**FREEVA COMPLAINTS AND COMPLIMENTS POLICY AND PROCEDURE**

The purpose of the Complaints and Compliments Policy and Procedure is to give you an opportunity to let us know when we have failed to reach the high standards we set for ourselves. By letting us know about this, you will be helping us to continuously improve our service.

**Compliments**

As well as complaints we are always keen to receive compliments and hear positive feedback on our services. Please feel free to write, call or email with your compliments about Freeva, our services or staff.

**Complaints Policy and Principles**

Freeva’s complaints documentation has:

1 A Policy Statement and Principles

 - A record keeping mechanism to allow regular analysis of complaints

 - Publicity mechanisms

 - Procedure for ensuring its effectiveness

2 General issues

3 The procedure for dealing with a complaint

4 Exceptions to the procedure

5 The format of the public documents

 - A short public statement

 - Details of who to complain to and how to complain

6 A complaints form

We aim to:

* ensure that anyone making a complaint is dealt with sympathetically and respectfully
* take complaints seriously and investigate them fairly and thoroughly
* ensure that any errors or faults are remedied
* learn from complaints and make improvements to Freeva’s services and activities

This policy applies to all complaints about any of the services provided by Freeva. This document is for members of the public, individuals, service users, companies or anyone affected by Freeva’s activities. Staff should use the Grievance Procedures.

Wherever possible, we try to resolve things informally, promptly and amicably, through discussion. We believe that dealing with a problem early on means that it is often easier to talk about the issues and to find solutions.

Policy Statement

Freeva aims to provide high quality services that meet our service users’ needs. We would like to know how we can improve our services, therefore if anyone has a comment, suggestion, compliment or complaint, we will encourage them to let us know.

We will record all complaints and ensure they are dealt with fairly and as swiftly as possible. A complaints log will be shared with the Board of trustees at Board meetings and any serious complaints reported to the Chair as they occur.

All complaints will be treated confidentially.

Principles

All complaints about our service will be taken seriously and will be thoroughly investigated. People who complain will, at all times, be treated with respect and courtesy and kept informed about the progress of any investigation.

The process will aim to be:

* Fair and transparent to all parties: complainant, staff and volunteers
* Able to resolve any complaint in a timely and effective way
* Able to further improve services in the future
* Clear, easy to understand and accessible, particularly taking into account those who may not be able to access traditional contact methods or who may have other communication issues
* Based on the provision of timely and accurate information to all appropriate parties
* Confidential so that people can speak freely and so that best evidence can be available
* Subject to ongoing monitoring to make sure that it is being applied consistently in an effective way throughout the organisation

Recording and monitoring complaints

All complaints will be recorded centrally and kept on file, including those which were resolved without being put in writing. The Complaints monitoring form shall be used to do this. All complaints shall be subject to the usual rules of confidentiality. Each complaint will be investigated by Freeva.

Complaints will be reported to the Board of directors at Board meetings, summarising the nature of any compliments and also any complaints received and how they were resolved.

Publicising the Policy and Procedure

The Chief Executive is responsible for ensuring that posters and leaflets that clearly explain the procedure for making complaints or compliments are displayed in reception areas and will welcome complaints from people. The Procedure should be:

• Visible in the reception

• On the website

• Available as a leaflet in hard copy

• Available by email

• In the operational handbook

Ensuring the effectiveness of the procedure

All board members will receive a copy of the complaints procedure.

Existing and new staff members and volunteers will be introduced to the complaints procedure via induction and training.

**General Issues**

Timescale

The usual limit on the timescale for making a complaint is three months from the date when the alleged incident takes place or comes to light. However, in very serious cases or where the complainant is particularly vulnerable, there is the managerial discretion to extend this time frame.

A formal process would not usually be undertaken after a calendar year has elapsed

Definition

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

An informal complaint - where the service user does not wish to pursue a formal process but wishes to have a concern acknowledged and addressed; or

A formal complaint - which should, usually, be in writing.

