



Annual Report of the Independent Complaints Reviewer

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2015-2016

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Foreword

I am pleased to present my second Annual Report since being appointed as Independent Complaints Reviewer on 1 April 2014.



I review complaints about the Disclosure and Barring Service (DBS) which have not been thus far resolved. In addition, I offer the DBS constructive criticism and advice about the way in which it deals with customers and how it handles complaints. The disputed content of certificates is not generally part of my remit. There is a separate and statutory position of Independent Monitor, Simon Pountain. His role is mainly concerned with whether Police information should be included in an Enhanced Disclosure Certificate and he makes his own Annual Report.

My report is made through the Chief Executive to the Board of the DBS and is presented to the Board's Quality and Standards Committee. It is also published on the DBS website, although I revise some of the content to take account of potential privacy issues.

Gillian Fleming

**Independent Complaint Reviewer
Disclosure and Barring Service**

Executive Summary

This report provides an overview of my second year in post. As I am not based at a DBS office, I am supported in my investigative role by a small support team at the DBS. What I can do is set out in the DBS Complaint Policy and Procedure. Whilst this was revised during the year, my role remains unchanged.

My report shows that the DBS remains committed to its task of providing a good service in issuing over 4.2 million certificates and considering over 12,900 referrals for barring, as well as seeing the Update Service increase by 74% to over 697,000 subscribers. I also recognise the progress the DBS has made in attaining Customer Service Excellence accreditation in September 2015 and seeking to improve how it delivers its services.

I acknowledge that complaints do occur and the main issues I have identified are:

- Continuing and significant delays at a very small number of Police forces
- The impact of those Police performance issues
- Update Service communications

I also recognise the actions taken by the DBS to address issues when they arise and its efforts to put into place what has been learnt from complaints.

However I highlight once more that there is a gap in redress for those whose application has been delayed at a Police force. Even though the responsibility for providing information for an Enhanced Certificate lies with the Police, I had anticipated that I would see complaints about this issue rise. While none has sought my involvement, the significant rise in complaints and enquiries to the DBS about such delay shows that dissatisfaction is high and some applicants have had to wait a long time before a certificate can be issued. This can affect badly not only those seeking to work with the young and the vulnerable, but also those wanting to employ them. No satisfactory route to a remedy for Police delay is yet available to those who have been disadvantaged.

In compiling the statistics detailed in the report, the figures were checked against published datasets and existing audited reports. I summarise 3 cases, one of which I investigated fully and reported my findings and recommendations to the Chief Executive. The others relate to premature complaints about delay at a Police force, which were then quickly addressed.

In 2014 I was asked by the Chief Executive to undertake a review of the DBS Complaints Policy and Procedure. I completed this review in April 2015; my recommendations are at annex 2 and I report on progress by the DBS in taking those recommendations forward.

My role

My role as Independent Complaints Reviewer (ICR) is to provide an independent review of complaints which have been through the DBS's internal complaints process but where the complainant is not satisfied with the outcome. Unlike other Home Office non departmental public bodies, the DBS has chosen to offer a separate and independent review. To enable me to undertake the role, the DBS has given me complete access to its records and a support team based at the DBS offices in Liverpool who have special experience in compliance, complaint investigations and resolution.

The starting point of any investigation is a conversation with the complainant, to understand exactly what the customer thinks has gone wrong, its impact on his or her life and livelihood and what he or she thinks the DBS should do to put things right. I then establish, as against the DBS's policies, guidance and procedures, what should have happened and compare this with the service the complainant has received. I interview staff where information is not readily available. Where I find a shortcoming, I identify any hardships and costs arising from that failure and recommend to the DBS's Chief Executive a remedy for the complainant.

But resolving matters for the complainant is only part of my work. I may also make recommendations to help prevent a particular complaint from happening again or to improve customer service and the DBS's processes and procedures. I ensure my recommendations are properly considered and, when accepted by the Chief Executive, I keep under review the successful implementation of those recommendations.

