



# Complaints and Compliments Policy

August 2016

## Management information

Policy Reference	1.	Complaints and Compliments Policy
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Recommender	Teresa Doyle Operations & Business Development Manager
Agreement	Andrea McCubbin CEO
Decision Maker	Board of Trustees

Last agreed	<i>13<sup>th</sup> September 2016</i>
Last approved	<i>13<sup>th</sup> September 2016</i>
Frequency of review	Three years
Due for next review	September 2019

## Version control

Date amended	Amended by	Summary of amends
5 <sup>th</sup> August 2016	Teresa Doyle	Redraft of existing policy
27 <sup>th</sup> August 2017	Teresa Doyle	Remove CEO as first point of contact for complaints
2 <sup>nd</sup> December 2017	Andrea McCubbin	Addition of compliance with the Fundraising Regulator's Fundraising Promise re: complaints

# Complaints and Compliments Policy

## Policy Statement

Buckinghamshire Mind aims to provide high-quality, responsive, user led services. In order to ensure this, we need to take account of the views and wishes of those we are here to support. We welcome every opportunity to monitor and improve our service. Having a complaints and compliments policy and a clear procedure for resolving complaints is one way of doing this. This policy works within the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

## The importance of compliments

Compliments are valuable, welcome and important. When they are received, in writing, they will be recorded. Compliments enable Buckinghamshire Mind to: -

- ✓ understand that our service is being provided to all our stakeholders' satisfaction
- ✓ provide positive feedback to our staff, volunteers, funders and service users
- ✓ influence our organisational and service development strategy
- ✓ inform our continuous improvement cycle

## The importance of complaints

Buckinghamshire Mind recognises that it is very important for people to be able to complain and feel safe doing so. All feedback about our services is helpful to us to make sure that our services are of the highest possible standard.

Whilst complaints are encouraged it is important not to see them as being about blame and punishment. They are about listening to each other. The purpose is to enable everyone concerned to move forward, making any changes that might be necessary.

It is important that complaints are handled fairly for everyone involved. Having a complaints procedure is part of the organisation's responsibility towards those who use our services, to protect them against bad practice. The organisation also has a responsibility towards workers and volunteers so that they are not victimised or unnecessarily blamed.

Under this complaints and compliments policy we aim to deal effectively with complaints to ensure that:

- ✓ Complaints are dealt with efficiently
- ✓ Complaints are properly investigated
- ✓ Complainants are treated with respect and courtesy
- ✓ Complainants receive, as far as possible, assistance to help them understand the procedure and advice on where to get such assistance
- ✓ Complainants receive a timely and appropriate response
- ✓ Complainants are told the outcome of the investigation of their complaint and
- ✓ Action is taken if necessary.

## Formal & informal complaints

The formal complaints procedure is set out below. If you have a complaint to make about any aspect of the service, we ask that you first try to sort out the problem informally with those directly involved or you could ask to speak with a member of the Service User Council: [suc@bucksmind.org.uk](mailto:suc@bucksmind.org.uk)

## **The formal complaints procedure**

### **Who can complain?**

This procedure is for users of our services, applicants to our services, their carers and members of the public. It is not for paid workers, who may use Buckinghamshire Mind's Grievance Procedure instead.

A complaint can be made by a person on behalf of a service user, who is known as a representative, if the service user:

- ✓ Has asked the representative to act for them
- ✓ Is unable to make the complaint themselves because of a physical incapacity or lack of capacity (Mental Capacity Act 2005).
- ✓ Has died.

Usually we will only investigate complaints that are either

- ✓ Made within \*six months of the event, or
- ✓ Made within six months of you realising that you had something to complain about, as long as that is not more than \*twelve months after the event itself.

\*This time limit does not apply if it can be shown that there were good reasons for not making the complaint earlier and it is still possible to investigate the complaint properly.

### **What you can complain about**

You can complain about any specific action (or lack of action) taken by Buckinghamshire Mind. Examples might include a decision taken by a member of staff, the information we have published or provided, or any matter over which Buckinghamshire Mind has control and for which it has responsibility. The procedure cannot be used for matters not related to Buckinghamshire Mind's work or over which Buckinghamshire Mind has no control or responsibility.

Buckinghamshire Mind reserves the right to refuse to investigate a complaint in cases where the person making the complaint persistently refuses to follow the complaints procedure or is threatening, abusive or violent towards staff or Trustees investigating the complaint.

The procedure cannot be used to make complaints about a worker's general character but can be used to complain about something they have done, or failed to do.

Once the complaints procedure is completed, the matter will be considered closed and not re-investigated unless significant new information comes to light.