In both cases, the complaint must be acknowledged and recorded.

In the case of a formal complaint the procedure outlined below must be followed.

The procedure is meant to provide a means to resolve a dispute between Freeva and any complainant. It requires staff and Directors at every stage to work towards resolving the complaint. Complaints are likely to be in one or more of the following areas:

* Dissatisfaction with the service, such as inadequate work, problems with a training course, workshops, unacceptable delay or failure to deliver a service etc.
* Disputes between the client and the organisation regarding policy, procedures or activities.
* Discourtesy or unhelpfulness on the part of staff or volunteers.

When someone wishes to register a formal complaint, the following procedure should be adopted. Where the complaint is against the Chief Executive the same procedure will be followed, but with the Chair of the Board substituted for the Chief Executive's role at all stages.

The complaint will usually be received either via completion of a complaints form or by a request to make a verbal complaint.

Access

It is important that people feel able to voice their concerns and complaints and that they can be assured that they will be taken seriously and treated fairly. Freeva staff should make it clear that they will be given time and a fair hearing. Complainants should always be offered the opportunity to attend any meetings with a friend of their choice and, if they so wish, appoint someone as their agent to manage the process on their behalf.

Dealing with a complaint – staff action

If a staff member receives a complaint, either about their work or an issue related to someone else in the organisation, they must pass it straight to their line manager. Staff should not deal with a complaint about themselves at all. Staff are asked not to conceal any complaints, as it is part of our customer service to be open and aware of where it can be improved. All complaints must be logged even small verbal ones that can be quickly resolved.

**The Procedure**

You can make a complaint in person, by telephone, in writing, through another representative or through a friend, where this is agreed by you. To find out who to contact about your complaint:

Freeva - phone 0116 2550004, email admin@freeva.org.uk or use the complaint form at www.freeva.org.uk

Jenkins Centre – phone 0116 254 0101 or email info@jenkinscentre.org or use the complaint form at www.jenkinscentre.org.

It is intended that all managers are trained in how to deal with complaints. Depending on what the complaint is, it will be dealt with in different ways.

Stage 1 Informal Complaints

If a service user raises a complaint, it is important that they are given the option of making a formal complaint or having their complaint dealt with informally. This will often rely on the gravity of the complaint though this may not always be the case. An explanation of the options should be offered to the complainant as soon as the complaint has been lodged.

If the complainant wishes to pursue the matter informally they should be advised that the complaint will be overseen by the relevant member of staff, unless the complaint is directly about that person in which case the appropriate manager above that individual will have responsibility.

The issue should be clarified and an agreed timeframe for an informal resolution set. This should be communicated to the complainant in writing and they should be updated of the process and expected resolution date within ten working days.

The issue should then aim to be resolved within ten working days. If it becomes clear that the investigation will not be resolved with this timeframe, the complainant will be informed in writing and another proposed resolution date set.

If the complainant is satisfied with the response, the case may then be closed. Details of the complaint, however, should be kept and become part of an annual review of complaints that will be undertaken by Freeva’s management team.

If the person is not satisfied then a decision to proceed to a formal complaint should be made by the complainant.

Stage 2 Formal Complaint

All formal complaints about Freeva services should be put in writing marked Private and Confidential, providing as much detail of the complaint as possible and sent to: Freeva, PO Box 7675. Leicester LE1 6XY or email admin@freeva.org.uk.

If the complainant is not able to put their complaint in writing, the complainant will be offered an interview with the appropriate service manager or their nominee. The role of the service manager or nominee at this meeting will be confined to putting the complaint(s) in writing, obtain the complainants approval for the contents of this, and ask the complainant to sign to indicate they agree with the contents. The complainant may choose to work with a third party at this stage and throughout the process. Freeva should provide a list of potential advocates if the complainant does not have a resource they can turn to.

*Acknowledgement*

All formal complaints will be acknowledged by written reply within ten working days of receipt. All complaints will be logged and the date of receipt and acknowledgement recorded.