Where a complainant is dissatisfied with my report, or the response to it from the DBS, he or she can complain to the Parliamentary (and Health Service) Ombudsman. Normally, the Parliamentary Ombudsman will expect the complaint to have first been investigated by me.

The work I receive falls into three broad categories:

1. Premature complaints

These are complaints which have not been through the DBS's internal complaints process. I review these but, unless there are exceptional circumstances, I do not investigate them immediately. My team then help the complainant to find the correct access point for their concern and forward it if the complainant so wishes.

2. Out of scope complaints

These are complaints which, after careful consideration, I have decided are not within my remit.

3. In scope complaints

When asked by the DBS, I offer general advice about a potential type of complaint or suggestions for ways of addressing concerns but take care not to compromise my position just in case a specific complaint later comes to me. Complaints which have been through the DBS's internal complaints process and fall within my remit, I investigate. Some

complainants seek assurance that their complaint has been fairly reviewed and adequately remedied and will ask me to consider it.

I am pleased to report that only the very few contentious, unusual or highly complex complaints need to come to me. Table 1 shows that, despite many more complaints, the DBS is very largely addressing those it receives and putting matters right. I issued only one report during 2015/16 about a certification issue, this related to a complaint I accepted for investigation the previous year; the other investigation accepted in 2015 was in progress at year end.

Table 1: Complaint statistics in 2015-16

	2015/16	2014/15	2013/14
Number of certificate applications received by the DBS	4,253,460	4,143,819	4,013,362
All Barring casework	12,915	11,336	10,425
Number of complaints made to the DBS	6,639	4,873	2,283
% of complaints resolved at first touch by the DBS	99.5%	99.8%	99%
ICR Premature enquiries	51	16	16
ICR Out of scope complaints	10	4	3
ICR Stage 4 in scope complaints	1	2	2

Observations from the year

The DBS seeks to deliver a good service in issuing 4,209,569 million certificates and considering 12,915 referrals for barring. However, in a complex organisation of this size, things can and do go wrong. In my first year, customer service complaints averaged 406 per month, with a total of 4,873. In 2015-16 the total was 6,639 rising from 313 (April 2015) to a peak of 820 (February 2016) with the average each month being 553. This was disappointing, particularly as the picture had been improving at the end of 2014-15 and in the early part of this year. This substantial rise (36% up compared to the previous year) was mainly to do with Police performance issues, for which the DBS is the initial point of contact. It was indicative of the frustration felt by applicants who were unhappy with the timescales taken to complete their DBS checks that I received 51 premature complaints. Many were

from applicants who had not yet made a complaint to the DBS but were seeking my intervention to help progress their application. Whilst these cases were premature I referred the details to the DBS to take appropriate action necessary to address the applicant's concerns.

The DBS was able to respond to 97.9% of complaints within 10 days. This was achieved as a result of staff working intensely and, later in the year, more staff being added to the team. 99.5% of complaints were resolved in the first instance, compared to the previous year's initial resolution rate of 99.8%. Very few (29) complaints were escalated for further consideration, with only one of those complainants seeking my involvement.

Reasons for complaints

The transition to Tata Consultancy Services (TCS) in April 2014 had given rise to scanning issues, with associated delays and subsequent delivery problems, which continued into 2015-16. New problems emerged as technology was updated or changed. The Update Service was affected: some DBS emails to customers were regarded as 'spam' and there were compatibility issues for customers after their browsers were updated. Front line staff within the Call Centre and in Customer Services were key to spotting such problems quickly. However it took time for the DBS to confirm the precise issue and for TCS to implement lasting technical changes. That time lag has shown up in the number of complaints, which continued until a solution was in place. Updating website information is now quicker, although still not entirely within the DBS's direct control given that the DBS webpages are on Gov.uk. However whilst the Update Service accounted for 15.8% of complaints it represented less than 0.02% of the subscribers to the service.

By far the most significant issue in 2015-16 was a continuing problem of delays at a very small number of Police forces. Any delay can have a detrimental impact on an individual who is awaiting a certificate for employment or the organisation seeking assurance about that individual. The DBS's more active approach to performance was successful in several Police areas, showing in a reduction of work in progress and in older cases. Most Police forces improved, including many of those with long standing difficulties. As a result, the service level agreement standards agreed between Police forces and the DBS were mostly met.

