Add org logo

**(Add name of organisation) Complaints Policy**

This template covers the main areas you may need to consider in this area, but you will need to read it in the context of your own organisation, which may mean amendments to make it fully relevant are necessary. It does not constitute legal advice and further steps may be necessary to ensure you comply with current UK legislation. This policy will need to be used alongside your organisation’s [Grievance](https://www.ncvo.org.uk/help-and-guidance/running-a-charity/employing-managing-staff/discipline-grievances-whistleblowing/handling-grievances/) and [Disciplinary](https://www.ncvo.org.uk/help-and-guidance/running-a-charity/employing-managing-staff/discipline-grievances-whistleblowing/disciplinary-matters/) policies.

|  |  |
| --- | --- |
| Date policy agreed |  |
| Next review date |  |

1. **Statement of intent**

(Add name of organisation) aims to provide its users with a fair and high-quality service and welcomes feedback from service users, other individuals, and organisations we work with so that we can continually improve our provision.

The purpose of this policy is to:

* provide a formal means by which complaints can be dealt with.
* ensure that everyone knows how to make a complaint.
* ensure that complaints are dealt with consistently, fairly, and quickly.
* ensure that complaints are monitored and contribute to changes to improve our services.

Our policy covers complaints about:

* the standard of service you should expect from us.
* the behaviour of our staff and volunteers in delivering that service.
* any action, or lack of action, by our staff or others engaged on (add name of organisation)’ business.

A short table of where to direct complaints is included at the end of this policy as well as definitions of what is considered a complaint.

1. **Informal Resolution**

(Add name of organisation) recognise it is important to have a formal process in place, with clear steps in place including who is accountable for investigating and resolving complaints. We also understand that an overly formal process, or only accepting feedback via a formal process may actual hinder minor issues being raised. This policy seeks to balance these things.

Should a service user raise a concern or complaint informally (for example in an overall conversation about their experience with us), the staff member in this conversation should always make the service user aware that we have a Complaints Policy that is available to the service user should they wish to make a formal complaint. No pressure should be put on individuals to resolve things informally if they prefer to follow a formal process.

If the complaint involves the conduct of the staff member who has this conversation with the service user, they must report this to their line manager who will contact the service user to have a follow-up conversation to ensure the matter is either resolved informally or the formal process is followed.

If the issue appears to have been resolved informally to the satisfaction of the service user, a note of the issue should be made on the (add name of organisation) concerns log which will be regularly reviewed by the (add relevant senior leadership position) for the purpose of improving standards and ensuring different teams are handling concerns and complaints consistently. The (add relevant senior leadership position) will also produce a yearly report to the Trustees/ senior leaders on all concerns and complaints received.

1. **Describing and implementing the policy and its procedures**

We deal with formal complaints about the standard of our service and complaints about members of staff or volunteers slightly differently, as described below.

**3.1 Making a complaint about the standard of our services.**

**Making a complaint in writing**

Your letter or email should be addressed to (add name), (add name of organisation), (add address) and marked “Private and Confidential”. If you prefer you can also email (add email address). Please include your name, a contact address and telephone number and, if necessary, the name of the organisation you represent. We cannot respond to anonymous complaints. If you need assistance to put your complaint into writing, then we can signpost you to someone outside (add name of organisation) who can support you to do this.

If your complaint directly concerns the (add senior leadership), then you can send your complaint to the (Chair of Trustees/ amend as appropriate) at the same postal address marked “Private and Confidential”.

**Making a formal verbal complaint**

If you would prefer to make a formal verbal complaint, then the person who receives the verbal complaint must record the details on the Complaints Form (see Appendix Two), which you will be asked to sign.

**Processing complaints (stage 1)**

On receiving a complaint, either via a letter, email or via a Complaints Form, we will ensure that it is logged on to the Complaints Register (see Appendix Four).

The (add relevant staff member) will contact you within 10 working days with written confirmation that your complaint has been received and that an investigation has begun.

The (add relevant senior leadership position e.g. CEO) may be able to resolve the complaint quickly by way of an apology, by providing the service required or by providing an acceptable explanation. The (add relevant senior leadership position e.g. CEO) will complete a Complaint Investigation Report (see Appendix Three) and send a copy of this to you.

If it is not possible to resolve the complaint quickly then the (add relevant senior leadership position e.g. CEO) will fully investigate the complaint by interviewing any relevant staff or volunteers. They may seek advice from our insurers and/or from external advisers. Notes will be taken of any interviews and the interviewees will receive a copy. The (add relevant senior leadership position e.g. CEO) will list any evidence seen (e.g. files, emails etc.)

You will receive a copy of our Complaint Investigation Report within 21 days. This will be in writing, unless you have requested that we use another medium. It will include a summary of what has been done to investigate the complaint and any proposed action to remedy the situation. Having received the report, you then need to complete the return slip indicating if you are satisfied with the outcome of the investigation or not.

