

Service Complaints

Process Guide

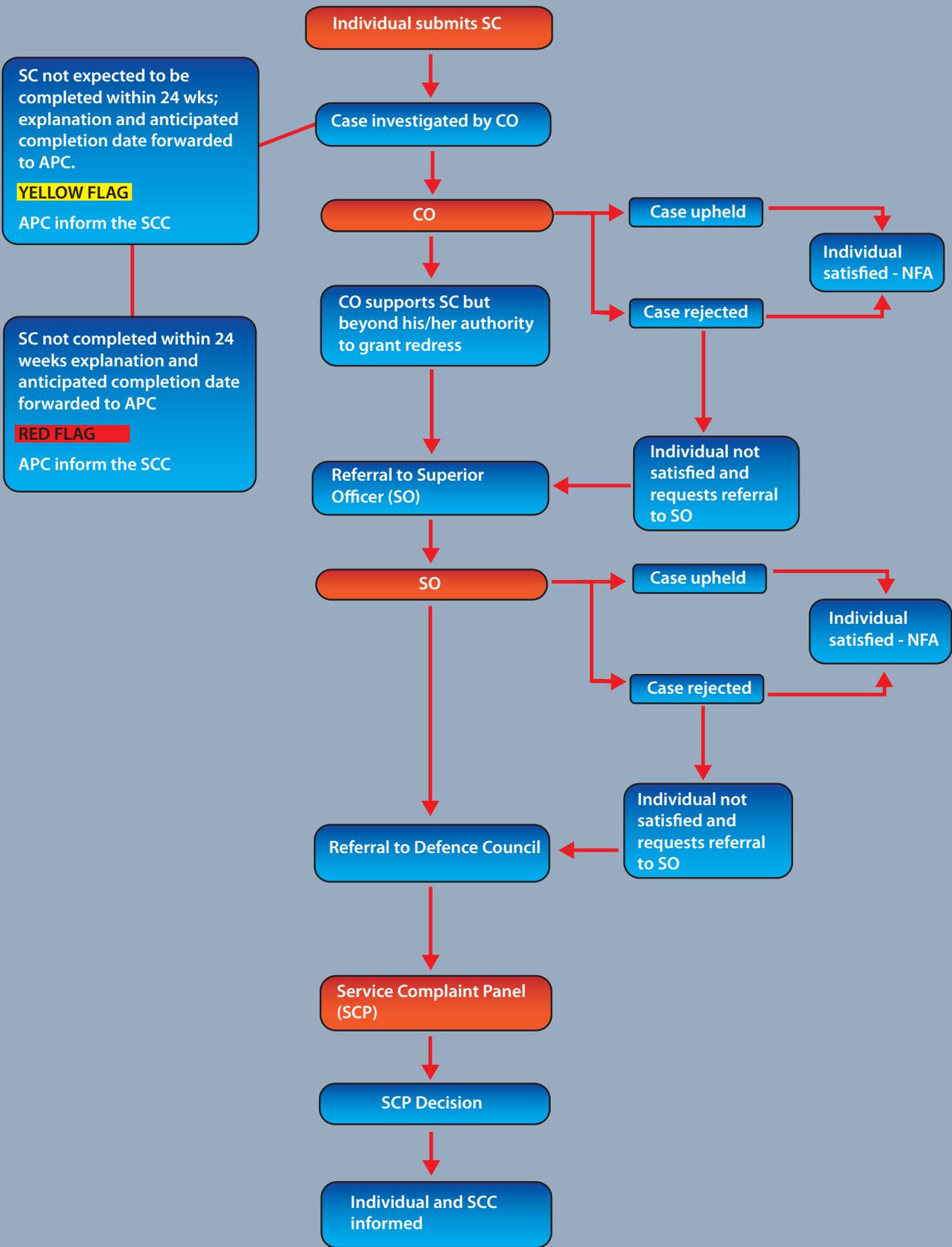
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RAF Process Guide to Service Complaints - Foreword

This Process Guide to Service Complaints has been prepared by Air Personnel Casework to assist Commanding Officer's and unit HR staff. The guide is not intended to replace JSPs 763 and 831, which remain the source policy documents for Service Complaints, but to supplement the JSPs with guidance notes, check-sheets and templates; to assist unit personnel with the staffing of SCs. In addition, the Guide is also intended to assist unit personnel to prepare Service Complaints that are to be referred to Higher Authority.

Service Complaint Flow chart



1. The submission of SCs under the RAF internal SC procedures are intended to permit the employer or former employer (the RAF) to thoroughly investigate complaints. The SC system is designed to:
 - a. Provide consistently high standards in the investigation of SCs at Level 1 by the Prescribed Officer (PO), Level 2 by the Superior Officer (SO) and Level 3 by a Service Complaints Panel (SCP), or the Air Force Board.
 - b. Demonstrate the RAF's commitment to the fair treatment of serving and ex serving personnel.
 - c. Provide the degree of neutrality and openness that encourages confidence amongst personnel in the RAF's SC system.
 - d. Where possible, investigate SCs within the prescribed timelines and targets. The approach of the officer, warrant officer or NCO who is complained to informally is critical to the whole process. He should listen to the complainant fairly and objectively and, if he cannot resolve it satisfactorily and quickly, refer it to an appropriate officer so that it can be suitably dealt with.
2. The emphasis throughout must be on ensuring that the SC is dealt with in a fair, proportionate and impartial manner. Early resolution at the lowest level, including mediation, is the benchmark. You may find that you are able to resolve the issues, and consequently the SC, without need for formal investigation.
3. In some complex cases early resolution may not be possible and you should prepare for a formal investigation. It is imperative that delay is kept to the absolute minimum and that the SC is dealt with as swiftly as practically possible. The target timescale to resolve all SCs is 24 weeks in order to meet the timelines stipulated by the SCC.
4. At all stages you must be aware of how stressful the SC process may be for the complainant, respondents and witnesses. This can be particularly acute on disclosure of the papers and determination. Consideration should be given to providing adequate welfare support to all parties, particularly anyone who is considered to be vulnerable. In certain cases it may be appropriate to place an individual on the appropriate Welfare Register.
5. A basic guide to completing a Level 1 SC can be found at [Annex A](#). Annex A also contains guidance as to JPA reporting and the compilation of the case papers. The requirements for updating external and internal agencies can be found at [Appendix 3](#).

Legal Advice

6. Legal Advice should be sought from the outset in complex cases only. OC PMS should take the lead in identifying the requirement for legal advice, through the process of the initial case conference, and should seek resolution at the lowest level in all cases. **This legal advice is privileged and under no circumstances should it be released to the complainant, respondent or their assisting officers.** You will be provided with legal advice at the conclusion of the investigation, if you require it, and you should seek further legal advice at any stage of the process if you have concerns.

Initial actions required

7. The following actions should be carried out as swiftly as possible¹:
 - a. **JPA.** Unit to register SC on JPA and provide APC with the Service Request (SR) number.
 - b. **Assisting Officer.** Appoint an Assisting Officer² (AO). The complainant may reject your appointment and select an AO of their own, or refuse³ the services of an AO entirely, but one should always be appointed as an option.
 - c. **Initial interview.** You are to conduct an initial interview with the complainant and any respondents. [Appendix 6 to Annex A](#) provides guidance for the initial interview.
 - d. **Case conference.** A proposed format for the case conference and record of decision is at [Appendix 7](#) and [8](#) of Annex A respectively. You can request advice from APC if necessary⁴.

Investigating the Complaint

8. Where you determine that an investigation of the complaint is required you must decide the best method of achieving this. Roles and timescales should be determined at the initial Case Conference.
9. Where a complaint is with regard to SJAR/OJAR, SC guidance can be found at [Annex B](#) .
10. If you have any suspicion that a Service offence may have been committed you should consider when or whether you should inform the Service police and then postpone consideration of the complaint pending the outcome of any police investigation.
11. If the complaint involves bullying or harassment you should follow the procedures laid down in JSP 763. APC will determine, following a request for assistance from the unit, whether a fee earning Harassment Investigating Officer (HIO) or the Equal Opportunities Investigation Team (EOIT) is appropriate to investigate the SC on your behalf. Please be aware that the unit will need to identify funding for costs incurred by a fee earning HIO.
12. If respondents are identified they should be appointed an AO and informed in writing, by you, of the complaint against them (you should include a redacted⁵ copy of the SC). After they have been given a reasonable time to consider their response to the allegations, they should be interviewed prior to any investigation commencing. The interview notes will form part of the case papers.
13. If you consider the SC to be open to mediation⁶, agreement should be sought from the parties involved to attempt to resolve the matter in this manner. OC P1/PSF is to coordinate the appointment of a mediator.
14. If bullying or harassment or a Service offence is not alleged then you may decide to investigate the matter personally or consider appointing an Investigating Officer⁷ (IO). The IO

¹ Ideally all of these actions should be completed within 10 days of receipt of the complaint.