However the situation worsened in very few areas which accounted for the vast majority of complaints. By March 2016 complaints about Police performance was 103% higher than a year earlier. These complaints averaged 60% through the year and now account for around 70% of complaints to the DBS. The DBS can and do ask the Police to prioritise cases where there is significant financial hardship or in agreed types of urgent application such as a prospective adoption. The DBS will also investigate a complaint and take action if there is any poor service by the DBS.

The Chief of Police has a legal duty to comply with a request from the DBS to provide any information as soon as reasonably practicable. Thus far, when a complainant contacts the Police seeking financial remedy for delay, Police forces invite a complainant to pursue the matter through the courts. Without an alternative route to independent consideration of a complaint, either by an ombudsman or someone in a role like mine, a complainant is left

without a satisfactory answer or any resolution. The DBS has highlighted this gap with the Home Office and the Police. There is separate statutory provision for the DBS and the Police to undertake their individual roles within the DBS Checking process. As I pointed out last year, complainants find it difficult to accept the position, seeing this as a lack of accountability because the DBS receives a fee and pays a Police force for its disclosure work. This view is also apparent from the DBS's own complaints research work and letters it receives from Members of Parliament.

There are changes in prospect to the jurisdiction of the Independent Police Complaints Commission and also the Parliamentary and Local Government Ombudsmen. I would hope that either might provide a means of addressing this lack of accessible redress or that another solution can be found.

Case studies from 2015/16

1. Mr P

Mr P applied for 2 different jobs, which both required a Disclosure Certificate. When the DBS processed his applications, Mr P was provisionally matched with Police National Computer (PNC) information. This was because his details were recorded on the PNC as an 'alias' of another person, someone who knew Mr P well. That provisional match was confirmed by the DBS. As it did not require a referral to the Police, a Standard Certificate was sent to Mr P. The Certificate included information about the 'alias' and that other person's record on the PNC. On receipt of this Mr P rang the DBS to complain. Mr P was already working under a temporary contract with one of his prospective employers and so Mr P was asked to show them the certificate. When he did, Mr P explained why the information did not relate to him and rang the DBS to raise formally a 'dispute'. The DBS considered Mr P's representations and decided to withdraw the match, with a new and clear Standard Certificate being issued 5 days later. The match was also withdrawn for the other certificate application, which was still with the Police for additional checks and a clear Enhanced Certificate was later issued.

Mr P complained about the way the DBS had decided to match him to that other person. By the time I came to review his complaint the DBS had already accepted that, instead of the provisional match being confirmed, both applications should have been referred for a decision by a more senior DBS agent able to access additional information. The DBS agreed there was a short avoidable delay in both applications and that the handling of Mr P's subsequent complaint was not within the required timescales. The DBS also offered to monitor applications by Mr P to ensure that, in future, provisional matches to that other person were not similarly confirmed in error.

I endorsed all the DBS's conclusions. However I also found that, when Mr P first telephoned questioning the certificate, he had not been advised he need not show it to anyone. Nor was there a telephone conversation with Mr P early on about his complaint. There was an extended period of frustration during which Mr P corresponded with the DBS. As Mr P had also been in touch with the Police and the Information Commissioner, it was not entirely the DBS's fault but I considered the DBS had missed an early chance to explore and respond to Mr P's concerns. I recommended a financial remedy for all those shortcomings. Having made enquiries of his prospective employer, I did not accept that Mr P had lost an offer of better paid permanent employment because of the DBS's actions.

I made general recommendations about information for applicants raising a dispute and highlighted some inconsistencies in the DBS's redress policy. Lastly I recommended that the DBS reminded its staff that reasons for reaching decisions about confirming or not confirming provisional matches should be recorded: this is good administrative practice and provides an audit trail to monitor decision making. The Chief Executive accepted all my recommendations but Mr P decided to ask the Parliamentary Ombudsman to consider his complaint.

