



12. Complaints to Statutory Agencies: A Guide for Advice Workers

This information sheet is for advice workers on assisting individuals who are unhappy with the response of a statutory agency to their report of hate crime.

Everyone is entitled to expect a good service from public bodies whose services they use. Internal review and complaints procedures to deal with situations where things have gone wrong are now a common feature of public services.

Despite this, the complaints process can be difficult for individuals to navigate. The guidance below aims to assist advice workers in empowering individuals to speak up when they feel a service has let them down.

Discuss the pros and cons

If you are advising someone who wants to make a complaint, ensure they are making an informed decision by exploring possible positive and negative outcomes. A complaint could result in an apology, an explanation, a different decision or create change within an organisation. On the other hand, complaints can be emotionally taxing, they can drag on for months, or could result in a frustrating response.

Identify an objective

It can be helpful to clarify what an individual wants to achieve, as this can focus the content of a complaint. For instance, an individual might want to feel heard, change a decision, alter an institutional practice, or have a staff member challenged. For financial compensation the best route is usually legal action or complaining to an Ombudsman.

Writing complaint letters

To be effective, a complaint letter should outline the situation, describe what went wrong and suggest a solution. Complainants often want to include a lot of detail, but keeping points concise can avoid the main argument getting lost. Include the complainant's personal details and any reference numbers. Clearly mark it 'complaint'. When complaining on someone else's behalf, include a few lines about your organisation and a signed form authorising you to act on the service user's behalf.

made within five working days of hearing about the decision, but can still be made up to three months after finding out about it. For details visit:

www.cps.gov.uk/victims_witnesses/victims_right_to_review.

Getting legal help

People unhappy about their treatment by a service provider can ask a lawyer to act for them. There are numerous legal firms specialising in action against the police, which can be found by searching online. Many lawyers will consider doing this type of work on a 'no win, no fee' basis, but only if they believe there is a good chance of being awarded compensation in court. Alternatively, individuals who qualify for Legal Aid (principally those of limited means) may be able to get legal assistance paid for by the Legal Aid Agency. You may also want to speak to a solicitor specialising in 'public law' or 'judicial review'. They specialise in challenging decisions by public bodies where the decision-making process was legally flawed. However, legal aid funding for this area of law is limited and it is often prohibitively expensive to privately fund such a claim.

This information sheet was produced by Galop, an LGBT anti-violence charity providing support, advice and advocacy to people facing hate crime, domestic abuse or sexual violence. It is a part of a series of 17 resources on hate crime for LGBT people and service providers, created on behalf of the National LGBT Hate Crime Partnership. The other useful information sheets are:

1. Glossary of Terms Relating to Hate Crime
2. Diary Sheets and Guidance on Keeping a Written Record of Hate Crime
3. Hate Crime Laws: A Guide for LGBT People
8. Training Toolkit on LGBT Hate Crime
9. LGBT Hate Crime Quality Standard: A Service Improvement Tool for Organisations
10. Tackling Biphobia: A Guide for Safety Services
11. Tackling Transphobia: A Guide for Safety Services
13. Understanding Hate Crime Statistics: A Guide for Organisations
14. Hate Crime and Older Lesbian, Gay, Bisexual and Trans people in Care Settings
15. Housing, Disability and LGBT Hate Crime
16. Commissioning LGBT Hate Crime Services: A Guide for Organisations
17. Building Partnerships to Tackle Hate Crime

Find out about our work at www.galop.org.uk and www.lgbthatecrime.org.uk

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