² Guidance for Assisting Officers is at Annex I to JSP 831.

³ This refusal must be in writing.

⁴ This should be necessary only for particularly complex cases.

⁵ SC to be redacted if more than one issue. Only point relevant to that respondent should be disclosed.

⁶ Guidance on the use of mediation in SC is contained within JSP 763 at Annex H.

⁷ The IO may be an Officer, Warrant Officer, senior non-commissioned Officer or Civil Servant of appropriate grade considered by the PO to be suitable for the duty.

should be given guidance⁸ on how to conduct their investigation and you should give them Terms of Reference (TORs). A basic format for their report can be found at [Annex C](#). Please ensure details of the IO are attached to the related objects field on JPA.

15. The investigation must be thorough, rigorous and as swift as practically possible. It is important to note that the Level 1 investigation will underpin any future decisions at Level 2 (Functional CoC) and Level 3 (Air Force Board/SCP).

16. In all cases, it is imperative that full disclosure to the complainant and any respondents has taken place. Following conclusion of the investigation, the case papers are to be presented to the complainant and all respondents, no determination should be considered unless the certificate at [Appendix 9](#) has been completed, ensuring that full disclosure has taken place. It is to be highlighted to all involved that the introduction of any new material at this stage will prolong the investigation of the complaint and extend the timescales already stated.

17. If you decide that, during the course of or at the conclusion of your investigation, the complaint does not amount to a wrong, and the redress requested is within your powers to grant, the complaint should be rejected at the earliest opportunity. You should contact the RLO for further advice before taking any action.

Follow on Action

18. Once the investigation has been completed and the decision disclosed, a copy of the Level 1 determination letter is to be forwarded by email, or if hard copy by Special Delivery, to APC.

Updates⁹

19. Updates to all parties should be conducted as detailed in [Appendix 3 to Annex A](#).

JPA Recording

20. May I remind you of the importance of recording SC details and developments on JPA at the point at which they occur (i.e. in real time). You should not wait until resolution or disposal before recording. You should aim to update JPA within 2 days of a key occurrence. This ensures proper tracking and monitoring of SC progress and is vital for SC stats for the Service Complaints Commissioner and for APC to measure against mandated targets in its reports to the Air Force Board.

Annexes:

- A. [Service Complaints – A Guide to Level 1](#).
- B. [Guidance on Complaints involving Appraisals](#).
- C. [Template for IO Prescribed Officer Brief](#).

⁸ Guidance for Investigating Officers is contained in Annex J of JSP 831.

⁹ In accordance with Para 3.10 of Ch 3 of JSP 831

SERVICE COMPLAINTS – A GUIDE TO LEVEL 1

1. Once a complaint has been entered onto a [JSP 831 Annex F](#) and submitted to the Level 1 PO, he must refer to the [JSP 831 Chapter 3](#) for guidance.
2. [Appendix 1](#) is a brief guideline of the process that should be followed to take a complaint from submission to determination. As all complaints should be handled on their own merits, this list is not exhaustive but the basic format will be adaptable to the majority of complaints.
3. All complaint case paper files are to follow the same format in their compilation. Instruction on the new format can be found at [Appendix 5](#). Case Papers submitted through APC for determination at Level 1, or referral to Level 2 or 3 that do not conform to this guidance will be returned to the unit.
4. Any amendments to this process, appendices or suggested “best practice” should not be implemented at unit level but forwarded to APC for consideration.

Appendices:

1. [A Guide to Level 1](#)
2. [Examples for List of Flags and Diary of Events](#)
3. [Table of Required Updates](#)
4. [JPA Guidance](#)
5. [Case File Preparation Instruction](#)
6. [Initial Interview Guidance](#)
7. [Case Conference Agenda Guidance](#)
8. [Record of Decisions Template](#)
9. [Disclosure Certificate](#)
10. [Unit Check Sheet](#)
11. [SC Update Form](#)

A GUIDE TO LEVEL 1

References:	
A JSP 831	
B JSP 763	
SCC REFERRAL	
On receipt of a referral from the SCC, the CO has 10 working days to contact, or show he has attempted to contact, the complainant in order to discuss the complaint, including published timescales. If the complainant wishes to pursue the issue they are to be directed to JSP 831 and advised to complete an JSP 831 Annex F . The SCC must be advised on the provided proforma within 21 days of the trigger points identified in Appendix 3 .	Reference A, para 3.4f
When the JSP Annex F is received, the CO must check that complaint is clearly laid out iaw JSP 831 .	Reference A, para 3.5
Follow action for Prescribed Officer detailed below	
Updates are required as detailed in Appendix 3.	
Complainant submits a complaint in any format. This is an informal complaint.	Input informal complaint onto JPA
Complaint is investigated at unit level where all options available for informal resolution are attempted. These can include, but are not limited to: Appropriate managerial intervention. Mediation Line Management Intervention Talking Making respondents (if any) aware that there is an issue Clarification by SMEs as to correct interpretation of policy Guidance through the correct method of complaint, special to type complaints include; SPVA (allowances) and Medical Complaints	
If all informal attempts at resolution have been exhausted, and SP still wishes to make a complaint, then SP should be directed to JSP 831 to complete an Annex F which is to be submitted to P1 as soon as possible.	
Follow action for Prescribed Officer detailed below	
Updates are required as detailed in Appendix 3.	

INITIAL ACTIONS – PRESCRIBED OFFICER	
Start Diary of Events and List of Flags (Appendix 2)	
On receipt of completed JSP 831 Annex F, complaint to be entered onto JPA immediately.	Complaint to be referred from informal to Level 1. APC to be notified for info purposes.
Complaint to be passed to Prescribed Officer without delay.	
AO to be appointed to complainant. If AO rejected, this should be in writing. The position of AO should be periodically reviewed with the Complainant to ensure that they are still receiving adequate support, especially in complex and lengthy cases. As a minimum guide, if the case becomes a SCC Red Flag then an AO review should be carried out at this point.	
On receipt of a Service Complaint (SC), the PO should hold a case conference. An example of what is required at the case conference and a record of decision can be found at Appendix 7 and 8 of Annex A respectively. OC PMS, or equivalent senior unit P Staff, is to consider the following factors for presentation to the case conference:	
Is the complaint in/out of time?	
Clarify who is the PO for the complainant?	
Is the PO implicated in the complaint?	If so, refer to RLO for advice. Reference A, para 3.3. RLO advice not to be disclosed
Determine whether SC is a Yellow Flag complaint. (Is SC likely to take longer than 24 weeks to resolve).	
Can PO grant the redress?	
If the PO cannot grant the redress requested he is still to conduct the Level 1 investigation prior to submission to RLO for advice. This investigation will form the basis of the decision at Level 2/3 (as directed by RLO). Once the SC has been investigated and legal advice provided the PO should refer the SC to the SO.	
NOTIFYING COMPLAINANT/RESPONDENTS	
Respondents identified during the Case Conference are to be informed, in writing, by the PO of the complaint (including disclosure of the Annex F and all associated documents).	
Respondents to have AO appointed. If AO rejected, this should be in writing. The position of AO should be periodically reviewed with the Complainant to ensure that they are still receiving adequate support, especially in complex and lengthy cases. As a minimum guide, if the case becomes a SCC Red Flag then an AO review should be carried out.	