Mr P raised with me a number of other points, including amending the recording on the Police National Computer of his details as someone else's alias. He also referred to human rights and data protection law, explaining he was entitled to financial redress under that legislation. As none of those matters were within my remit, I explained to Mr P in my investigative report why that was and how he might pursue them separately.

2. Mr H

Mr H wrote to me about a delay in processing an application for a certificate made by someone he was hoping to employ. He told me that this was preventing him completing the registration of a residential care home, which meant vulnerable people were having a prolonged wait for suitable accommodation. Mr H had not yet complained direct to the DBS so I was unable to investigate. In light of the time already elapsed, the certificate application was escalated with the Police by the DBS and his complaint was resolved.

3. Mr T

Mr T decided to take the appropriate tests to become a taxi driver. He also made an application for an Enhanced Certificate requiring additional checks by the Police and these were delayed. He rang the DBS several times and was told the DBS had asked the Police to prioritise his application. By the time he wrote to me to complain, Mr T had been waiting over 4 months. He said that his finances were suffering because he could not start work and he was running out of money. When I made my initial enquiries, the Police had sought some clarification from the DBS before finalising its checks. This was then actioned and the DBS renewed its request for priority. The certificate was issued later that day. I was pleased that Mr T's complaint was quickly addressed but I also explained how he could pursue his complaint further.

Recommendations

I emphasise learning from complaints, which often highlight practical difficulties and a potential for beneficial change. This view is shared by the Chief Executive, who has accepted my recommendations to date. However putting remedial action in place is also necessary. The Chief Executive receives reports upon progress. I have also followed up on my recommendations. Last year I made recommendations in relation to Mrs Y. I am satisfied that these have been taken forward and will be fully implemented when the new computer system goes live. The recommendations for Mr P have also been completed and should help prevent similar complaints.

Review of the DBS complaints process

My first Annual Report included details of a review of the DBS's complaints process and the recommendations can be found in annex 1. The review was considered by the DBS's Quality and Standards Committee and my proposals have been accepted by the DBS and largely implemented.

The proposals to strengthen the governance around the ICR role are now in place. These should make clear the independence of the ICR from the DBS and add to visibility of the role.

I proposed a number of practical amendments to the DBS's complaints policy to better manage customer expectations, provide greater clarity and improve the timely handling of complaints. These were all accepted, with a new Policy effective from 7 January 2016. Relevant extracts are in annex 2. The document is shorter and easier to navigate and understand. Complainants can now more easily check whether another avenue is appropriate or would more readily achieve the remedy they seek. Most importantly, the new policy explains clearly what the DBS will do if a complaint is about delay attributable to the Police.

I also suggested ways to improve how formal complaints were investigated. Contacting a complainant, agreeing a statement of complaint and checking what resolution is being sought ensures that an investigation is focused on the real issues of concern and facilitates early resolution. Sharing a draft report is a good way of avoiding inaccuracies or omissions. These changes were all introduced quickly, with each stage offering a fresh view of a complaint. The DBS also decided to escalate complaints more quickly, to a Director level review at stage 1. The results are encouraging, with 26 of the 29 complaints escalated being resolved at either Head of Customer Relation or Director Review and 2 subsequently resolved at Chief Executive Review with the benefits for complainants being a satisfactory investigation and resolution. The changes have also reduced the amount of rework needed at any later stage in the process. The DBS now audits its initial complaint handling to provide confidence that this is indeed working well and its survey of complainants should offer additional reassurance.

I have already referred to the difficulties with obtaining redress for Police performance issues. The DBS has raised this with the Home Office but the DBS has yet to finalise whether the Police Force Service Level Agreement can be varied to allow appropriate redress for delay being offset against Police force financial allocations. However the DBS's Call Centre is now able to tell a complainant which Police Force is involved including when the 60 day performance criterion is exceeded. The DBS has also amended information on the website and has an information update about specific forces so that customers can find out how long an application for an Enhanced Certificate is likely to take.