### **What can be expected as a result of making a formal complaint?**

All formal complaints are taken seriously. The outcome may be that Buckinghamshire Mind reviews or changes a decision or it may be that the complaint is not upheld. You will always be given a written response to your complaint.

## **Confidentiality**

Your complaint will be treated in a confidential manner. It may well be necessary for the person investigating the complaint to speak with staff working in Buckinghamshire Mind's services or with other service users. Any concerns about this should be raised at the meeting with the person conducting the investigation.

## **The Formal Complaints Procedure**

### **The First Stage**

A complaint can be made verbally, in writing or electronically. Where the complaint is made verbally, Buckinghamshire Mind will make a written record of the complaint and provide a copy to the complainant.

Complaints in writing or on audio file should be sent to the Operations Manager at; Buckinghamshire Mind, Ashton House, 14 Granville Street, Aylesbury, Buckinghamshire, HP20 2JR or email [teresa.doyle@bucksmind.org.uk](mailto:teresa.doyle@bucksmind.org.uk) stating what outcome you want to achieve from the complaint. Your complaint will be logged in the complaints file and passed to the most appropriate person to investigate.

If you do not feel able to write a complaint yourself, someone from the Service User Council [suc@bucksmind.org.uk](mailto:suc@bucksmind.org.uk) will be able to do this on your behalf. They will ensure that the matter remains confidential.

The complaint will be acknowledged within 3 working days of receipt. This acknowledgement will include a statement of the complaint, which you can amend or change if you wish. This is important to make sure that we have a clear understanding of the matter to be investigated. It will not be possible to make further changes to the statement after it has been agreed.

After the statement has been agreed, we will arrange a meeting between yourself and the person investigating the complaint.

You are welcome to be accompanied to this meeting (or any subsequent meetings) by a friend or supporter but not someone directly involved in the matter being investigated.

The person carrying out the investigation may also need to speak to other staff or service users before making a response to your complaint. We aim to write to you with our response within 20 days of the meeting.

If the complaint is concerning the Operations Manager, it will be dealt with by the Chief Executive Officer.

### **The Second Stage**

If you are not satisfied with the response to the first stage, you have the right to ask the Chief Executive Officer (address above) or - where the first stage complaint involved the CEO - The Chair of the Board of Trustees, (or in their absence the Vice Chair), 14 Granville Street Aylesbury Buckinghamshire HP20 2JR, to review the complaint. If you want to do this, you need to put your request in writing within 14 days of receiving the written response to the First Stage.

The Chief Executive or The Chair of the Board of Trustees will be informed that a complaint has reached the Second Stage and an independent panel will be appointed to review the complaint. (If this is appeal

is being heard by The Chair of the Board of Trustees the panel will consist of The Chair and at least one other trustee and a service user or member of the service user council). The panel members may interview any of those concerned with the complaint. They will come to a decision and will usually write to you within 28 days of the group being convened.

### Compliance with the Fundraising Regulator's Promise

Buckinghamshire Mind is voluntarily registered with the Fundraising Regulator to demonstrate its commitment to adhering to best practice when raising funds for the charity. The Regulator's Fundraising Promise outlines guidance relating to complaints as shown in the left-hand column of the table below. The right-hand column indicates our proposed response:-

Guidance	Response
We will ensure our complaints process is clear and easily accessible	The complaints policy is available on the website, <a href="http://www.bucksmind.org.uk">www.bucksmind.org.uk</a>
We will provide clear and evidence based reasons for our decisions on complaints	As outlined in the section on general complaints above
If you are unhappy with anything we've done whilst fundraising, you can contact us to make a complaint. We will listen to feedback and respond appropriately to compliments and criticism we receive.	As outlined in the section on general complaints above
We will have a complaints procedure, a copy of which will be available on our website or available on request.	The complaints policy is available on the website, <a href="http://www.bucksmind.org.uk">www.bucksmind.org.uk</a>
Our complaints procedure will let you know how to contact the Fundraising Regulator in the event that you feel our response is unsatisfactory.	Contact details for the Regulator are outlined below.
We will monitor and record the number of fundraising complaints we receive each year and share this data with the Fundraising Regulator on request.	To be collated by the Fundraising and Communications Officer

### Contact Details

**Fundraising Regulator** ([www.fundraisingregulator.org.uk](http://www.fundraisingregulator.org.uk)) 2nd floor, CAN Mezzanine Building, 49-51 East Road, London, N1 6AHT: **0300 999 3407**  
**E:** [enquiries@fundraisingregulator.org.uk](mailto:enquiries@fundraisingregulator.org.uk)

Appendix 1

Complaint Form

Name:	Address:
Telephone No (H):	Telephone No (M):
E-mail address:	Date:

Please write in the box below the nature of your complaint

Signed:

For office use only
Logged by:
Date:
Action taken: