



## Complaints and Whistle blowing

PEN International  
Unit A  
162-164 Abbey Street  
London SE1 2AN  
020 7405 0338  
[info@pen-international.org](mailto:info@pen-international.org)

## Introduction. Helping us to get it right

---

International PEN aims to achieve high standards in all that we do. We welcome comments about our service, recognise we don't always get things right, and are committed to dealing responsibly and professionally with concerns about bad practice of any kind at International PEN. If you tell us about any problems or feelings of dissatisfaction, you help us to make things better for everyone.

We recognise people may be worried about raising concerns or "whistle blowing" about bad practice because they don't want to be considered disloyal to colleagues and the organisation, or are worried about victimisation or harassment if you raise a concern.

This policy is designed to help you raise a concern at an early stage and without fear of recrimination, victimisation or discrimination. The following safeguards are in place:

- Wherever possible, International PEN will protect the anonymity of the individual who raises a concern and who does not want their name disclosed. However, this obviously may not be possible within the process of investigating the concern.
- International PEN is committed to treating concerns and claims of malpractice seriously, irrespective of who the concern involves.
- International PEN will take appropriate steps to minimise any difficulties you may experience as a result of raising a concern.
- International PEN will protect individuals and the organisation against false or malicious expressions of concern, and disciplinary action may be taken against members of staff discovered to have made allegations of this kind.

The procedure for dealing with complaints and concerns about malpractice is in two parts: INFORMAL AND FORMAL. We hope whenever possible to satisfy your concerns through the informal process.

The Investigating Officer will be either the Executive Director or a member of the Board if your complaint is about the Executive Director. The Investigating Officer will never be the person who is the subject of a complaint, except where the complaint can be resolved informally.

The Director will ensure that record is kept of the number of complaints made, and will pass on to the Board statistical information stating the number of complaints made within each year and how long they took to resolve. This information will be used to assess the effectiveness of this policy and procedure, and to identify any emerging patterns of concerns.

Volunteers and interns will be given a copy of this policy and procedure.

## **When to use International PEN's Procedure?**

---

### **1. International PEN's complaints, and whistle blowing procedure:**

This procedure if you are unhappy about the way International PEN has done its job in providing services to members, centres and those who use the services provided, or if you are concerned about other malpractice eg. failure to meet our legal obligations, financial malpractice, or putting people such as the public, staff or volunteers at risk.

### **2. Grievance Procedure**

If an employee or volunteer has a complaint about decisions or treatment by his/her colleagues or the Board, or about discrimination, bullying and harassment in the workplace, s/he should use a copy of the International PEN Grievance and Disciplinary Procedure.

## **Who can use International Pen's procedure?**

---

*Anyone* with a genuine concern about malpractice by the organisation or individuals within it may use the complaints and whistle blowing procedure to raise their concern.

International PEN *expects* employees to report any reasonable and genuine concerns about the organisation's standards; malpractice; theft or fraud; financial malpractice; abuse of service users; breach of legal obligations; other unethical conduct; or the cover up of any of these.

## The Complaints and Whistle Blowing Procedure

---

### Informal stage:

It is the intention that complaints will be dealt with promptly and wherever possible resolved informally. Where this is not possible the complaints procedure offers a facility for complaints to be handled sensitively and quickly.

### Stage 1

Talk to the person most directly involved and tell them about your concerns eg. the volunteer, intern or staff member. If this is difficult or you are not satisfied, contact the Executive Director. If your concern is about the Executive Director, contact the Director of Finance and Administration and tell them you want to talk to a member of the Board about a complaint. S/he will pass your details to the Investigating Officer who will contact you by phone or in writing.

If you find it easier to write down your concern, you can send it to the Executive Director in writing. Or alternatively, address it to: Investigating Officer Board c/o PEN International, Unit A, Koops Mill Mews, 162-164 Abbey Street, London, SE1 2AN. Mark the letter as private and confidential and staff members will not open it.

The person dealing with your complaint will listen to you and clarify the nature of your concern. You will not be expected to prove the truth of the allegation you are making, but it will be necessary to demonstrate that you have sufficient grounds for concern.

Where possible, the person dealing with your complaint will try to resolve the situation informally. They will also give you feedback on any action taken as a result of your concern, subject to any confidentiality issues which may prevent this.

### Formal stages:

If the complaint cannot be resolved informally, or if you are not satisfied with how it was dealt with, the complaint will be considered formally.

### Stage 2

You need to be clear about your complaint. If you need help to clarify your complaint, the Investigating Officer will support you to do this. An investigation will not proceed until there is agreement on the complaint to be investigated.

The Investigating Officer will notify the International Secretary or the Board of the complaint and the timetable for conducting the investigation.