An organisation should be alive to foreseeable difficulties and also to symptoms that, unexpectedly, all is not working well. I recommended ways to identify issues across the DBS and limit the impact of emerging problems. The Delivering Excellence in Customer Service Forum had brought staff together to exchange information about issues and agreed actions. Information sources are now richer and more coherent as a result of achieving Customer

Service Excellence Accreditation. Plans to establish an Insight Forum for various frontline staff should connect that feedback more immediately and using a log will capture those issues for action.

Customer Service Excellence (CSE) Accreditation

The DBS's project involved looking at systems and processes, including the way a customer experiences a service and benchmarking performance, and that tended to reflect what I had found in my complaints review. Accreditation was achieved in September 2015 and the preliminary results of questionnaires to complainants has indicated positive results about staff in customer services. The DBS was invited to speak at a conference about its experience and early benefits, to which I also contributed.

Following on from my complaints review, better information was made available to front line staff. I also recommended a training plan for customer services staff and that has been scoped using the Institute of Customer Service's training model. I helped with the development of a customer service learning module and also held a training session on complaints. Jointly with the manager of the ICR team, I delivered Complaints Workshops using scenarios and real examples to illustrate how to deal effectively with problems customers raise. These were held for a wide range of staff on each site on the same day, which presented a practical challenge but the feedback from participants was very complimentary. This was part of the DBS's Customer Service Week, which included other scheduled sessions and an awards event, and brought home to staff in a positive way the importance of the job they do and of doing it well.

The challenges for the DBS

Looking forward, my concerns remain about redress for those who wish to complain about delay by Police forces. In some Police force areas problems have extended over a period of time and so recovery plans seem fragile. I recognise the difficulties which prevent the DBS from offering financial redress. Nevertheless, and in addition to the DBS's efforts to support Police forces, it should continue to highlight the need for a way forward to resolve complaints about Police performance.

The new computer system under development is now due to be up and running in late 2016. The DBS will also resume responsibility for Basic disclosures from Disclosure Scotland in January 2017. So the changes to systems and processes will be extensive. The DBS will need robust mechanisms in place to swiftly identify problems and mitigate the effect on customers. One planned change is for the Customer Services team to analyse, and hopefully address, more concerns and complaints at first touch. Using regularly the Insight Forum to pool useful feedback from customer facing staff should also help the DBS in implementing the changes.

Summary

I am grateful for all the help I have been given by the DBS staff, most especially the ICR team. My detailed investigation ensured Mr P could understand precisely what happened during the handling of his applications and my report will also assist the Parliamentary Ombudsman to decide whether to pursue his complaint. My complaints review has led to better ways to deal with complaints and I hope that the recent workshops will encourage staff to see a problem through a customer's eyes. That, along with CSE Accreditation, should lead to improvements in the level of service customers receive.

The DBS has fundamental changes to its systems in the coming year with increasing digitisation, which will lead to new issues needing a quick response. Staff should feel able to take responsibility for dealing with customer concerns and suggesting improvements. The planned training for staff has this in mind and I remain impressed with the general willingness of staff I have met to listen and learn. That augurs well for customer service. Adrienne Kelbie's commitment to customer services was evident through her leadership of the DBS and I thank her for that. I am confident that the new Chief Executive will be equally supportive.

