

Name	Complaints, Compliments & Comments Policy and Procedure
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Last updated	December 2023
Date for review	December 2024
Intended Audience	All employees and volunteers
Version	3

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1. Introduction

BLGC is committed to providing high quality service to all its service users. The purpose of this policy is to ensure that all people using the service have the opportunity to make compliments, complaints and comments on any aspects of our service. That all complaints are taken seriously, investigated thoroughly and objectively; and the results communicated to the complainant.

The policy and procedure allows, BLGC to record and review its services, enabling improvements to be made when required. Record compliments, ensure that they are acknowledged, and ensure that they are brought to the attention of all staff to encourage them to further develop our services.

Record comments, ensure that they are appropriately acknowledged, and ensure that they are brought to the attention of the relevant staff, to be considered during the on-going development of our services. BLGC welcomes any constructive comments which may enable us to ensure that the services we provide will match our customers' needs (service users and commissioners).

In the light of these values, complaints should be viewed as a positive opportunity to improve the quality of service offered. Consequently, they must be addressed in an environment where there is a willingness to listen and respond sensitively with flexibility and to change practices or services where to do so will more effectively meet people's needs.

Whilst promoting a positive attitude towards complaints, BLGC recognises its responsibility to balance the rights of staff, and volunteers who may be complained about with those of the complainant. Staff and volunteers will be kept informed of the progress of complaints.

The policy applies to all employed staff and volunteers at BLGC. The policy is aimed at all children & young people, volunteers, visitors, parents/carers and professionals.

2. Links to other BLGC Policies, Procedures & Guidance

- BLGC Behaviour management policy
- BLGC Staff Policy statement of equal opportunities
- BLGC Code of Conduct
- BLGC CYP Safeguarding policy

3. Regulatory & Legal Frameworks

Complaints received are considered and received and reviewed against the following frameworks

- Children Act 2004
- Care Act 2014
- Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- Data Protection Act 1998
- Freedom of Information Act 2000
- General Data Protection Regulation (GDPR) 2018
- Charity Commission Regulations

4. Who can access the procedure?

The procedure is open to all those using services provided by BLGC which includes those commissioning our services, funders, patrons, partner agencies and their representatives, and those acting on behalf of a child or other service user; this does not include legal representatives. If a complaint is made by a child or a young person, that person should have access to independent advice and support from adults who they can contact directly and in private about problems or concerns.

4.1. Anonymous Compliments and Complaints

Compliments and complaints received anonymously will be recorded and considered, but action may be limited if further information is required to ensure a full and fair investigation.

4.2. Complaints from children and young people

As a children and young people focused children charity, we recognise that children and young people may find it difficult to make a complaint, we have a commitment to support children and young people through this process with the help of an advocate, who might be a parent, teacher, older sibling or a mentor.

4.3 What is a complaint?

A complaint is an expression of dissatisfaction which requires a response. If a complaint is received, it is important to clarify if it is:

- a) An informal complaint or concern which the person does not wish to pursue via a formal process but wishes to have a concern acknowledged and addressed.
- b) A formal complaint (in writing, video or audio) which requires investigation within agreed timescales and follows a formal procedure, such as the one set out below.

An individual may make a complaint if they feel we have:

- Failed to provide a service or an acceptable standard of service
- Delayed in providing a service
- Made a mistake in the way we have provided a service
- Failed to act in a proper way
- Provided an unfair service.

4.4. What is a compliment?

A compliment is an expression of satisfaction or praise with the service provided by BLGC through its staff, and volunteers, in the course of their day-to-day work.

This policy will be limited to compliments which were submitted in writing, via email or letter. Whilst compliments on social media will be appreciated, they will not be processed as described below.

4.5. What is a comment?

A comment – in this context – is an expression of interest which is shown by an individual or an organisation where there is, for example, a desire to make a suggestion, that will be helpful to BLGC.

It may be a suggestion about how a service could be improved; it may be a suggestion that BLGC's skillsets could be used in new areas (geographically and/or areas of practice) This policy will be limited to comments which were submitted in writing, via email or letter. Whilst comments on social media may

be appreciated, they will not be processed as described below.