Once complaint is accepted, complainant, respondents and SCC (where applicable) are to be informed of progress and nature of investigation.	
SC INVESTIGATION	
RLO advice sought if required. This should be identified at case conference.	RLO advice not to be disclosed
PO appoints IO/HIO by letter and issues TORs.	For HIO, Reference B Annex N para 4 For IO, Reference A para 3.11 and Annex J
IO/HIO writes letter of introduction to all parties and conducts initial investigation.	
Initial investigation and associated documentation disclosed to complainant and respondents to make comment as required. Individuals are permitted up to 30 working days to make comment.	Reference A, para 1.10 and 3.14
IO/HIO addresses issues raised by complainant/respondents. Final report drafted.	
Final report to RLO (if required)	
RLO comments addressed by IO/HIO (if required)	RLO advice not to be disclosed
Complainant/respondents complete Appendix 9 following final disclosure of (RLO) reviewed report.	
LEVEL 1 DECISION	
Case papers passed to PO for decision. Decision must:	
If the complaint is being escalated, articulate whether SC is in or out of time.	
State if the complaint is upheld, either in part or in full.	Reference A, para 3.16a
Address all points of the complaint if it is being decided upon, stipulating what, if any, redress is being granted.	Reference A, para 3.16a
If the complaint is being rejected, state why and give timescales for the complainant to submit a request for escalation.	Reference A, para 3.18f
State the reasons why the complaint is being referred to HA (if applicable).	Reference A, para 3.16c
Clearly state how, if the complainant is not satisfied, the complainant can have their complaint considered by a higher authority. This must give timescales, method and identify the person any appeal should be submitted to (usually the PO via P1).	Reference A, para 3.18f

POST DECISION PROCEDURES	
All parties must be informed of the decision in writing, including the SCC via APC.	Reference A, para 3.18
If complainant is not satisfied with the decision, they may apply to the PO, in writing within 30 working days, to escalate the complaint to HA.	Reference A, para 3.19
If the complaint is to be referred to HA, a covering letter is required from the PO to the SO, in addition to the decision letter.	Reference A, para 3.16c , not to be disclosed
This covering letter must:	
Articulate why the complaint is rejected (even if the redress is outside the powers of the PO).	Reference A, para 3.16b
State the reasons why the complaint is being referred to HA.	Reference A, para 3.16c
P1 ACTION ON LEVEL 1 DECISION	
Complaint rejected. On completion of 30 working days following decision, if no request to escalate, close SR with correct determination as per Business Process Guide (BPG). If complaint rejected as out of time, there is no right to escalate. However, a new complaint can be submitted, complaining about the decision to reject the first complaint.	Reference A, para 3.7
Complaint upheld. Close SR with correct determination as per BPG	
Complaint referred. Do not close Level 1 case on JPA, refer case to Level 2/3, as per BPG, depending on advice from RLO. Seek advice from APC as to identity of Level 2/3 decision maker. (Normally the AOC as SCs follow the Chain of Command) Complete Unit Check Sheet (Appendix 10) before sending case to APC	
In all cases, inform APC.	

EXAMPLES FOR LIST OF FLAGS AND DIARY OF EVENTS

1. The following is a synopsis of a complaint and is for reference only to try and set the scene for a typical diary of events and list of enclosures for units to follow.
2. A list of flags and a Diary of Events are to be included as page i and ii respectively of all case papers. Examples of these pages can be found below, the examples are not exhaustive and are to be used for guidance purposes only. All updates are to be recorded in the diary. Update correspondence is not to be included as flags but is to be added to JPA and then assigned to APC for information. All pertinent points should be included such as:
 - a. Relevant contact with complainant/respondents by phone.
 - b. Any hastening action completed.
3. These examples relate to the following scenario:

SAC Smith submitted an informal complaint relating to being disadvantaged as he was being selected for guard duties more frequently than his peers. The CoC attempted informal resolution, including mediation, the outcome of which Smith was not happy with and he elected to make his complaint formal.

The complaint was processed by P1 to the PO, via OC PMS, who initially thought there could be other informal resolutions that may not have been identified. An appointment was then made with the PO who addressed the issue of further informal options. These were all rejected by Smith who stated he wished for the complaint to be formal. At the interview Smith confirmed that he did not feel he was being bullied or harassed, just unfairly treated in the allocation of duties by the Duties Coordinator.

Smith was advised that he would need to submit a JSP 831 Annex F to formalise the complaint and was offered the services of an AO, which he rejected. Smith was informed that he would need to confirm the rejection of an AO in writing to the PO which he subsequently did.

The case conference was then held where the mode of investigation was identified with OC PMS recommending that an IO was appointed from outside the section and as this was not a complex case there was no need for RLO advice at this stage.

LIST OF FLAGS – SAC SMITH (1234567X)

<u>FLAG/PAGE</u>	<u>ACTIVITY</u>	<u>DATED</u>
I	List of Flags	
ii	Diary of Events	
	COMPLAINT	
A	Original Service Complaint Annex F	31 Jan 00
	EVIDENCE¹⁰	
W	Complainant escalation letter	15 Sep 00
V	PO determination letter to respondent	3 Sep 00
U	PO determination letter to complainant	3 Sep 00
T	Respondent Appendix 9 received	28 Aug 00
S	Complainant Appendix 9 received	28 Aug 00
R	Case papers to complainant and respondent for disclosure	25 Aug 00
Q	Additional evidence gathered	23 Jul 00
P	SAC Smith AO rejection letter	3 Jul 00
O	Final Investigation Report completed Appendix 9 received from respondent	19 Jun 00
N	Final Investigation Report completed Appendix 9 received from complainant	15 Jun 00
M	Final Investigation Report completed disclosed to complainant and respondent	6 Jun 00
L	Final Investigation Report completed	3 Jun 00
K	Initial Investigation Report completed response received from respondent	23 Apr 00
J	Initial Investigation Report completed response received from complainant	23 Apr 00
I	Initial Investigation Report completed disclosed to all	3 Apr 00
H	Initial Investigation Report completed	1 Apr 00
G	PO issues TORs to IO (or HIO if required)	9 Feb 00
F	PO notification of complaint to respondents (if any)	
E	PO acknowledgement of formal complaint	
D	Case Conference record of decisions	8 Feb 00
C	SAC Smith AO rejection letter	4 Feb 00
B	PO initial interview notes (all documents to be added to JPA when received in P1)	3 Feb 00
	NOT FOR DISCLOSURE¹¹	
4	Unit check sheet completed (Appendix 10)	18 Sep 00
3	Referral letter from Unit	17 Sep 00
2	Final RLO advice received	22 Aug 00
1	Initial RLO advice received	16 Jul 00

¹⁰ All evidence should be submitted in reverse chronological order with alphabetical side flags.

¹¹ Legal advice is subject to legal privilege and is for the PO only. This will not be disclosed to anyone other than the PO to assist him with directing the investigation. The referral letter is not for disclosure iaw JSP 831 Para 3.16c. Enclosures not to be disclosed are to be given numerical top flags. Unit check sheet not to be disclosed as it contains contact details for complainant and respondents (if any).

DIARY OF EVENTS – SAC SMITH (1234567X)

DATE	ACTIVITY	FLAG
	COMPLAINT	
31 Jan 00	Original Service Complaint Annex F	A
	LEVEL 2	
18 Sep 00	Unit check sheet completed (Appendix 10)	4
17 Sep 00	PO Escalation letter to HA	3
15 Sep 00	Complainant escalation letter	W
	LEVEL 1	
3 Sep 00	PO determination letter to respondent	V
3 Sep 00	PO determination letter to complainant	U
1 Sep 00	Case to PO for determination	
28 Aug 00	Respondent Appendix 9 received	T
28 Aug 00	Complainant Appendix 9 received	S
25 Aug 00	Case papers to complainant and respondent for disclosure	R
24 Aug 00	30 working day update to complainant (and respondents). APC updated via JPA	
22 Aug 00	Final RLO advice received	2
24 Jul 00	Case to RLO	
23 Jul 00	Additional evidence gathered	Q
16 Jul 00	Initial RLO advice received	1
14 Jul 00	30 working day update to complainant (and respondents) APC updated via JPA	
3 Jul 00	SAC Smith AO rejection letter	P
3 Jul 00	AO review carried out.	
3 Jul 00	SCC Red Flag notification sent to APC via JPA	
21 Jun 00	Case to RLO (if required)	
19 Jun 00	Final Investigation Report completed Appendix 9 received from respondent	O
15 Jun 00	Final Investigation Report completed Appendix 9 received from complainant	N
6 Jun 00	Final Investigation Report completed disclosed to complainant and respondent	M
4 Jun 00	30 working day update to complainant (and respondents) APC updated via JPA	
3 Jun 00	Final Investigation Report completed	L
8 May 00	Investigation progress requested by phone	
27 Apr 00	Investigation of responses commenced	
25 Apr 00	30 working day update to complainant (and respondents) APC updated via JPA	
24 Apr 00	Responses passed to IO	
23 Apr 00	Responses added to JPA	
23 Apr 00	Initial Investigation Report completed response received from respondent	K
23 Apr 00	Initial Investigation Report completed response received from complainant	J
3 Apr 00	Initial Investigation Report completed disclosed to all	I
1 Apr 00	Initial Investigation Report completed	H