ICR's Complaints Review Recommendations - Annex 1

1. The appointment of the ICR should be subject to formal confirmation by the DBS Board through the Chair
2. There should be written terms of appointment for the ICR with confirmation of relationships and roles
3. The Annual Report of the ICR should be made available to DBS Board Members. It should also be readily accessible on the DBS website
4. The ICR should receive a copy of six-monthly report and any other Quality and Standards Committee papers relevant to complaints and complaint handling
5. The ICR should present the Annual Report to the Quality and Standards Committee each year and discuss improvements in complaint handling
6. The DBS should consider developing a separate Redress Policy document for non-Police Performance complaints and associated claims for redress
7. The DBS should conduct a random monthly quality audit against an agreed template, including random sampling of resolved complaints by way of direct contact with the complainant
8. The DBS should consider maintaining an issues log to capture anecdotal feedback from all customer facing teams in Disclosure and in Barring, including staff dealing with Police Units, Account Managers for Registered and Umbrella Bodies in Disclosure and the equivalent teams in Barring
9. There should be a quarterly seminar (with senior management present) so that customer facing staff can give and receive direct feedback
10. Investigation reports should include an agreed statement of complaint confirmed as part of the investigation. There should be a standard template for Stage 1 reports and a draft of the (factual) report shared with the complainant prior to the investigator drawing conclusions and making recommendations
11. Stage 2 should form a review of the Stage 1 process and outcomes by another Senior Customer Services Manager. This should include personal contact with the complainant and result in a letter with a recommendation to the Operational Director, with the Stage 1 report as an appendix
12. A draft of a Stage 3 report (with draft conclusions and initial recommendations) should be shared with a complainant by the Investigating Officer before it is considered by the Chief Executive
13. The DBS should review the disconnection between the timescales in the Police Force Service Level Agreement (SLA) and the published timescales for the DBS
14. The DBS should review its practice of withholding from a complainant which Police Force is dealing with a referral where that Police Force is consistently not meeting the 60 day performance criterion
15. The DBS should explore whether the Police Force SLA can be varied to permit any appropriate redress to be offset from Police Force financial allocations
16. The accountability and redress gaps in relation to Police performance issues should be raised formally with the Home Office and the relevant Police and Crime Commissioners. In the meantime, the Complaints Resolution Policy should be revised

17. A team within the Barring Service who have adequate training in handling complaints and complaint investigations should be nominated to provide support to staff as required. Where a complaint is formalised, the initial investigation should be undertaken by Customer Relations staff with sufficient understanding of the Barring process
18. A procedure for dealing with third party 'complaints' about Barring decisions should be formalised and adopted, including a review of the way in which the decision was reached
19. The Complaints Resolution Policy should be amended to incorporate the following changes: complaints should be subject to the written consent of the person concerned; complaints should generally be made within 12 months from the event complained of; complaints should be escalated within two months; and include an expectation that complainants will provide information which is reasonably required
20. The Policy should provide for a review by the ICR where decisions to exclude a complaint from the complaints process is challenged
21. The Subject Access Request and Freedom of Information policies should be revised to make provision for a complaint about information provided by the DBS to be reviewed by a more senior person
22. The Chief Executive's report on progress in implementing recommendations on complaints should be provided to the ICR
23. The Delivering Excellence in Customer Service Forum should review its terms of reference to include review of the recommendations report and review of a summary of anecdotal feedback from customer facing teams. It should also review the statistics and the audit material
24. An annual training and coaching plan should be developed for Customer Relations staff
25. The accessibility and content of the intranet material about complaints should be reviewed so staff can access simple information and that should be available for staff in hard copy for those who have no ready access to the internet or intranet.
26. A short e-learning package should be developed for all staff, focussing on DBS principles, resolving issues informally and how best to escalate problems

Complaints Policy (from 7 January 2016) - Annex 2

6. What is covered by the scope of the policy

6.1 This policy applies to complaints submitted about the DBS. For the purposes of this policy, a complaint is defined as an expression of dissatisfaction about the service provided by the DBS and/or about the professional conduct of DBS personnel.

6.2 The types of complaints that can be considered are (not an exhaustive list):

- Poor service and/or maladministration by the DBS,
- Behaviour of DBS staff,
- Failure to follow a DBS policy or procedure,
- Processing timescales that are unreasonable,
- Wrong or misleading advice provided by the DBS,
- Failure to provide explanations or give reasons for DBS decisions,
- Discrimination or inconsistency in DBS decision making.