5. Complaints Procedure

5.1 Time Limit for making a Complaint

5.1.1 Except as mentioned in 5.1.2, a complaint must be made not later than 12 months after:

- (a) the date on which the matter which is the subject of the complaint occurred; or
- (b) if later, the date on which the matter which is the subject of the complaint came to the notice of the complainant.

5.1.2 The time limit in 5.1.1 shall not apply if BLGC is satisfied that:

- (a) the complainant had good reasons for not making the complaint within that time limit; and
- (b) notwithstanding the delay, it is still possible to investigate the complaint effectively and fairly
- (c) and, if the complaint is in relation to historical abuse, either physical, emotional or sexual.

5.2. The Intent of this Procedure

The arrangements for dealing with complaints must be such as to ensure that:

- (a) complaints are dealt with efficiently;
- (b) complaints are properly investigated;
- (c) complainants are treated with respect and courtesy;
- (d) complainants receive, so far as is reasonably practical:
 - (i) assistance to enable them to understand the procedure in relation to complaints; or
 - (ii) advice on where they may obtain such assistance;
- (e) complainants receive a timely and appropriate response;
- (f) complainants are told the outcome of the investigation of their complaint; and
- (g) action is taken if necessary in the light of the outcome of a complaint.

There are, potentially, three stages to the complaints procedure

- **Informal** (problem solving)
- **Formal** (investigation and reporting within agreed timescales)
- **Review**

5.3. Informal Stage

BLGC aims to address any queries or expressions of dissatisfaction promptly and, wherever possible, at the point at which the difficulty or problem arises.

The person who is the subject of the complaint will not take part in its consideration at the informal stage of the resolution process.

Emphasis should be given on resolving the concern or complaint without leading to the formal stage. When a situation arises where someone indicates that he/she would like to make a complaint, every

effort should be made at that point to involve the manager of the service involved (or, in his/her absence, a senior manager).

The intention is to ensure that those who use or access our services who express their views are listened to and are satisfied with the response. It is therefore important at this informal stage to clarify what the complainant wants to achieve as a result of their expression of dissatisfaction.

The manager must be confident that the complaint or concern has been resolved to the satisfaction of the complainant. The outcome and summary account of the nature of the complainant/concern recorded along with any agreed actions and a copy kept on file.

The purpose of this informal stage is to resolve problems at the earliest opportunity. It is BLGC's target that the informal stage should last no longer than five working days.

The principal aim is to enable problems to be resolved without recourse to the more formal process. However, the informal stage must never be used as a device to prevent or dissuade people from making a formal complaint.

5.4. Formal Stage

All formal complaints should be submitted in writing either by the individual concerned or by someone acting on their behalf to the Chief Executive Officer (CEO) who will allocate the matter to a relevant manager.

All formal complaints will be acknowledged by a written reply within three working days after the complaint has been received, to inform the person of the process, and identify the responsible investigating manager.

The investigating manager should offer to discuss with the complainant, at a time and place to be agreed with the complainant, the manner in which the complaint is to be handled and the period ("the response period") within which the investigation of the complaint is likely to be completed; and the response is likely to be sent to the complainant. If the complainant does not accept the offer of a discussion, BLGC will determine the response period and notify the complainant in writing of that period.

The responsible manager will investigate the person's complaint which should consider only the substantive issues raised by the complainant.

This could require the following information

- Details of complaint.
- Evidence relating to the complaint.
- Dates, times, places and people involved/key events.
- Names of any witnesses.
- Relevant papers, reports, emails, letters etc.
- Evidence of how the matters under investigation have affected the complainant.
- Any indication of what the complainant ought to expect as an outcome of the investigation.

During the investigation the responsible manager will keep the complainant informed as far as reasonably practicable, as to the progress of the investigation.

The investigation should be concluded within 28 days from the letter of acknowledgement to the

complainant.

This should take the form of a written report from the responsible manager which should address the issues raised by the complainant and identify any actions taken or future actions resulting from the investigation. If the investigation identifies other areas of concern whilst investigating a complaint then these should be investigated or addressed under the appropriate procedure e.g. disciplinary procedure, capability procedure, they should not be addressed under the complaints procedure.