If you are dissatisfied with the outcome the return slip provides the organisation with details of your intention to move to appeal.

**Appealing against the (add relevant senior leadership position e.g. CEO)’s decision (stage 2)**

If you are dissatisfied with the decision that has been made, then you can appeal. This must be done within 10 working days of having received the Complaint Investigation Report. You make your appeal by completing the return slip indicating that you are not satisfied and wish to move to Stage 2 of the Complaints procedure. If you wish you may also submit further written information at this stage.

Once we have received your return slip, all the documentation concerning your complaint will be passed to the Chair of the Board (amend as appropriate to your governing structure) to review. The Chair will carry out a full review and send you a copy of their findings within 21 days. If the Chair is not available, the Vice-Chair will deal with the matter. If both are unavailable, another Board member will deputise.

If you are unhappy with the outcome of Stage 2 of the complaints procedure you should write to the Chair confirming you wish to move to Stage 3 of the procedure.

**Final Appeal Stage against the Chair’s decision (stage 3)**

Appealing against the Chair’s decision must be done within 10 working days of receiving the outcome.

You will be invited to make your appeal in person to an Appeals Panel comprising three (add name of organisation) board members who have not been involved in the investigation. They will have been given a copy of the Complaint Investigation Report and the Chair’s outcome but will not have discussed the matter with the investigator or the staff involved.

The role of the Appeals Panel is to see if your complaint has been dealt with properly and fairly and whether an appropriate decision has been reached, rather than to re-investigate the complaint. Where the complaint is against a member of staff or volunteer, that person will be given the opportunity to submit a written statement to the Appeals Panel. This will be considered alongside the original complaint, the investigation report and any action suggested to remedy the situation.

You will be given at least 7 days’ notice of the date, time and venue of the Appeals Panel meeting and all reasonable efforts will be made to hold the meeting at a time convenient to you. You may bring someone to assist you, or to witness the meeting.

The Appeals Panel will write to you within 7 days to notify you of its decision and any actions to be taken to address the complaint. The Appeals Panel’s decision will be final, and no further correspondence will be entered into.

* 1. **Making a complaint about a staff member or volunteer**

**Making a complaint in writing**

Sometimes a complaint might be made about a staff member or volunteer who is believed to have done something wrong. In these instances, a written complaint rather than a verbal complaint will be needed.

Whilst it is not uncommon for people to look for someone to blame when things go wrong, the person being complained about will be assured that this is not the aim of investigating a complaint. It will be made clear that the investigation of a complaint is to establish facts to try and find out what, if anything has gone wrong and identify any learning from the situation.

If the complaint is made against:

* A member of staff or volunteer, it should be addressed to the (add relevant senior leadership position e.g. CEO)
* A service user, it should be addressed to the (add relevant senior leadership position e.g. CEO)
* A senior leader/ the CEO (amend as appropriate), it should be addressed to the Chair of the Trustees
* A Trustee, it should be addressed to the Chair of the Trustees
* The Chair of Trustees, it should be addressed to the Trustees via the (add relevant senior leadership position e.g. CEO)

**Investigating a complaint against a staff member**

The organisation will treat the person against whom a complaint has been made as fairly as the complainant. They will be given a copy of the complaint made, which may be anonymised to protect the confidentiality of the complainant, within 3 working days of receiving the complaint.

The staff member will be reassured that the investigation does not form part of a disciplinary procedure, but that a separate disciplinary process could take place if this was found to be appropriate.

The person being complained about will be given the fullest opportunity to answer any criticisms and assistance and support will be available for them if required; this may be an individual who is identified to provide a listening ear and practical support in terms of helping them to complete a written response and explaining the process. They will be asked to provide a written statement responding to the complaint, including identifying any witnesses to the event.

* 1. **Publicising the learning outcomes of complaints**

As well as informing all those involved of the outcomes of complaints and any recommendations that arise, the organisation will let all staff and service users/clients know about the way in which we deal with complaints and how we have learnt from the experience in terms of changes in recommended conduct or changes in policies. The organisation is aiming for a culture where reporting a complaint and action taken is seen as a positive act in that it assists organisational learning and contributes to better services. We will not publicly share details of any complaints made.

All parties involved in the investigation will be required to keep the matter private and confidential, except that staff may seek the advice of trades unions or other advisers if they consider that the (add name of organisation) Disciplinary or Grievance Procedures will need to be invoked.

* 1. **Repeated complainants**

It is possible that a service user or partner who uses (add name of organisation) services over a longer period could potentially have multiple unlinked complaints, and each of these should be investigated fully on their own individual merits. We also recognise that as a small organisation, having a thorough and robust formal process necessitates complaints taking a much higher proportion of staff time than would be the case in a larger organisation. The board reserves the right to vary this process if it is felt that numerous complaints are being received by the same individual and on balance it is likely that these complaints are vexatious, if this is the case the Chair will write to this individual explaining the decision.

