

COMPLAINTS POLICY & PROCEDURE



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Policy statement

Rainbow Foundation strives to provide a variety of services to a very high standard as expected by all our service users. If we fail to do this we want to know about it. This will enable us not only to deal with the specific problem, but also to prevent it happening again.

We encourage complaints, comments and compliments as feedback upon which we can develop and improve the services and functions we deliver. We will strive to respond to all of these in a positive manner, dealing with complaints in the manner set out in this document.

Complaints, comments or compliments, should be sent in writing to Info@rainbow-foundation.org.uk. Emails will be reviewed and responses given in due course.

Scope

This document sets out our policy regarding complaints and the procedures we will follow when we receive a complaint from a service user, an organisation, or member of the public. It does not address complaints regarding staffing or volunteering issues or recruitment and selection which are covered by separate procedures.

This document describes the process Rainbow Foundation will take when a complaint is raised. This includes the process around recording, investigating and responding to complaints, as well as the appeals process, if an agreeable outcome cannot be met. Complaints are likely to be in one or more of the following areas:

- a) Dissatisfaction with our services;
- b) Disputes between a service user or member of the public and Rainbow Foundation regarding policy, procedures or activities;
- c) Issues or concerns relating to the behaviour or conduct of Rainbow Foundation staff and volunteers.

The organisation will:

- We'll listen, record your complaint and advise you how it will be handled.
- We'll investigate whenever necessary. If the complaint involves a member of staff or volunteer, we will not divulge the name of the complainant during an investigation unless we are specifically given permission to do so.
- We'll take action to resolve the problem and tell you what that action is.
- We'll take steps to avoid a repeat occurrence.

We are not able to respond to anonymous complaints.

PROCEDURE

This procedure should be followed in all instances where a complaint is made to Rainbow Foundation. Where this occurs, a copy of the policy may be provided to the service user, organisation or member of the public. The stages of the complaints procedure will be explained to the complainant.

Recording complaints

All complaints will be recorded using a Complaints Log (see appendix 1) and kept on file for three years, including those which were resolved informally.

All complaints shall be treated with regard to the confidentiality policy and the demographics of every complainant (with their permission) will be recorded and used by RainbowFoundation as part of the complaints review process.

Stage 1 Informal Complaint

The term informal is not to be used to infer that this should be dealt with any less seriously, it merely refers to the method by which the complaint is made and is not a reason to not take appropriate actions or impose relevant sanctions where necessary.

The complainant will be invited to submit a verbal complaint to the most appropriate member of staff in person or by telephone. The person to whom the complaint is made will pass the complaint on to the most appropriate person who is at Manager level or above, who will investigate the matter and attempt to resolve the matter as soon as possible or within 7 working days. The member of staff conducting the investigation may pass the complaint onto a third party (another member of staff, or external advisor) at any point to expedite the conclusion of the complaint.

The person leading the investigation should keep a record of the conversation(s), including details of the complainant's name, address and telephone number. The Complaints Log (see appendix 1) must be used to create a full record of the complaint and complainant. All actions taken must be documented on the log.

If the complainant is not satisfied with the outcome of the investigation, or if an informal complaint is not appropriate, the complainant should move on to Stage 2.

Stage 2 Formal Complaint

The complainant will be asked to put their complaint in writing to the relevant member of the Senior Manager Team. If the complainant is not able to put their complaint in writing they will be offered an interview with the relevant Senior Manager or their nominee. The role of the Senior Manager (or nominee) at this meeting will be confined to putting the complaint in writing, seeking the complainant's approval of the written submission, and obtaining the complainant's signature to indicate agreement with the contents.

Rainbow Foundation will endeavour to make necessary adjustments to support complainants in the reporting and recording of complaints.

The Senior Manager or nominee will investigate the complaint and attempt to resolve it. If the complaint involves a member of staff or volunteer, the Senior Manager or nominee will offer the member of staff or volunteer an opportunity to put forward their account.