The response should be written in plain language (which should be translated as appropriate should the complainant not have English as a first language)

- The response should be balanced and fair
- The use of jargon and acronyms should be avoided
- The response must address all the issues raised by the complainant
- An explanation of any planned actions should be included
- If the complaint is not upheld, this should be explained clearly and a reasoned argument for the decision included in the response.

5.5. Review Stage

If the complainant is dissatisfied with the outcome from the investigation the CEO will arrange for the matter to be presented to a Review Panel.

The complainant should register the request for a review within 14 days of receiving the written report resulting from the formal investigation, outlining their reasons.

The Review Panel will consist of

- Chairperson of BLGC's Board of Trustees or another Trustee in their absence
- Independent Person
- CEO

The role of the panel is to re-examine the decision within 28 days from receipt of the complainant's letter requesting a review.

Members of the panel will need to have access to background information and documentation in order to come to a final decision, including interviews with relevant people involved in the matter under investigation.

The outcome from the review panel will be final and recorded in the form of a written report to be made available to the complainant and responsible manager for the formal stage.

6. Further Appeals

If the complainant feels the response from the Chief Executive was not appropriate or has not been resolved to their satisfaction, they can complain to:

The Charity Commission for England and Wales.

7. Complaints Procedure - Exceptions to the normal procedure

- If a complaint is about the Chair of the Board of Trustees it must be investigated by the Vice

Chair

- If the complaint is about a Trustee it must be investigated by the Chairperson or CEO in their absence.
- If the complaint is about the CEO it must be investigated by the Chairperson or a delegated Trustee.

8. Complaints Procedure - Criminal offences / safeguarding

If the complaint involves safeguarding issues relating to children or vulnerable adults BLGC's Safeguarding Policy and Procedures would apply and should be instigated immediately.

Should the investigation identify that criminal activity has taken place the matter should be referred to the CEO to refer the matter to the Police.

9. Complaints Procedure – Confidentiality

It is essential to maintain confidentiality at all times during the investigation. The Data Protection legislation classifies complaints documentation as personal data. Complainants are able to request copies of their complaint file in the same way as they can request access to other records.

Complaints documentation should be retained for five years after the last entry. These should be treated as confidential documents.

10. Compliments Procedure

BLGC values positive feedback about staff and the services it provides.

Consequently, each compliment will be recorded.

Each compliment will be responded to on behalf of BLGC by an appropriate manager.

The manager will also ensure that the compliment is made known to the individual(s) concerned.

Where appropriate, the manager will ensure that the compliment is more widely publicised – for example, via BLGC's website, internal newsletter, via Twitter/Facebook, and even via the local media.

Compliments will be forwarded to Marketing, where a file will be maintained, with 'recent' compliments being made available for discussion at the 'next' SLT meeting.

Compliments will be reported to the Board of Trustees along with complaints and comments, as part of the organisation's monitoring processes.

11. Comments Procedure

BLGC values constructive comments about staff and the services it provides.

Consequently, each comment will be recorded.

Each comment will be responded to on behalf of BLGC by an appropriate manager.

The manager will also ensure that the comment is made known to the relevant individual(s) and/or project/service teams.

Comments will be forwarded to Marketing, where a file will be maintained, with 'recent' comments being made available for discussion at the 'next' SLT meeting.

Comments will be reported to the Board of Trustees along with complaints and compliments, as part of the organisation's monitoring processes.

12. Monitoring Reporting and Learning

The nature of complaints, compliments and comments will be monitored and will form part of an annual review to help inform the organisation's planning and service development and contribute towards evidencing the impact it makes to the lives of its customers.

BLGC's Board of Trustees will be provided with information on compliments, comments and complaints through the quarterly monitoring process. An annual report on compliments, comments and complaints received, how they have been dealt with and any changes implemented as a result of this will be presented as part of the Annual Review process.

For complaints, the annual report will;

- (a) specify the number of complaints which the organisation received;
- (b) specify the number of complaints which the organisation upheld fully or partially;
- (c) specify the service area where the complaint originated
- (d) summarise the subject matter of the complaints that BLGC received
- (e) Identify any matters of general importance arising out of those complaints, or the way in which the complaints were handled
- (f) Identify any matters where action has been or is to be taken to improve services as a consequence of those complaints.