20 Mar 00	Investigation progress requested by phone	
12 Mar 00	30 working day update to complainant (and respondents) <i>(APC to be informed via JPA of all updates as per Appendix 3, no requirement to include letter as a flag)</i>	
11 Feb 00	Investigation commenced	
9 Feb 00	APC notified via JPA of SC being determined as SCC Yellow Flag	
9 Feb 00	PO issues TORs to IO (or HIO if required)	G
	PO notification of complaint to respondents (if any)	F
	PO acknowledgement of formal complaint	E
8 Feb 00	Case Conference record of decisions	D
5 Feb 00	Case Conference date set for 8 Feb 00	
4 Feb 00	SAC Smith AO rejection letter	C
3 Feb 00	PO initial interview notes <i>(all documents to be added to JPA when received in P1)</i>	B
1 Feb 00	Telecon from Complainant confirms initial interview date set for 3 Feb 00	
	Complaint added to JPA, SR 123456, tasked to APC	
31 Jan 00	SAC Smith submits Annex F <i>(within 3 months of last incident)</i>	
	INFORMAL	
21 Jan 00	SAC Smith emails SNCO P1 wishing to make a complaint. SNCO P1 interviews Smith and explains his options and the complaint process to him.	
15 Jan 00	SAC Smith CoC attempt external mediation between duties coordinator and SAC Smith. Smith acknowledges that there is no bullying or harassment issues between him and the duties coordinator but still feels that he has been unfairly treated.	
5 Jan 00	SAC Smith's CoC attempt to resolve the complaint informally by reviewing internal duty allocation procedures. SAC Smith unhappy with the outcome.	
3 Jan 00	SAC Smith verbally complains to his CoC of unfair treatment namely being unfairly selected for a disproportionate number of SSGF duties in proportion to his peers	
1 Jan 00	SAC Smith selected for 4 th guard duty in 5 months. <i>(last incident)</i>	

TABLE OF REQUIRED UPDATES

COMPLAINANT/RESPONDENT UPDATES	
Complainant and all respondents are to be updated every 30 working days.	Update should actually state what is happening and not just a bland letter. These updates are in addition to evidence gathering contact. All updates are to be added to JPA and assigned to APC for info.
SCC UPDATES	
Required within 21 days of the following trigger points, using Appendix 11 :	
1. The individual has been informed of the SCC referral and has been made aware of the procedure for making a Service Complaint, including time limits.	If the process is followed as described, it should be possible to do all updates numbered 1-5 within the first 21 days. No longer a requirement to update the SCC every 30 working days. All updates are to be added to JPA and assigned to APC for info.
2. That an Assisting Officer has been offered/appointed to assist the individual draft and support them with their Service Complaint.	
3. The individual's decision whether he wishes to make a Service Complaint.	
4. Whether the Service Complaint may not be made because it exceeds the time limits or is about a matter excluded by Regulations and the individual has been informed and notified of any appeal rights in respect of that decision.	
5. The JPA reference number.	
6. The individual has withdrawn their Service Complaint.	
7. That the complaint has been referred to a superior officer or to the Defence Council.	
8. The decision made on the Service Complaint and on any redress made. (A copy of the decision letter will be automatically provided to the SCC)	

ALL NEW COMPLAINTS	
All complaints identified at the Case Conference as requiring potentially 24 weeks to complete.	These are to be annotated as “Yellow Flags” and notified as such to APC using Appendix 11 :. APC will then update the SCC.
All complaints that exceed 24 weeks from receipt.	These are to be annotated as “Red Flags”. APC are to be notified as such with an explanation as to the delay in progression, anticipated completion date and details of action being taken to achieve this date. APC will then update the SCC.
APC UPDATES	SR to be tasked to APC for info when update letter sent to both complainant and respondents
	SR to be tasked to APC when trigger point update is added to JPA.
SCC Yellow Flags (all complaints)	As soon as it is obvious a complaint will take longer than 24 weeks from submission to complete it is to be annotated as a Yellow Flag. This is to be highlighted to APC immediately via JPA.
SCC Red Flags (all complaints)	As soon as a complaint has passed 24 weeks since receipt, APC are to be notified, via JPA, as such with an explanation as to the delay in progression, anticipated completion date and details of action being taken to achieve this date. APC will then update the SCC.

SERVICE COMPLAINTS (SC) ON JPA

You will be well aware that SCs, at all levels, are being scrutinized by the SCC and within HQ AIR. To enable easier reporting it is essential that JPA is used correctly in the recording of SCs.

The following are examples of guidance and best practise when progressing cases on JPA.

<p>Ex-employee. For all ex-employees the case must be created as an Informal SC on JPA and forwarded to APC where a JPA Super User will escalate the SC to Level 1.</p>	
<p>Common errors on our current cases are:</p> <ul style="list-style-type: none"> a. SR Status – The status does not reflect the correct information. For example status is being left at ‘Notification of Complaint’ despite the investigation being completed! b. Summary – This is to be limited to 80 characters and is to be in the format of: 3 letter Station Indicator-Rank-Description e.g. BZN-Fit Lt- SC Harassment (brief description). c. Task Setting – Incorrect task setting results in multiple returns whenever JPA Reporting is run: ‘SC Notify HA’ should be used to advise APC of any updates or issues with a SC not ‘SC Investigation of Complaint’. The task of ‘SC Investigation of Complaint’ is only to be closed once the investigation is completed! d. Start and End Dates for Tasks – These dates are missing from JPA Tasks far too often. It is crucial to JPA Reporting that these dates are completed. Units need to start inserting the dates when they are assigning tasks. Release 13 will auto populate the majority of the dates. e. Incident Date – This should be the date of the last incident mentioned in the ‘Annex F’. Note: this date cannot be amended later. f. Reported Date – This should be the date that the CO becomes aware of the SC (by whatever means). Note: this date cannot be amended later. 	<p>BPG for Informal SC Para 4 refers. BPG for Informal SC Para 4 refers.</p>
<p>Completion of the Additional Information Flexifields. In particular; SC Type, SC Referral number and Date, Date IO/HIO/EOIT Appointed and Mediation (do not leave this blank - there is an option of ‘Not Suitable’).</p>	<p>BPG for Level 1 SC Para 8 refers.</p>
<p>Tasks. It is essential that Tasks are created as and when they occur and Planned Start/End, Actual Start/End dates are completed, as a minimum, each SC is to have the following Tasks created:</p>	<p>BPG for Level 1 SC Paras 8 and 15 refer.</p>