The Investigating Officer will meet with you to talk about the complaint. You may like to have a friend, relative or union official with you at the meeting. This person must be someone who is not involved in the matter and they will be asked to agree to maintain confidentiality. The Investigating Officer will also talk to other people who are directly or indirectly involved in the complaint e.g. staff member, etc.

The Investigating Officer will write a report within 28 working days and send a copy to you. The report is also given to the Board. If your complaint takes longer than 28 working days to investigate, the Investigating Officer will notify you as soon as possible and discuss the delay with you.

If you are not satisfied with the response to your complaint you can contact the Investigating Officer who will explain what you can do next.

### **Stage 3**

The final stage is the Review Panel. You must make a request for a Review Panel within 28 days of receiving the Investigating Officer's report. The Review Panel will meet within 28 days of receiving your request. The Panel will be two Board members, who were not involved at Stage 2. The Panel will consider your appeal and will talk to you, the Investigating Officer and other people involved in Stage 2. The Panel will make written recommendations to the Board within five working days.

You will be informed within a further five working days of the outcome of the Review Panel's recommendations. International PEN procedure ends at this point.

### Aims of the Procedure.

The procedure aims to ensure that:

- People know how to get help
- Complaints are not lost in the system
- People are not kept waiting months for a reply
- Nobody has to explain the same problem five or six times before anything is done
- Nobody feels that the problem is being ignored
- Whatever the outcome the complainant feels that they were listened to and that someone tried to sort out their problem
- Problems and complaints are positively resolved

### How to Handle Complaints.

It can be difficult for people to express their worries or problems. It is therefore very important for staff, volunteers and interns to know that they:

- ✓ have a right to say what their concerns are
- ✓ that staff and Board members will listen attentively to the problems.

#### **The most important thing that staff can do is:**

- Support and encourage people to raise issues and complaints
- Support people in moving on to the next stage of the procedure if the issue cannot be resolved informally
- Reassure people that making a complaint is seen as positive by International PEN and members and service users will not be disadvantaged for raising their concerns
- Follow the guidelines set out on page 7

a) How to respond when a concern or dissatisfaction is expressed:

Acknowledge the person politely

Recognise his/her frustration – put yourself in their shoes

Listen – let him/her let off steam

Don't jump to conclusions. Get all the details – when, where, what, why and how of the situation. Take careful notes.

Don't blame anyone. Be ready to apologise and accept International PEN's responsibility – "I'm sorry, we made an oversight...."

Don't argue or feel offended. This is a professional not personal issue.

Confirm whether they wish to make a complaint about the issue and explain the basic stages of the complaints procedure.

b) Receiving and giving information:

Find out what the complainant wants from you.

Confirm that you have understood the complaint accurately by feeding back to the complainant.

State clearly what you will do next, meanwhile:

- Offer a temporary solution if possible but don't make promises you can't keep. Explain why you can't do certain things.
- If you can't solve the problem then and there, agree a time when you will get back to them.
- If the complainant has made a mistake, be diplomatic – "We may not have been clear."
- Check that the person is satisfied.

c) Sharing and recording information:

Inform the Investigating Officer and clarify which procedure is applicable.

Produce a written record of the initial complaint and steps taken to date.

Follow up by ringing the complainant to say what you have done and what will happen next.

## Guidelines for the Investigating Officer

### A. Writing the Investigative Report:

Write the report on International PEN's headed paper. Use headings and sub headings, with numbered paragraphs and pages for easy reference. Sign and date the report. The report should follow the following format:

#### **Introduction:**

Give a brief outline of the complaint. If there are specific issues which cannot be considered under this procedure indicate this clearly, with explanation as to why.

#### **Fact Finding:**

Briefly outline how the investigation took shape.

Who was interviewed?

Who else contributed?

What documentation was read?

Did the investigation meet its deadline? If not, explain the delay.

#### **Main Findings:**

If the complaint had more than one issue, structure the section to separate the issues.

This section should examine the evidence gathered. The report should not give a verbatim account of every interview. It should identify salient points and statements.

The report should comment on the weight of the evidence provided and should make a conclusion on that specific issue.

#### **Conclusions:**

The report should conclude to what extent a complaint is upheld. The report should indicate the reasons why a complaint is upheld or not. If mitigating circumstances exist it is important that these are identified. The Investigating Officer should highlight areas that s/he believes International PEN should consider as part of resolving the complaint. These should relate to policies, procedures etc.

#### **Appendices:**

A copy of the original complaint.

Information provided to set the complaint in context or to substantiate.

Other information deemed relevant.

### B. Submitting the Report:

The report and investigation outcome should be completed by day 23 of the investigation and submitted to the International Secretary of the Board for approval (or other nominated member if complaint is about the International Secretary). The written outcome should be sent to the complainant.



