##### NB This template needs to be tailored to the specific circumstances of each organisation. It is intended as a framework for discussion and planning, with suggestions for areas you may need to consider. There may be other areas that are specific to your type of work. You should amend the policy statement to fit your own intentions and attitude to complaints, otherwise you may be creating false expectations.

# ANYORG: Complaints policy and procedure

##### Status, e.g. approved by Board [date]; to be reviewed [date]

## Part 1: Policy statement

ANYORG aims to be a learning organisation. We want to find out what we are doing well and what we are doing badly – so that we can do even better in the future. So we welcome feedback from our service users. Praise and blame are equally useful. Let us know how you have found our service.

If you are puzzled or concerned by the way we have treated you, you may ask us for an explanation before deciding whether to make a complaint.

You may make a complaint about any aspect of our service regardless of whether you have asked for an explanation first.

If you wish to make a complaint, we have a simple procedure, which we will be happy to tell you more about.

As an Equal Opportunities organisation, we aim to treat everyone on their merits - irrespective of age, disability or impairment, race, ethnic or national origin, gender, marital status, sexuality, dependants or class. If you believe we may have discriminated against you on such grounds, we would be very concerned and would welcome the chance to investigate your complaint thoroughly.

## Part 2: Complaints procedure

### Scope of the procedure

This Complaints procedure applies to complaints about the organisation from its service users [and/including volunteers?]. It does not apply to complaints from the organisation’s staff [or volunteers?], which are considered under the organisation’s grievance [and problem-solving] procedure(s).

[NB Best practice is to have a problem-solving procedure specifically for volunteers, rather than using a grievance procedure, which could create the impression of an employment contract. However, if volunteering opportunities are part of your service, then you could treat volunteers as service users who may use the Complaints procedure.]

### Principles underlying the procedure

#### Openness

Complaints will be fully investigated and recorded, all parties kept informed and the procedure publicised. Any member of staff referred to will be given the chance to comment or answer criticisms. Complaints about staff may lead to action under the organisation’s disciplinary procedures.

#### Confidentiality

The complainant may remain anonymous. If this is likely to limit the ability to follow up the complaint, the complainant will be told this and given assurances that any information s/he gives will only be used for the purpose it is given and not shared with anyone else except with his/her permission.

#### Support for complainants

Complainants will be offered information about how to get support from an independent source in putting their complaint e.g. … *[think about relevant sources of advocacy support]*. They will also have to chance to bring someone to support them to any meetings that are arranged regarding the complaint, as long as all people due to attend the meeting are informed of the name and position (if any) of the complainant’s supporter and have no objections.

### The complaints procedure

The procedure will have the following stages:

1st stage – Informal discussion

This will normally be between the complainant and *[a member of staff / Management Committee member?]*. It will attempt to establish that the complainant wants to make a complaint, what the complaint is and, if possible, to find a resolution to the complaint that all involved find acceptable. The first stage should take place as soon as possible and within no more than a week of the complainant raising the matter.

2nd stage – Formal complaints

If not satisfied, the complainant can register a formal complaint either verbally or in writing. If the complaint is regarding a member of staff, it will be investigated using the disciplinary procedure. If the complaint relates to a Management Committee member, then the complaint will be investigated by a Management Committee member not involved in any aspect of the complaint. If this is not possible, then an independent investigation will be carried out *(see 3rd Stage – Independent investigation)*.

3rd Stage – Independent investigation

If the complainant is not satisfied with the outcome of the formal investigation or if the complaint is regarding a Management Committee member and there are no other Management Committee members available to carry out the investigation, an Independent adjudicator acceptable to both sides will be asked to investigate. Possible adjudicators would include …. A timetable for investigation would be agreed with the adjudicator. Findings would be reported in writing to the parties and the decision of the adjudicator would be considered as final. The adjudicator’s decision should include recommendations about outcomes from the complaint, which should be adhered to unless there are exceptional circumstances to take into consideration *(see 4th Stage – Independent panel)*.

4th Stage – Independent panel

If the Management Committee or complainant believe that the actions recommended by the Independent Adjudicator are unfair, either side has the right to request that an Independent Panel be formed to discuss these suggestions. This panel should consist of three independent persons acceptable to all involved, who will discuss the complaint and make a final decision on what outcomes there should be. It should aim to have its first meeting within two weeks of being formed and should further aim to come to its decision within four weeks of its first meeting. Any delay in these proceedings should be communicated to all parties involved as soon as possible. The panel can call any person before them to discuss the Independent Adjudicator’s recommendations and its decision on the complainant’s outcomes is final.

### Recording complaints

All complaints will be recorded. The record will include the date of the complaint, the complainant's name and address unless they wish to remain anonymous, the form of it (i.e. in writing or verbal), who received it, what the details of the complaint were, and what action was taken, by whom and on what timetable.

### Monitoring complaints

Staff line managers and the Chair of personnel panel will report annually to the Board on complaints during the year and policies and procedures will be reviewed if appropriate.

### Publicity

The Policy Statement will be distributed to ... and will be included in … and made available to external agencies.

The Procedure will be made available …

**Updated June 2020**