<p>Initial Investigation (created automatically – be careful not to close this Task before the Initial Investigation is complete). Legal Advice (this can be created more than once). Refer to HIO/IO/EOIT (if required) Decision by CO/DO Comp Response to Decision. SC Complainant Absent (to be used to explain delays in contacting complainant)</p> <p>30 working day updates: The SCC referrals and 30 working day updates for normal SCs should be attached to JPA. It may be useful to use the SCC form for all 30 working day updates to ensure parity of treatment and so that the same quality of updates are received by APC and the complainants. Once an update is completed, the case needs to be assigned to APC in order that we can record that this action has been completed.</p> <p>Disclosure: Once the report is disclosed to the individual, raise a task, and close it once the individual’s (complainant and respondent) comments are received.</p> <p>In addition the Task of ‘Access to Case’, assigned to APC, is to be created at the same time as Initial Investigation and Legal Advice.</p>	
<p>Related Objects. Every SC should have at the very least a CO/DO and more often than not, a respondent. Details of HIO/IO are also to be recorded.</p>	<p>BPG for Level 1 SC Para 8 refers.</p>
<p>Task Description Field. This is not to be used to record a Diary of Events and is only to be used for simple instructions ie ‘See Task Notes’. This field can be edited.</p>	
<p>Task Notes. Details of any action relating to a specific task are to be entered ie ‘Contacted RLO for update on LegAd’, ‘SP informed P1 that he will deploy the Afg on 1 Aug’ etc. Note: Task Notes cannot be edited.</p>	
<p>Attachments. All correspondence pertaining to a case is to be attached to JPA ie JSP 831 Annex F, LegAd, IO report, decision letter. Attachments should always be added to the main case, accessible to all, and not in Task Notes, only visible to the person/group the task is assigned to.</p>	
<p>Informal Complaints. All E&D complaints held in Stn EDA Registers are to be migrated to JPA. Care is to be taken to ensure that SP details are not entered in the Summary or Task Notes.</p>	
<p>CO’s Decision. Once the NoA is received and has been sent to the individual or, if necessary a referral is made to the Superior Officer this should be reflected on JPA and the SC should be re-directed to APC via your APC Caseworker. Once the handover to APC is complete, the “ownership” of the complaint will pass to APC.</p>	
<p>Escalation. Each complaint will generate a separate JPA SR at each level (Informal, Lv 1,2,3). Previous levels of complaints will be visible in the related objects field. All Level 2 and 3 complaints MUST have been escalated from a Level 1 complaint.</p>	

The following screenshots will help you put the guidance into practise:

TASKS TAB

This should be in the format:
Unit initiating the task)/Assignee or
Person to carry out task/SP
Number/Rank/SC description.

HR Administrator - Discipline

Service Person: [Text Box]

SR Number: 1352876

Reported: 26-JUN-2008 15:08:00

Date of Incident: 28-MAY-2008 15:08:00

Created On: [Text Box]

Created By: [Text Box]

Modified On: [Text Box]

Modified By: [Text Box]

Workbench: [Text Box]

Related Objects: [Text Box]

Tasks: [Text Box]

Service Complaints: [Text Box]

Disclosure of Documentation: [Text Box]

Group: HQ AIR - COS(PERS) - APC - 2GP & COS(P)

Owner: MUNRO, STEVEN SCOTT

Intermediate Organisation: AOC 2 Gp

Reporting Categories: [Text Box]

Type	Status	Owner	Subject	Description	Task #
SC Discl Docs to...	In Progress	HQ AIR - COS(P...	RAF/AKR/SAC/SC/DISCLD...	18 May 10 - Documents disclosed to Respondents....	3911810
SC Discl Docs to...	Closed	HQ AIR - COS(P...	RAF/AKR/SAC/SC/DISCLD...	18 May 10 - Disclosed to Complainant.	3911809
SC Legal Advice	Closed	HQ AIR - COS(P...	RAF/AKR/SAC/SC/LEGAL	20 Apr 10 - Case passed to Legal 27 Apr 10 - Chase	3911806

Number: 3911810

Subject: RAF/AKR/SAC/SC/DISCLOSURE TO RESPONDENTS X3

Owner: HQ AIR - COS(PERS) -

Type: SC Discl Docs to R...

Status: In Progress

Assignee Type: [Text Box]

Assignee: [Text Box]

Planned: [Text Box]

Actual: 18-MAY-2010 00:00:00

Start: [Text Box]

End: 28-OCT-2010 00:00:00

Copy Task: [Text Box]

Task Notes: [Text Box]

Extra Info: [Text Box]

18 May 10 - Documents disclosed to Respondents.
27 May 10 - Sqn Ldr W. confirmed that he will not be providing an additional statement.
07 Jul 10 - Documents disclosed to Ex-Sgt H who has left the Service. Items delivered but no response received.
08-Jul - 27 Sep Tried on several times to disclose documents to Flt Lt

Ensure that the correct task Type has been set. For info tasks this should be Info HA or Access to Case.

Only change to Closed once all aspects of the task have been completed. Set to In Progress when the assignee starts the task. Assignee should set to Complete - only the Owner should close a task.

The Owner should set the Planned Start date. Assignee should enter the Actual Start and End dates of the task.

Use Task Notes to keep a permanent record.

This field can be edited so be wary of entering comprehensive notes here.

TASK NOTES

All notes will appear here and can be opened to be read.

Free text (start with date).
Once saved the text cannot be edited.

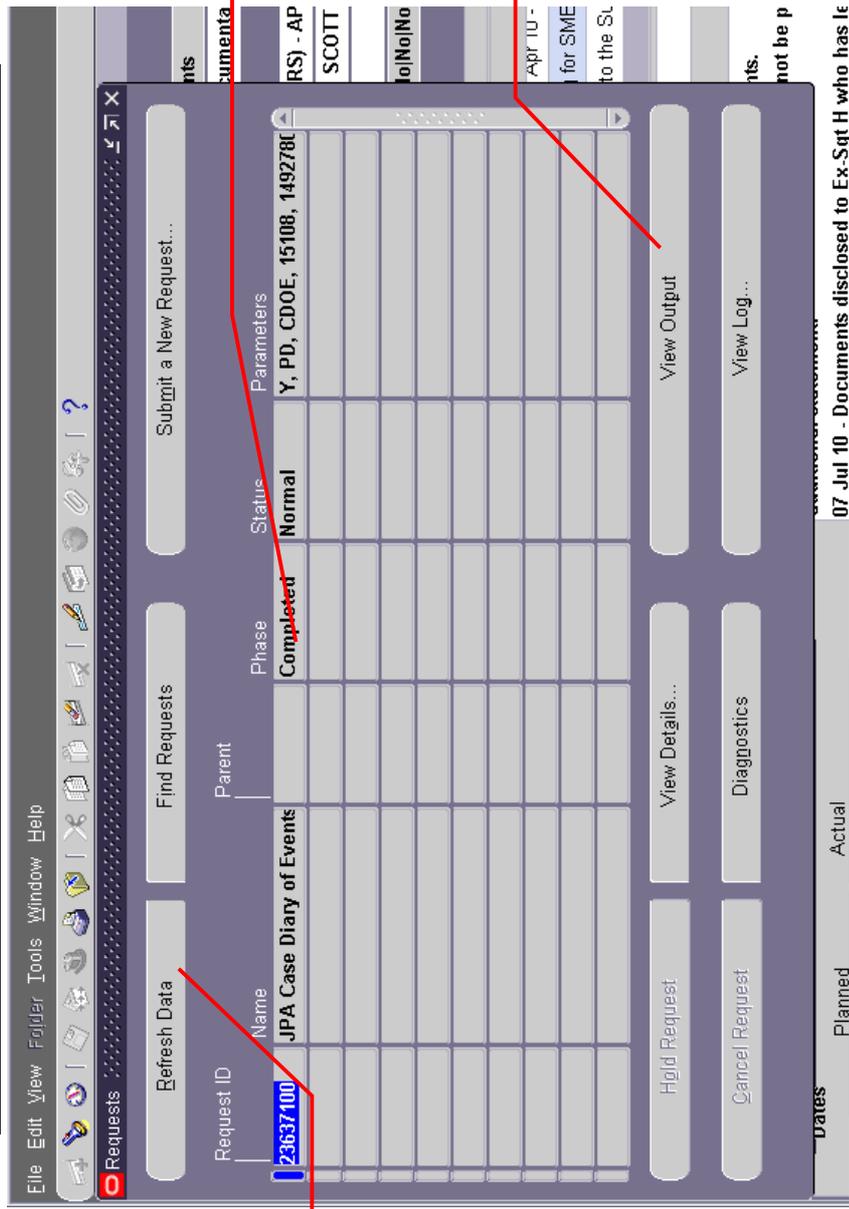
The screenshot shows the 'Notes' application interface. At the top, there are tabs for 'Notes', 'Summary', and 'More'. Below the tabs, there are radio buttons for 'View By' with options 'Source' and 'Related To'. The main content area is divided into two sections. The top section contains a 'Task Manager' note with the following details: Source: Task Manager, Entered By: MUNRO, STEVEN, Number: 3911810, and Date: 25-OCT-2010 08:38. Below this is a large yellow rectangular area representing the note's content. The bottom section contains a 'Notes' field with a 'More' dropdown menu, a 'Status' dropdown menu set to 'Public', and a 'Related To' field. There are also 'More...' and 'New (E)' buttons.