The Senior Manager or nominee will ensure that all complaints received, receive a response in writing within 10 working days of receipt of the written complaint. This will summarise what investigations have been carried out and what action, if any, is proposed to resolve the matter. A copy of this correspondence will be kept by Rainbow Foundation and should be attached to the Complaints Log. .

If a response in writing is inappropriate, the complainant will be offered an interview with the Senior Manager or their nominee to provide the response verbally. This meeting should be held within 10 working days as before.

If the complainant is not satisfied at this stage they should ask for the matter to be dealt with under stage 3 of the complaints procedure.

Stage 3 Appeal

Where the matter is not resolved by Stage 2, in the eyes of the complainant, the Senior Manager should immediately convene a complaints committee consisting of one staff member (not previously involved in the matter) and one Company witness.

For this to take place, the complainant would put in writing that they are unhappy with the decision they have received, and would like to appeal. They should also state what would be a suitable outcome in their opinion.

The complaints committee shall consider the complaint and all materials relating to the investigation. After due deliberation they shall decide on what course of action should be taken (if any). The decision of the Complaints Committee shall be final.

The decision of the complaints committee shall be forwarded to the complainant in writing.

Complaints involving the Chief Executive or Chair

Where the complaint is against the Chief Executive, or Chair, the same procedure should be followed, but with a Trustee taking on the role and function of the investigator at all stages.

Exceptional circumstances

Where a complainant pursues staff and/or volunteers outside the scope of the law i.e. threatening behaviour, actual or physical bodily harm etc. this shall normally render their complaint invalid and it shall not be acted upon in any way.

If the behaviour of a complainant towards staff or volunteers is sufficient to warrant involving the police this behaviour shall normally render their complaint invalid and it will not be acted upon.

Complainants who engage in behaviour that could be regarded as “vexatious litigation” in a legal context shall not have their complaints dealt with. The Chief Executive, or Chair, shall be responsible for identifying complainants acting as such and shall submit this information to the Senior Management Team and this information shall be recorded for future reference, using a Complaints Log. If at any point in the future, an individual or organisation recorded in this way makes another complaint, consideration shall be given to whether or not to disregard that complaint.

The decision to dismiss complaints without investigation should not be taken lightly or liberally and must be escalated to the Senior Management Team before a decision is made. A record of disregarded complaints must be kept for reporting to the Board of Directors.

Appendix 1

Complaints Log

COMPLAINTS LOG

The purpose of this log is to ensure that all the details of the complaint and complainant are recorded and kept on file for at least three years.

The log must be updated with any ongoing actions or communication with the complainant and once it is closed, it must be submitted to the Director of Operations, as well as any Director part of the Senior Management Team, as a confidential document.

Name and role of person completing this report:

Date initial complaint received:

Name and role of recipient:

Method by which complaint was received:

Details about the complainant:

Name:

Contact number:

Email address:

Address:

Does the complainant require any adjustments to be made?

Do they consent to completing a demographic monitoring form?

Details about the complaint:

(If the person has submitted a written complaint, then please attach this to the log)

STAGE 1

Nominated person investigating the informal complaint:

Please provide details of your investigation:

(It is fine to attach emails, letters and other records)

Outcome of the investigation:

Complaint not upheld

Actions identified:

Complainant notified of the outcome:

(Please give details of the date and method)

Is the complaint being escalated to Stage 2?

This matter was treated upon receipt as Stage 2, a formal complaint.

Signature:

Date:

STAGE 2

Nominated person investigating the formal complaint: Ash Johns

Please provide details of your investigation:

(It is fine to attach emails, letters and other records)

Outcome of the investigation:

Actions identified:

Complainant notified of the outcome:

(Please give details of the date and method)

Is the complaint being escalated to Stage 3?

Signature:

Date:

STAGE 3

Nominated person chairing Complaints Panel:

Complaints Panel members:

Please provide details of your investigation:

(It is fine to attach emails, letters and other records)

Outcome of the investigation:

Actions identified:

Complainant notified of the outcome:

(Please give details of date and method)