13. Equality and Diversity

Information about BLGC's Complaints, Compliments and Comments Procedure can be made available on request in different formats such as large print, Braille, audio cassette tape, on disk or in different languages.

Appendix A – Complaint Procedure Leaflet

A small stock of the printed leaflets will be held somewhere near you; your line manager will be able to advise you where that location is.

Appendix B – Proposed template for letter responding to written complaint

Complainant
Name Address
Line 1
Address Line 2
Address Line 3
Address Post
Code

Date: dd/mm/yyyy

Dear (*appropriately-titled name of complainant*)

Thank you for your written complaint, which we received on *dd/mm/yyyy*

Hopefully, the following notes will be of help to you

Our Intent

Our intent is that the arrangements for dealing with your complaint must be such as to ensure that:

- your complaint is dealt with efficiently
- your complaint is properly investigated
- you are treated with respect and courtesy
- you receive, so far as is reasonably practical
 - assistance to enable you to understand the procedure in relation to complaints; or
 - advice on where you may obtain such assistance
- you receive a timely and appropriate response
- you are told the outcome of the investigation of your complaint; and action is taken if necessary in the light of the outcome of your complaint.

If the letter follows on from an Informal Stage which did not resolve the problem, use the red text below, in addition to the standard text.

There are, potentially, three stages to the complaints procedure

- Informal (problem solving)
- Formal (investigation and reporting within agreed timescales)
- Review

The Informal Stage

Our understanding is that you have been through the Informal Stage, and that did not succeed in providing a satisfactory resolution to you. If we are wrong in that understanding – or if you feel that it is worth another try – please let us know, and we will do our best to facilitate that option. The following notes are to remind you what that option offers.

Our aim is to address any queries or expressions of dissatisfaction promptly and, wherever possible, at the point at which the difficulty or problem arises, and to enable problems to be resolved without recourse to the more formal process. However, the informal stage will never be used as a device to prevent or dissuade you from making a formal complaint.

Our intention is to ensure that your views are listened to and that you are satisfied with the response. It is therefore important at this informal stage to clarify what you want to achieve as a result of your expression of dissatisfaction. It is our target that the informal stage should last no longer than five working days.

The Formal Stage

At this stage, our ideal is that you have included the following information in your correspondence

- Details of the complaint.
- Evidence relating to the complaint.

- Dates, times, places and people involved/key events.
- Names of any witnesses.
- Relevant papers, reports, emails, letters etc.
- Evidence of how the matters under investigation have affected you or the person on whose behalf you are making the complaint.
- An indication of what you would like to see as an outcome of the investigation.

(Option 1) *We are pleased to find that you have provided the above details, as that will help us as we investigate your complaint.*

(Option 2) *You have provided most of the above information, but there do not seem to be any details about (list of missing elements). If you would like to send those details, please do so - but we will proceed with our investigation whilst we await them.*

The manager responsible for the investigation will be (Name) of Manager

During the investigation, the responsible manager will keep you informed, as far as reasonably practicable, as to the progress of the investigation. Our aim is that the investigation should be concluded within 28 days from the date of this letter.

We will provide a written response, which will be written in plain language and will:

- address all the issues raised by you
- explain any planned actions
- (if the complaint is not upheld) the decision will be explained clearly and a reasoned argument for the decision will be provided

If you are dissatisfied with the outcome from the investigation, you may request a review.

The Review Stage

To request a review, please register your request quickly – ideally, within 14 days of receiving the written report resulting from the formal investigation. Please submit the request to the Chief Executive Officer (CEO) in writing, either by letter or by email, outlining your reasons.

The CEO will convene a Review Panel consisting of

- The Chairperson of BLGC’s Board of Trustees or another Trustee in their absence
- An independent person
- The CEO

The panel will re-examine the decision within 28 days from receipt of your letter or email requesting a review.

The outcome from the review panel will be final and will be recorded in the form of a written report to be made available to you and the manager who was responsible for the formal stage.

Contact Details

To submit provide further details – or to request a review - by post, please send them to:

Chief Executive Officer BLGC