If set to private, only you will be able to see it! Leave at Public.

Choose Note Type.

To print details of any SC case:

- Choose **View** from the pull down menus.
- Choose **Requests**.
- Click on **Submit a New Request**.
- Choose **Single Request** then **OK**.
- Enter **JPA** in the name field then **<Return>**
- Choose either JPA Case Details or JPA Diary of Events
- Click **OK** on the Error Message.
- Enter **SR number** then click **OK**. **Submit**.



Will cycle through - Pending/Running/ Completed

Once the Phase is completed you will be able to view the output in PDF format

Click every 20-30 seconds to show progress.

CASE FILE PREPARATION INSTRUCTION

CASE FILE PREPARATION	
In all cases, complainants and respondents must be updated at intervals not exceeding 30 working days. This is in ADDITION to evidence gathering contact with individuals.	
SCC updates are to be conducted as detailed in Appendix 3, APC are to be cc'd into SCC emails.	
Where RLO advice requires additional information, the advice is not to be disclosed. RLO QUESTIONS ARE NOT TO BE FORWARDED IN THEIR RECEIVED FORMAT, THEY ARE TO BE RETYPED INTO A NEW LETTER/EMAIL BEFORE TRANSMISSION.	
COMPILATION OF CASE PAPERS	
One master file (lever arch or 4 ring binder, depending on size of file) for all original documents.	
EVIDENCE FOR DISCLOSURE	
All evidence is to be listed as alphabetical Flags with the JSP 831 Annex F being Flag A and being at the front of the case papers.	
Additional evidence should be placed in reverse chronological order (therefore oldest at the back). Flags are to be placed on the right edge of the page.	
NOT FOR DISCLOSURE	
All RLO, DLS and PO referral (not to be confused with decision) letters are not to be disclosed and are to be labelled with numerical Flags. Flags are to be placed on the top edge of the page.	
RLO, DLS and PO referral letters are to be placed, within the evidence enclosures, in reverse chronological order.	
CONTENTS INDEX	
A list of Flags is to be maintained as the front page of the case papers at page i.	
A diary of events is to be maintained as the second page of the case papers at page ii. This diary is to include all updates.	

INITIAL INTERVIEW GUIDANCE

1. The purpose of the initial interview is threefold:
 - a. To ensure the complainant feels their SC submission is being treated seriously.
 - b. To gather the information required for the case conference.
 - c. To address any points of clarification required from the JSP 831 Annex F.
2. Please ensure that no undertakings or expectations are given regarding the SC.
3. You (or your deputy if you are unavailable) are to appoint an Assisting Officer (AO) to the complainant and then conduct an interview with the complainant. The complainant has the right to decline the need for an AO, in writing, although he/she should be encouraged to avail themselves of this entitlement.
4. When conducting any interview for an SC matter you may have a witness present who can take notes (these only need to summarise the matters discussed and any key points which arise) which the complainant is to sign as an accurate record of the interview. It is suggested that the Investigating Officer (IO) would be most suited to take notes and would benefit from this early involvement in the process.
5. Once the notes have been produced, the individual should have the opportunity to sign them agreeing that they are an accurate record of the discussion.
6. At your initial interview you should inform/discuss (and record in the notes) with the complainant the following:
 - a. That the SC clearly sets out full details of the matter complained of and specifies what redress the complainant is seeking. Obtain more details if required.
 - b. Ensure that a suitable AO has been appointed.
 - c. Explain that in the course of the investigation of the SC the relevant information relating to it will be disclosed to others, including the respondent(s) to any allegations in order that they can be made aware of the allegations against them and given an opportunity to respond. The complainant should confirm that they are aware and consent to this. If they do not consent please seek legal advice on this point.

CASE CONFERENCE AGENDA GUIDANCE

1. Following the initial interview a case conference is to be convened at the earliest opportunity. The purpose of the case conference is to identify the issues in the complaint and decide the most appropriate method of investigation. The case conference should also look to set out a time line for the completion of the investigation.
2. The following individuals should be present (either in person, VTC or by telephone):
 - a. The PO (this is normally the CO).
 - b. OC PMS or senior P staff.
 - c. OC P1/PSF (whoever is responsible for SC on unit)
 - d. A note taker (e.g. SNCO P1).
 - e. Welfare Officer (if appropriate, such as cases where personal distress has been highlighted).
 - f. Line Management (if appropriate, such as E&D/bullying cases, where they are not implicated, to advise what section provisions could be implemented to prevent escalation).
3. All personnel present should be advised that the record of this meeting will be available for disclosure to the complainant and respondents (if any).
4. It is important to stress at the outset that personnel dealing with the SC should manage the expectations of those involved to be appropriately managed and no undertakings or promises are made.

Agenda points

5. The following should be considered as agenda points:

- a. Is the PO implicated?
- b. Identification of an AO if one is not already in place. JSP 831 para2.16.
- c. Brief details of alleged wrongs.
- d. Redress sought.

Is there a need for redraft of JSP 831 Annex F (initial complaint), is it complete iaw JSP 831?

Are the redresses sought clearly stated?

- e. Can the PO grant the redress requested?

If not, you should seek further advice from RLO/APC as to your next course of action.

f. Is the SC in or out of time (normally within 3 months of the Complainant being “wronged”? JSP 831 Chapter 2 para2.8

If out of time, are there just and equitable grounds for still accepting it?

Has the complainant explained in the JSP 831 Annex F why the complaint has been submitted out of time?

Seek RLO advice before making a decision to accept or reject a complaint made after the 3 month point.

g. Is the complaint one of [excluded grounds \(page 14\)](#) in whole or part? JSP 831 para2.32

If so, refer to RLO for advice.

h. The initial interview back brief.

i. Ensure SC has been registered on JPA.

j. Are there any respondents either identified by the complainant or mentioned within the text of the Annex F?

k. Is the case suitable for resolution by way of mediation/informal measures?

l. How the SC is to be investigated and whether the complainant is alleging that criminal activity took place. If so, additional legal advice should be sought from RLO as to whether to refer the complaint to the Service or MOD police. The investigation should be formally postponed until this advice is received (JSP 831 Chapter 3 para 3.11). In the event of the SC being passed to the Service or MOD police for investigation, the SC investigation will remain suspended until the criminal investigation and any subsequent disciplinary action has been completed.

m. Method of investigation –

Are there allegations of bullying and/or harassment? Has the JSP 831 Annex F been annotated accordingly? Then HIO, JSP 763. Complex cases may require the Equal Opportunities Team who are tasked by SO1 APC (JSP 831 para 2.22)

DIO, PACCC, MED.

Specialist investigation covered by JSP 831 para 2.24 - 2.29. Individuals are to have exhausted all internal appeals processes before an SC can be submitted.

Unit investigation for all other cases

JSP 757 for OJAR/SJAR (initial guidance is at Annex B to this document)

ANY DOUBT, REFER TO RLO FOR ADVICE.

n. To confirm the arrangements for tasking an Investigating Officer (IO) or a Harassment Investigation Officer (HIO) if required.

o. Identify and draw up a list of witnesses from whom evidence may be required from during the course of the investigation.

p. In SCs involving harassment, the case conference should identify possible respondents, if not already named, to the allegations. If additional respondents are identified, the clarification should be sought from the complainant as to why they were not named in the SC.

q. Relevant policy.

r. Timeline for completion of investigation.

s. If the complaint is likely to last longer than 24 weeks it is to be deemed as a Yellow Flag complaint and APC are to be notified immediately.

t. Tasks and dates for completion.

u. AOB.

6. The minutes of the case conference should be produced using the format at Appendix 8 to Annex A.

RECORD OF DECISIONS TEMPLATE

MINUTES¹ OF CASE CONFERENCE HELD AT LOCATION ON XX Yyy ZZ TO DISCUSS THE SERVICE COMPLAINT OF NUMBER RANK NAME

Present	Rk Inits Surname	Job Title	Role
In attendance			
Apologies			

Item 1 – SC overview

1. Redraft of JSP 831 Annex F required/not required. Is it complete iaw JSP 831?

Item 2 – Brief details of alleged wrongs

2. Brief outline of separate elements of complaint.

Item 3 – Redress sought

3. Brief outline of redress sought by complainant. Redress considered to be within PO's power to grant? Referral to Level 2/3 required (via APC)?

