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**Guidance**

**Complaints About Funded Voluntary and Community Sector Organisations**

From time to time, Sandwell Council receives complaints from individuals or groups regarding voluntary and community sector (VCS) organisations that receive Council funding. This guidance outlines the principles and procedures the Council follows when responding to such complaints.

**1. Core Principles**

* 1.1 Respect for Independence: The Council recognises and respects the autonomy of funded VCS organisations. Their management committees are solely responsible for the organisation’s conduct, governance, and service delivery.
* 1.2 Internal Complaints Procedures: All funded organisations must operate a clear, accessible, and timely complaints procedure. This should be well-publicised to service users and stakeholders. Organisations are expected to report on complaints received and actions taken at least twice a year to their management committee, enabling appropriate policy or practice changes.
* 1.3 Initial Handling of Complaints: Complaints received by the Council from third parties (e.g. service users) will be referred to the organisation’s internal complaints process. The Council expects a prompt investigation and a written summary of findings within one week of the investigation’s conclusion.
* 1.4 Transparency with Complainants: Complainants will be provided with a copy of this guidance to ensure clarity on the process.
* 1.5 Escalation Rights: If a complainant is dissatisfied with how their complaint was handled by the organisation, they may escalate the matter to the Council for review of the handling process.
* 1.6 Council Review: Escalated complaints will be assessed under the Council’s procedures for investigating potential malpractice or mismanagement (see Section 5).

**2. Complaints Involving Children or Young People**

* 2.1 Safeguarding Priority: If a complaint involves or is made on behalf of a child or young person, and may trigger safeguarding or child protection procedures, those protocols will take precedence. The Council will temporarily suspend its investigation until those processes are complete. Once resolved, the complainant will be asked if further action is required under this guidance.

**3. Anonymous Complaints**

* 3.1 Referral to Organisation: Anonymous complaints will be forwarded to the relevant organisation’s management committee for consideration. The Council may not be able to investigate further without identifiable information.

**4. Allegations of Misuse of Council Funds**

* 4.1 Investigation Protocol: Allegations concerning the misappropriation of Council funding will be formally investigated by the Council. The organisation will be notified, and a panel will be convened including:
  + The Commissioner or Budget Holder responsible for the grant
  + A Finance Officer
* 4.2 Criminal Conduct: If the investigation reveals potential criminal activity, the matter will be referred to the police.
* 4.3 Reporting: A summary of the investigation and its outcome will be shared with the relevant Cabinet Member.

**5. Malpractice or Mismanagement**

* 5.1 Council-Led Investigations: The Council reserves the right to investigate concerns about mismanagement or malpractice within funded organisations. Investigations may be triggered by concerns raised by Council officers, elected members, or external parties. The organisation will be informed of the nature of the concerns.
* 5.2 Investigation Panel: A panel will be convened to carry out the investigation, typically comprising:
  + The Commissioner or Budget Holder
  + A Finance Officer
  + Legal Services representative (as needed)
* 5.3 Communication and Outcome: The organisation will be kept informed throughout the process. Upon conclusion, the complainant will be notified of the outcome, and a summary will be reported to the appropriate Council committee.

**6. Petitions**

* 6.1 Handling Petitions: Complaints submitted in the form of a petition will be processed under this guidance. They will not automatically be escalated to committee unless deemed necessary following investigation.

Reviewed September 2025