1. **Definitions**

A complaint is an expression of dissatisfaction by anyone using our services, whether justified or not. An individual or other organisation may make a complaint if they feel that (add name of organisation) has:

* failed to provide a service or an acceptable standard of service.
* delayed in providing a service.
* made a mistake in the way it has provided a service.
* provided an unfair or discriminatory service.
* failed to act in a proper way.

There may be occasions when we are required by law to refer a complaint to law enforcement or statutory agencies, or we are informed about a complaint by a law enforcement agency, solicitors, or bodies with statutory powers of investigation. At all times, legal, statutory, or professional investigations will take primacy over the Complaints Policy, and we will not undertake any actions that may compromise any external investigations. In such cases:

* The Complaints Policy will be initiated, and the governing body may take action to protect clients, users, or this organisation through suspension of a member of staff or volunteer until such a time as any legal procedures or investigations are completed to the satisfaction of the external agencies concerned. If the complaint involves a paid member of staff, then disciplinary and grievance policies may be invoked.
* Once immediate actions have been taken, the process set out in the Complaints Policy will be suspended until such a time as any legal procedures or investigations are completed to the satisfaction of the external agencies concerned.
* (Add name of organisation) will keep full and accurate records of its actions in respect of such a complaint.
* In situations where a complaint may have financial or legal consequences for (add name of organisation), our insurers may require us to cease direct contact with the complainant. It may then be necessary, in the best interests of the complainant, to refer them to a third party, both for assistance with the complaint and to ensure that their service needs are met.

1. **Responsibility for and frequency of review of the policy**

With the support of our management team (amend as appropriate), our (add relevant senior leadership position e.g. CEO) have responsibility for the day-to-day implementation of this policy and its annual review.

This policy will be brought to a Trustees’ meeting annually so that Trustees can oversee the organisation’s progress against the identified actions.

**Appendix 1: Directing Complaints Table**

|  |  |
| --- | --- |
| An informal conversation if you would not like to make a formal complaint or are not sure whether you would like to make a complaint. | Add name and contact to details to the individual to whom this type of complaint should be directed. |
| A written complaint about a member of staff or volunteer. | Add name and contact to details to the individual to whom this type of complaint should be directed. |
| A written complaint about a service user. | Add name and contact to details to the individual to whom this type of complaint should be directed. |
| Senior leaders e.g. CEO | Add name and contact to details to the individual to whom this type of complaint should be directed. |
| A Trustee. | Add name and contact to details to the individual to whom this type of complaint should be directed. |
| The Chair of Trustees. | Add name and contact to details to the individual to whom this type of complaint should be directed. |

**Appendix 2: (Add name of organisation)’ Complaints Form**

This form should be completed by any member of staff who receives a verbal complaint about the delivery or quality of (add name of organisation)’ services.

Before completing the form, please notify the complainant that they can send a written account by post or by email if they would prefer so that the complaint is recorded in their own words. Complaints should be emailed to: (add email address).

If the complaint is about a member of staff or volunteer, then this should be submitted by letter rather than given verbally and recorded on this form.

The form should be completed as fully as possible to enable the complaint to be investigated and resolved. We cannot accept anonymous complaints.

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| --- | --- |
| **Date** |  |
| **Complaint received by** |  |
| **Name of complainant** |  |
| **Address of complainant** |  |
| **Telephone number of complainant** |  |
| **Relationship of the complainant to (add name of organisation):** |  |
| **Facts of the complaint:** |  |

When this form is complete, please tick the following boxes to show that you have shared the right information with the complainant.

o I have told the complainant that we have a complaints procedure.

o I have told the complainant that someone will be in touch with them to follow up within 10 days.

**Appendix 3: (Add name of organisation)’ Complaints Investigation Report Template**

|  |  |
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| **Name of the complainant** |  |
| **Date of the complaint** |  |
| **Facts of the complaint** |  |
| **Name of investigator:** |  |
| **Date of the Complaint Investigation Report:** |  |
| **What was done to investigate the complaint?** |  |
| **What is the proposed action to remedy the complaint?** |  |

**Return slip**

I confirm that I have received a copy of the Complaint Investigation Report dated xx/xx/xxxx and that (please tick one of the following boxes):

o I am satisfied with the proposed resolution of the complaint.

o I am not satisfied with the proposed resolution of the complaint and I wish to appeal.

o I have enclosed further information about my complaint that I would like reviewed with the appeal.

Name:

Date:

Signature:

**Appendix 4: Example Complaints Register**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name of complainant** | **Detail of complaint** | **Action taken (include details of the date on which action was taken).** | **Outcome (is complainant satisfied with the action taken)** |
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**Appendix 5: Example Concerns Log**

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| **Date** | **Detail of concern** | **Action taken/ learning.** |
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