Item 4 – Prescribed Officer (PO)

4. Confirm the identity of the PO and also confirm that PO is not implicated.

Item 5 – Initial interview

5. The initial interview was held with XX on XX Yyy ZZ. The PO provided a verbal summary and raised the following points that arose from this meeting.

Item 6 – Assisting Officer

6. Confirmation that AO has been allocated or if complainant has declined (declining of an AO should be in writing and attached to the minutes).

Item 7 – JPA

7. Confirmation that case is loaded on JPA. SR number is _____.

Item 8 – Mediation

8. Suitable for mediation? Have all parties agreed? Mediator requested?

Action

¹ These minutes will be disclosed to the complainant and as such should **not** contain any privileged legal advice.

Item 9 – Investigation

9. The PO has decided that the SC is to be investigated by [HIO, JSP 763, Unit, SPVA, SVAP, MED, JSP 757(OJAR/SJAR), Pensions]. The Investigating Officer (IO/HIO) is XXXX. Any requirement for referral to Service or MOD police? Tasking of EOIT or fee earning HIO?

Item 10 – Respondents/Witnesses

10. List respondents and witnesses for interview (the complainant may not have listed any within the Annex F but could be mentioned within the text of the complaint). Produce timeline for respondents to be informed and provided with copy of JSP 831 Annex F. Identify AOs for respondents.

Item 11 – Policy documents

11. List of relevant policy.

Item 12 – Timelines/Tasks

12. Outline of timelines for investigation and deadline for Level 1 determination. Where necessary additional detail regarding tasks set and dates for completion.

13. Record of decision as to whether this complaint is regarded as a “Yellow Flag” for the purposes of the SCC i.e. is the complaint likely, from the outset, to take longer than 24 weeks to complete.

14. Record of decision as to whether this complaint is a Type A or B complaint iaw JSP 831 Para 3.5

15. Identify who is responsible for sending updates to all parties (Appendix 3).

Item 13 - AOB

16. Any other relevant information.

Signature Block

Distribution:

Prescribed Officer
APC – Caseworker X.
Action addressees

Copy to:

Info addressees

DISCLOSURE CERTIFICATE

1. I, *[name]* acknowledge receipt of the documents listed below, in connection with *my/the** Service Complaint dated *[Insert date]* by *[complainant name]***:

a. Complaint file including *[list new information if an Appendix 9 has previously been completed, if not then put in the Service Complaint Case File. It is to be highlighted to all involved that the introduction of any new material at this stage will prolong the investigation of the complaint and extend the timescales already stated]*.

2. I undertake to use the material only for the purpose of this Service Complaint.

3. I understand that I have up to **30 working days** to provide a further statement, if I wish. I understand that any such statement is to be submitted to *[insert post]* no later than *[insert date]*.

4. I shall/shall not* be providing a further statement.

Date of Receipt
(Tracked by recorded delivery) _____

Signature _____

Date: _____

Name and Initials (Printed) _____

* *delete as applicable*

** *delete if sent to the complainant*

SERVICE COMPLAINT LEVEL 1 – UNIT CHECK SHEET

Note: All fields in red are MANDATORY

SCC Referral - **YES / NO*** If Yes, Referral number: _____

Level 1 JPA SR: _____ **Referred to Level 2/3* YES / NO*** **JPA SR:** _____

Complaint deemed to be - **Type A / Type B***

Has mediation been attempted - Yes / NO*

SCC Yellow Flag - **YES / NO*** Date Notified to APC: _____

SCC Red Flag - **YES / NO*** Date Notified to APC: _____

Are there any Respondents - **YES / NO***

Documents (Mandatory Level 1)	Sign and date
Index of All Flags	
Diary of Events	
Signed and Dated Annex F (should be Flag A)	
Case Conference Record of Decisions	
Complainant Disclosure Certificate (Appendix 9)	
PO decision letter to complainant	
Documents (Mandatory Level 1, if Respondents)	
Respondent Disclosure Certificate (Appendix 9)	
PO decision letter to respondents	
Documents (Mandatory for escalation)	
DO letter of escalation to HA	
DO letter of escalation to complainant/respondents	
Documents (If required)	
Level 1 Legal Advice	Yes/Not applicable*
Signed and dated copy of HIO/IO* Report	Yes/Not applicable*

Service Complaint Level 1 - Actions

Actions	Sign and date
Have all actions in accordance with Legal Advice at Level 1 been carried out?	
Has there been a delay - has and explanation been provided?	
Have all documents above been accounted for?	

*delete as applicable

CONTACT DETAILS*

COMPLAINANT	
Name:	Service Number:
Military Address	Civilian Address (if Applicable)
Email:	Email:
RESPONDENT 1*	
Name:	Service Number:
Military Address	Civilian Address (if Applicable)
Email:	Email:
RESPONDENT 2*	
Name:	Service Number:
Military Address	Civilian Address (if Applicable)
Email:	Email:

*delete as applicable

SERVICE COMPLAINTS UPDATE

SCC Reference:		Date Update Provided:	
Name of Complainant:			
Service Number:		Rank/Title	
Service:		Unit:	
SCC Yellow Flag	Yes <input type="checkbox"/> / No <input type="checkbox"/>		
SCC Red Flag	Yes <input type="checkbox"/> / No <input type="checkbox"/>		
Current Level of Complaint:	Informal <input type="checkbox"/> / Lv1 <input type="checkbox"/> / Lv2 <input type="checkbox"/> / Lv3 <input type="checkbox"/>		

Has the complaint been inputted into JPA?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
If 'Yes' please provide the JPA SR number:	
If 'No' please explain why:	

Has the CO notified the complainant of receipt of the SCC referral?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
---	--

Has the CO interviewed the complainant?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
If 'Yes' please state the date the interview took place:	
If 'No' please explain why:	CO spoke to individual by phone on initial submission and sufficient information gained to proceed.

Has an Assisting Officer (AO) been assigned?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
If 'Yes' please provide the name of the AO:	
If 'No' please explain why:	No requirement at present.

Has this complaint been raised previously?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
--	--

Has the complainant completed an 'Annex F'?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
---	--

Update trigger point:	(Check one box as appropriate)
1	<input type="checkbox"/>
2	<input type="checkbox"/>
3	<input type="checkbox"/>
4	<input type="checkbox"/>

*delete as applicable

5		<input type="checkbox"/>
6		<input type="checkbox"/>
7		<input type="checkbox"/>
6		<input type="checkbox"/>

Please provide a written status update overleaf. You should, for example, include details on meetings that have taken place since the last update was provided, correspondence sent/received between parties, progress in the investigation(s) and also explain any delays in the process.

- If a CO wishes to also write a personal letter to the SCC to accompany this update then they are free to do so.
- This update does not replace the requirement to forward copies of decision letters that have been issued to complainants where referrals have become formal SCs. If appropriate copies of decision letters should still be forwarded to the SCC via the relevant Service secretariat.

(Please expand the box as necessary)

Have all the relevant parties (e.g. complainant and respondent(s) where applicable) been provided with an update as stipulated in JSP 831 paras 3.10 & 3.18?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
--	--

In accordance with JSP 831 para 3.10 the next 30 day update is due to be provided no later than:	
--	--

Name of Officer Providing Update:			
Rank/Title:		Appointment:	
Unit/Establishment:			

Once completed, please forward this update electronically to the RAF Service Complaint Secretariat at:

Air-COSPers-Pol APCswk SC Mlbx (MULTIUSER)

If you are unable to send electronically please send a hard copy.

N.B. There is no requirement for a signed hard copy update and it significantly slows down the update process. Hard copy updates should therefore be used in exceptional circumstances i.e. if you have no IT connectivity or there are bulky hard copy enclosures that cannot be easily scanned.