7. What is not covered by the policy

7.1 The DBS will always look to provide support and assist customers who have complained about the actions, decisions, or performance of third parties, including those who have specific statutory roles, related to DBS services. For example;

- *Police Statutory Checks*; DBS will liaise with the Police on behalf of a customer who is experiencing issues including delay when their enhanced level DBS application is with the Police to undertake statutory checks. In these cases DBS will aim to resolve the customer's issues as quickly as possible, and keep the customer informed until resolution. However the DBS cannot provide financial remedy for any complaint about Police actions including the timescales taken by the Police to complete a check.
- *Registered Bodies*; DBS are responsible for ensuring that Registered Bodies, and their countersignatories, are legally compliant with conditions of registration and the DBS Code of Practice. However the DBS cannot provide resolution for complaints about any actions that fall outside of the compliance obligations.
- *External organisations*; DBS cannot provide resolution for complaints about any actions or decisions of external bodies including employers, licensing authorities and referring organisations that fall outside of the remit or control of the Disclosure and Barring Service.

7.2 There are specific legislative or formal channels of redress that must be followed in relation to services provided by DBS. For example:

Barring Decisions Appeal/Review;

If a customer is seeking to appeal, or request a review of, a Barring Decision there is a legal route that must be followed. For more information please see Barring guidance available on our website.

DBS certificate Dispute;

If a customer is seeking to dispute the accuracy of information in their DBS certificate there is a legal route that must be followed. For more information please see Disputes guidance available on our website.

Freedom of Information (FOI)

If a customer is requesting a review of a response provided following a Freedom of Information request a formal route must be followed. For more information please see FOI guidance available on our website.

Data Protection Subject Access Requests (SAR) review

If a customer or third party is requesting a review of a response provided following a Subject Access Request a formal route must be followed. For more information please see SAR guidance available on our website.

7.3 If a customer's enquiry or complaint relates to a legal matter including a civil claim for damages then it will be directed to DBS Legal Services. For details of how to contact DBS regarding legal matters please refer to Annex C to this policy.

7.4 Complaints received beyond 12 months of an issue being identified will not normally be covered by this policy. This includes failure by a customer to engage reasonably with a DBS request to define their complaint or provide clarification or relevant information usually within two months of the request being issued.

7.5 Customers may ask the Independent Complaint Reviewer to review an internal DBS assessment which determines their complaint is deemed to be out of scope of this Policy.

Annex C

How to make a complaint

If you would like to discuss your complaint with a DBS agent, who may be able to resolve the matter swiftly and informally you can call us on:

- 03000 200 190 for disclosure complaints*
- 01325 953 795 for barring complaints *please note all calls to the DBS on this number are recorded for training and security purposes.

If you are unhappy with the way in which we have dealt with you, please contact Customer Relations in the first instance either by email, fax, telephone or letter setting out what has gone wrong and what you would like us to do to put it right.

To help us investigate your complaint please provide:

- full details of what has caused you to make a complaint
- how you would like us to resolve your complaint
- your full name, address and postcode

- your customer reference number if available
- your phone/email contact details

You may wish to use the Complaint Form provided. Please address your complaint to Customer Relations:

- by email: DBScomplaints@dbs.gsi.gov.uk
- by fax: 0300 123 1660 □ by post: DBS Customer Relations PO Box 165 Liverpool L69 3JD

If you email we cannot guarantee the security of information until it is in our possession, and will not take responsibility for such information until we receive it.

When can you expect a response to your complaint

Your complaint will be handled by our dedicated Customer Relations Managers who will:

- acknowledge your complaint within 3 working days of receipt
- speak to you in person if appropriate to help clarify any details
- deal with you in a polite, courteous manner and act confidentially
- investigate your complaint thoroughly and put any mistakes right quickly
- aim to issue a full response in 10 working days.
- endeavour to provide you with a satisfactory resolution In the event that we cannot meet this target, we contact you to explain why, and arrange to agree a timescale with you, and keep you informed of progress.

Please be aware that some issues may be outside of DBS control and as a result we may not always be able to resolve your complaint to your complete satisfaction. However we will always explain why this may be the case and provide the best resolution possible.

What to do if you are not satisfied with the response

We will always aim to provide a satisfactory response following the initial contact from a customer. For customers who are not satisfied with the response the DBS has given there is a complaint resolution escalation route to follow.

