealt with informally and at the earliest opportunity in the course of the inspection process.

However, there may still be occasions when an organisation or individual involved in an inspection wishes to contest the process of the inspection or to register concern about the conduct of inspection staff. Wherever possible HMI Probation will employ a conflict resolution approach to resolve the issues raised. If however matters reach the level of a formal complaint, the criteria and procedures for making a complaint are set out below.

CRITERIA FOR COMPLAINTS

It is considered that:

- the inspection process has not been properly carried out
- a judgement made in the report on a major point of substance is clearly unwarranted
- the approach used by HMI Probation staff is considered or perceived as unfair or discriminatory
- the conduct in the inspection of a member of HMI Probation or of an inspection team led by HMI Probation, is cause for complaint.

ADDITIONAL CONSIDERATION

We expect that where complaints are made these should be raised at the time of inspection or reasonably soon thereafter.

HMI Inspectorate of Probation, Complaints Procedure December 2008

PROCEDURE FOR MAKING A FORMAL COMPLAINT

- 1) All complaints should be set out in writing to HM Chief Inspector and any supporting evidence attached.
- 2) The Chief Inspector will acknowledge receipt within five working days.
- 3) A senior member of HMI Probation who has not been involved in the inspection, and who has no direct connection with the matter, will consider the complaint.
- 4) If the complaint is about a member of HMI Probation, they will be informed of the matter and given the opportunity to comment in writing, and/or to meet with the person investigating the complaint within ten working days of the receipt of the complaint.
- 5) The person investigating the complaint will produce a note of their findings within one calendar month of receipt of the complaint and any recommended actions required, and submit this to the Chief Inspector. A copy will normally be given to the subject of the complaint (where relevant).
- 6) The Chief Inspector will consider the findings and reply to the complainant in writing within 20 working days of the conclusion of the HMI Probation investigation.
- 7) Where the matter is too complex to be dealt with within this timescale, or it requires further investigation, the complainant and the subject of complaint will be informed and given a date by which they will receive a full response.

The final decision concerning how complaints are dealt with rests with HM Chief Inspector and there is no formal appeal process against this decision. It is of course open for complainants who are unhappy with the result of their complaint to raise the matter with Ministers or local Members of Parliament.

ACCOUNTABILITY

The Inspectorate seeks feedback from staff and managers of organisations whose work has been inspected on our style, conduct and approach. Responses are regularly reviewed and used to improve the inspection process and a summary of results published in our Annual Report, where we will also publish an account of any complaints and their outcome.

Please address all correspondence to:

Andrew Bridges
HM Chief Inspector of Probation
Second Floor
Ashley House
2 Monck Street
London SW1P 2BQ
Andrew.Bridges@hmiprobation.gsi.gov.uk

Contact number for the Chief Inspector: 0207 035 2202