*delete as applicable

GUIDANCE ON COMPLAINTS INVOLVING APPRAISALS

- 1. Background.** An officer or airman who considers himself wronged in his or her appraisal report, may complain about it by submitting a SC. The importance of a timely and properly delivered Mid-Period Appraisal Review (MPAR) along with realistic expectations and realistic career counselling in reducing the number of JPA Appraisal-related complaints cannot be over-emphasised.
- 2. Terminology.** Service Complaint (SC). An SC is defined in JSP 831, Chap 2, Para 1. Despite JPA appraisal providing the subject officer with the opportunity to comment on the report by the 1st Reporting Officer (1 RO) in the Subject Comments Slip (SCS), the submission of a formal complaint in which the Complainant seeks some form of redress, in accordance with the provisions of JSP 831, is not precluded. OJARS and SJARS. OJARS and SJARS will be collectively referred to as JPA Appraisals throughout this Annex.
- 3. Entitlement to complain.** The appraisal system requires ROs to formulate and express their opinions about their subordinates. An officer or airman can expect to be counselled on their performance during the year and to receive an MPAR. Failure to raise a timely MPAR for any reason will count heavily in favour of any complainant although it may not in itself render a report invalid or unfair. An officer or airman is entitled to submit an SC if in their opinion, they have been unjustly reported on or there is an error of fact in their report. Grounds for complaint may exist if there is evidence that the opinions of the RO were influenced by improper motives or by the application of incorrect procedures or wrong principles. Evidence of failure to counsel an individual or where it is believed that there has been insufficient knowledge for an RO to formulate a balanced opinion may also constitute grounds for complaint.
- 4. Entitlement to redress.** In cases where there is no perceived right to the redress sought, the Complainant should be counselled accordingly. For example, no officer or airman has a right to be recommended for promotion, a different type of commission or engagement, any particular training or type of employment. Nor is there any entitlement, after having been given a particular assessment or recommendation in one report, for an officer or airman to be so recommended in a subsequent report by the same or a different RO. However it should be noted that every Service person has the right to submit an SC if they believe they have been wronged.
- 5. Procedure.** If use of internal processes with the 1RO fails to satisfy the Complainant, they should notify their immediate employer of their intention and should then prepare their submission in writing, detailing the facts upon which they base their complaint as clearly and as concisely as possible. The application must state the specific complaint and what redress is being sought. For clarity this should be written on Annex F to JSP 831 which is the SC form. If the complaint is submitted in another format it may need to be re-written onto the JSP 831 Annex F at a later date. Ideally an individual will not complain of unfairness without asking for specific remedial action to be taken. This might be, for example, the removal of specific words or sentences, an alteration to a judgement or, exceptionally, the expunging of part of or all of a narrative.
- 6. Submission.** The SC should be submitted to the Complainant's CO unless the CO is implicated in the complaint, in which case the SC should be submitted to the 1* HA. If the 1* HA is also implicated, for example as the 2 RO, then advice should be sought from Air Personnel Casework (APC). If the Complainant is no longer serving in the unit that raised the appraisal the CO of their new unit is the officer to whom the complaint is to be submitted.

7. **Time limits.** The time limits detailed at JSP 831 Chap 2, Paras 2.3 to 2.5 apply to all SCs including those against appraisals. The rules require a formal written SC to be submitted within 3 months of the date of the "wrong." This is generally taken to be 3 months from receiving a workflow notification that the report is available for viewing. If a Complainant is unable to make a SC within the 3 months time limit, but still wishes to complain, then they must explain why they were unable to do so in the time. An example might be if they had only seen a reporting officer's entry "after the event" or have tried informally to resolve the issue(s). On legal advice the CO may decide, in the interests of being just and equitable to proceed with it as a SC in these circumstances.
8. **Handling.** The SC is to be processed through the normal SC channels and advice can be sought from APC. When a Complainant submits a SC against their appraisal, comment is to be sought from the ROs concerned to establish if the SC can be upheld or not. Having investigated, the officer who received it will then decide if it is to be upheld or not and inform the Complainant. If the officer does not have the power to grant the redress it must be immediately referred up the chain of command.
9. **RO's comments.** If ROs agree to amend their comments on the appraisal, no reference is to be made to the SC. ROs are to avoid making any comment on complaints concerning input by a more senior RO. If comments made by the RO are thought likely to provide the redress sought, for example by disagreeing with the recommendations and/or comments made by the 1 RO or 2 RO, arrangements are to be made by G1 staff for the Complainant to be shown the comments by the RO, and the Complainant should be invited to withdraw their complaint.
10. **Level 2 case conferences.** The SC may require to be referred to Level 2 because either it is not in the power of the CO to grant the redress or the subject does not accept the Level 1 decision. The original JPA appraisal and supporting comments are to be forwarded to the relevant decision maker, via APC.
11. **Burden and standard of proof.** An individual who submits a complaint in connection with their report may seek to contradict statements made by the RO, or produce reasons why they believe these officers have insufficient knowledge of them to make informed opinions. No RO has to justify themselves but allegations made by the Complainant should wherever possible be answered in order that more senior ROs may have a balanced picture upon which to form their own judgement. Taking all of the information provided by the Complainant and evidence from the investigation into account, the PO has to decide whether the complaint is well formed.
12. **Notification.** In situations when an appraisal will not reach ACOS Manning by the required date because a SC has been submitted, the respective desk within the ACOS Manning must be informed in writing and kept abreast of events thereafter.
13. **Granting redress.** The decision maker may direct that any comment, grade or recommendation made by a subordinate that it finds to be untrue should be expunged. However, ROs are permitted to make subjective assessments based on both fact and opinion. Level 3 and authorised Level 2 decision makers may direct that an entire report be expunged and that the report be re-written or the relevant period remain unreported. The Air Force Board has delegated to COS PERS authority to expunge comments from the JPA Appraisal if it is felt appropriate to do so, or change a grading or recommendation or to direct changes to the wording of the narrative. COS PERS cannot, however, order a RO to change a report. (Where redress is sought against comments made by an RO of 3* or 4* rank, only the Air Force Board will be entitled to direct the action to be taken in relation to the complaint). Should it be considered that full or partial redress can and should be granted, then direction should be given concerning the changes to be made to the 1 or 2 RO as appropriate by the decision maker and the complainant informed in writing of the action that has been directed. Where only partial redress is given, the Complainant must indicate in writing whether they still wish the remaining element of their original complaint to be referred to the next level in the chain of command. They must explain why they are not satisfied and which

elements of their original complaint remain “outstanding.” If a decision maker does not think it appropriate to direct any changes, he should interview the complainant and confirm his decision in writing explaining the reasons for that decision and to confirm whether or not the complainant still wishes his complaint to proceed further.

LEVEL 1 SERVICE COMPLAINT BRIEF

Reference

Date

Prescribed Officer

SERVICE COMPLAINT BY [COMPLAINANT NUMBER RANK NAME]

1. **Introduction.** On *[date]* *[complainant]* submitted a Service Complaint (SC) pursuant to section 334 of the Armed Forces Act 2006 (AFA 06) to you as the Level 1 Prescribed Officer (PO). *Give a brief outline of the facts of the case so the PO understands what the issue is and what the redress sought is. You are not to make any comment as to the validity of the complaint or guidance as to how the complaint should be decided/progressed.*
2. **Format of brief.** The enclosures to this brief contain the evidence and other material gathered since the SC was submitted. The decision in this case must be reached based on the evidence. The evidence can be added to later if you identify areas that require further investigation.
3. The evidence gathered to this point can be found at Enclosure 1.
4. **Law, Regulation and Policy.** The relevant law, regulations and policy are as follows:
 - a. *Refer to the relevant sections / parts of law, regulations and policy. Do not summarise the law and regulations. Do not copy or paraphrase any legal advice in the brief.*
 - b. *Continue as necessary.*
5. **Redress.** *Refer to SC and include, verbatim, the redress sought by Complainant, explaining what (if anything) has been granted so far (informal resolutions).*
6. You should only move on to consider the issue of redress if you decide that one or more of the alleged wrongs is well-founded. It is for you to decide on the appropriate, if any, redress to be granted. You are not constrained by what the Complainant has requested.
7. **Delay and Opinions of Subordinate Levels in the Chain of Command.** *This paragraph should state why, if it has, the case has exceeded the recommended time-lines. It should include a chronology of events and other documents concerning the progress of the case.*

Signature block

Rank

Appointment

Tel

E-Mail

Enclosures:

1. Case File