Stage 1 - Director Review

If you are not satisfied with the Customer Relations Manager's final response, please request a Stage 1 Director Review of your complaint and submit full details in writing about why you are not satisfied with the response and how you would like the matter to be resolved;

- by email: DBScomplaints@dbs.gsi.gov.uk
- by fax: 0300 123 1660
- by post: DBS Director Review, Customer Relations, PO Box 165 Liverpool L69 3JD

The Director will arrange to contact you within 3 working days to acknowledge your escalated complaint and advise you of when you should expect a response. A Director's review can take up to 20 working days from agreeing a complaint confirmation statement so that a thorough investigation can take place

Stage 2 - Chief Executive Review

If you are not satisfied with the Director's final response, please request a Chief Executive Stage 2 Review and submit full details in writing about why you are not satisfied with earlier responses and how you would like the matter to be resolved:

- by email: DBScomplaints@dbs.gsi.gov.uk
- by fax: 0300 123 1660 □ by post; DBS CEO Review, Customer Relations, PO Box 165, Liverpool, L69 3JD

The Chief Executive's Office will arrange to contact you within 3 working days to acknowledge your escalated complaint and advise you of when you should expect a response. A Chief Executive review can take up to 20 working days from agreeing a complaint confirmation statement so that a thorough investigation can take place.

If you remain dissatisfied

If you have completed our internal complaints escalation process and you are not satisfied with the final response from the DBS Chief Executive, you can ask for your complaint to be investigated by the *Independent Complaint Reviewer* (ICR). The ICR will normally only investigate a complaint if the DBS has been given every opportunity to resolve the matter via its internal escalation process and you have received a final response from the DBS Chief Executive.

The ICR is independent and impartial, the service is free, and you can contact the ICR office:

- by email: icr@dbs.gsi.gov.uk
- by post: Independent Complaint Reviewer, PO Box 165, Liverpool; L69 3JD

We cannot guarantee the security of information until it is in our possession, and will not take responsibility for such information until we receive it.

Parliamentary and Health Service Ombudsman (PHSO)

If you remain unhappy you can contact your Member of Parliament and ask them to refer your complaint to the Parliamentary and Health Service Ombudsman. The ombudsman would normally expect you to have had your complaint reviewed by the ICR.

DBS Certificate; Dispute

Contact us if you think your DBS certificate is wrong. This can include incorrect personal details, incorrect conviction information or other discrepancies. If you receive a DBS certificate with a conviction that doesn't relate to you, you should also inform the person who requested that you complete the form as soon as possible.

- by email: customerservices@dbs.gsi.gov.uk
- by post: DBS Customer Services (Disputes) PO Box 165 Liverpool L69 3JD
- by phone: 03000 200 190

The phone line for certificate disputes is open 9am to 5pm, Monday to Friday only.

DBS Barring Decision; Review or appeal

- Email dbsdispatch@dbs.gsi.gov.uk
- by post: DBS Barring PO Box 181 Darlington DL1 9FA

- or by telephone: 01325 953 795

Queries relating to criminal record check issues cannot be answered through this contact. Callers will be referred to the disclosure helpline number 03000 200 190.

Freedom of Information (FOI) requests

If you wish to submit a new request under the Freedom of Information Act or request of a review to a response provided please contact the DBS;

- by email dbsfoi@dbs.gsi.gov.uk
- by post: DBS Freedom of Information Officer, PO Box 165 Liverpool L69 3JD

Most requests are free of charge but you may need to pay a small amount for photocopies or postage. When you submit a request we'll let you know if you have to make a payment.

Subject Access Requests (SAR)

If you have any enquiries about subject access or request a review to a response provided, please contact us:

- by post: DBS Subject Access, Policy Department PO Box 165 Liverpool L69 3JD
- or by tel: 0151 676 1154

DBS Legal Services

If you wish to enquire about any legal matter or for example intend to submit a civil claim for damages to DBS, you should address your correspondence in writing to;

Head of Legal Services
Disclosure and Barring Services
PO Box 181
Darlington DL1 9FA