

Terms of reference for Independent Complaints Reviewer

The role of the Independent Complaints Reviewer (ICR) is to:

- Take an independent view of the service complaints escalated by the RSPCA in a proportionate and impartial manner and then to present her opinion and advice.
- Ensure the right action has been taken procedurally by the RSPCA with regard to the internal processes and procedures which shall be made available to her.
- That RSPCA staff have been courteous and fair in the ICR's opinion.
- That there have not been unreasonable delays in the context of the processes being followed.

The ICR can look at service complaints about:

- Bias or discrimination
- Unfair treatment
- Poor or misleading advice
- Failure to give information
- Mistakes
- Unreasonable delays
- Poor administration
- Inappropriate staff behaviour.

The ICR cannot look at complaints about:

- Animal welfare legislation
- Matters where only a court, tribunal or other body can decide the outcome
- Financial matters
- Personnel and disciplinary decisions or actions as the employer.

The ICR also cannot look at complaints involving a third party, for example where an independent vet or other organisation is involved.

Service complaints will be referred to the ICR by the third tier escalation manager after the National Complaints Procedure has failed to produce an outcome acceptable to both the Society and the complainant or by the Chief Legal Officer in exceptional circumstances. See below the specific criteria for referral.

The ICR will review all relevant documentation relating to the case/incident in the context of the operational processes and complaint workflows of the Society in order to assess, objectively, whether the complaint was dealt with in compliance with these processes and subjectively using her expertise to advise on whether the complainant was dealt with fairly and in a courteous manner.

The ICR will highlight to the RSPCA what she considers to be a fair and reasonable conclusion to a service complaint and inform the complainant of the findings by letter/email. The final letter/email will set out a synopsis of the facts of the case/incident.

The ICR can recommend, as appropriate, the following redress:

A formal apology for a failure to follow correct procedure, or

A formal apology for a process or procedure that is not fit for purpose and advise on the remedial action that should be taken by the RSPCA; or

A view on the procedure for the awarding of financial compensation but not on the size of the compensation agreed between the RSPCA and the complainant.

Criteria for referral of complaints against the Inspectorate and Prosecutions to the Independent Complaints Reviewer

1. If a complainant who has made a complaint about the Society remains dissatisfied after all stages of the complaints procedure have been completed, the complainant may ask the relevant Assistant Director to refer their complaint to the Independent Complaints Reviewer (ICR).
2. In all cases the complaint must be one where the complainant has had direct contact with the RSPCA, and where personal injustice arises from the actions complained of.
3. The Assistant Director will, if requested, assess whether to refer the complaint to the ICR based on:
 - a) having completed all stages of the complaints procedure, the complainant remains dissatisfied with explanations following consideration of their complaint
or
 - b) the complainant is dissatisfied with the way the complaint has been handled
or
 - c) the complainant is dissatisfied with a proposed resolution to their complaint by the Society.
4. The ICR will not consider complaints about prosecutions related decisions or live or ongoing prosecutions. The ICR may consider complaints about Prosecutions' conduct, behaviour or processes, after proceedings have been concluded.
5. The Society may also itself ask the ICR to review independently their handling of a complaint, where the complainant remains dissatisfied.
6. The ICR will not deal with any complaints that are part of a coordinated or organised campaign, that are malicious, or are abusive.

Please note that for data protection and privacy reasons, the ICR has been provided with a secure RSPCA email address. This has no bearing on the independence or impartiality of her judgement.

The Independent Complaints Reviewer - Sally Hobbs, CBE

Sally Hobbs has over 30 years' experience of handling complaints, and of inspecting and reporting on the management of organisations.

Sally lives in Yorkshire and carries out the role of Independent Complaints Reviewer on a part-time basis.

Sally's early career was in local government dealing with the rights of consumers. She later joined the office of the Local Government Ombudsman where she was an assistant director, directing the investigation of complaints against local authorities.

In the 1990s Sally moved into the field of criminal justice, and became one of the first HM Inspectors of the Magistrates' Courts Service. She subsequently joined the Crown Prosecution Service Inspectorate, becoming HM Deputy Chief Inspector in 2006.

Since 2012, Sally has worked with organisations, on a consultancy basis, reviewing and reporting on aspects of management and performance. She is also a member of a prison Independent Monitoring Board.

Sally was awarded the Commander of the Order of the British Empire (CBE) in 2009.