*Investigation*

A formal complaint will be allocated to an appropriate service manager for action. A date will be agreed for a draft response to go to the complainant, which will be ten days from the date the acknowledgement letter has been sent, unless otherwise discussed with the complainant. If the matter is not resolved to the complainants’ satisfaction, it will pass back to the service manager for further investigation. Should it still remain unresolved, it may be necessary for it to be escalated to the Chief Executive. Any decision by the Chief Executive (or delegated members) will be final. If the complaint is about the Chief Executive, it will be investigated by the Chair of the Board.

*Carrying out the investigation*

The investigation must be appropriate to the complaint and consider only the substantive issues raised by the complaint. The investigating manager must ensure that the following information is available to them:

* Details of the complaint
* Evidence relating to the complaint
* Dates, times, places and people involved and key events
* The names of any witnesses
* Relevant papers, letters etc.
* Any evidence of how the matters under investigation have affected the complainant or impacted on FreeVA
* Any indication of what the complainant might expect as an outcome of the investigation

If the complaint involves a member or members of staff, the Chief Executive should offer the opportunity for the member of staff to put forward their account, either by written statement or by presentation. No member of staff may investigate a complaint against themselves.

*Response to the complaint*

The Administrator will ensure that all complainants receive a response in writing within ten working days of the letter/complaint notes being received. This letter will summarise what investigation has been carried out and what action, if any, is proposed to resolve the matter. A copy of this letter should be attached to the complaints form.

If a response by letter is unsuitable, the complainant will be offered a telephone interview with the investigating manager to provide the response verbally. This meeting should be held within ten working days as before. A written record of this interview will signed by the complainant and the investigating person and a copy kept by both sides.

The written response should address the issues raised by the complainant and identify any remedial actions taken. The response should be:

* Written in plain language (and should be translated into appropriate language should the complainant not have English as a first language)
* Balanced and fair
* Clearly explained if any technical language is used
* Free from jargon and acronyms, unless unavoidable
* Complete and address all the issues raised by the complainant
* Inclusive of an explanation of any planned action

If the complaint is not upheld this should be explained clearly and a reasoned argument for that decision included in the response.

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

Stage 3 Appeal

Where the matter is not resolved, the Service Manager should immediately refer the complaint to the Chief Executive.

The complaints panel will comprise of the Chief Executive and one other trustee, unless the complaint is about the Chief Executive, in which case their place will be taken by the Chair of Board of trustees.

The complainant will be informed immediately by the Chief Executive that this is being done and that the panel will also be contacting the staff member(s) or volunteer(s) against whom the complaint is made.

The panel will review the decision made at Stage 2 and may seek further clarification from any of the parties involved. The panel then makes its decision.

The Complaints panel will notify the complainant of its reasons and decision within 28 working days of having received notice of the complaint at Stage 3. The panel's decision will be final.

Exceptions to the normal procedure

If the complaint is about the Chair of the Board of Trustees it must be investigated by an externally appointed professional. If the complaint is about a Trustee it must be investigated by the Chair of the Board of Trustees. If appropriate, the Serious Incident Reporting procedure should be followed in this case (see Serious incident reporting policy for guidance).

Criminal offences

If any investigation gives rise to concern that a Service User, Freeva staff member, volunteer or Trustee has been engaged in any criminal activities then the Board of Trustees or Chief Executive may refer the matter to the Police. The Serious Incident Reporting procedure should also be followed (see the Serious Incident Reporting Policy for guidance).

Disciplinary action

This policy covers complaints and not disciplinary matters. If investigation of a complaint raises concerns about an employee or volunteer then the Disciplinary Policy must be applied. Any evidence gathered during the complaints investigation may be used in such a process. If appropriate, the Serious Incident Reporting procedure should be followed in this case (see Serious incident reporting policy for guidance).

Confidentiality

It is essential to maintain confidentiality at all time during a complaints investigation. The Data Protection Act 1998 classifies complaint 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. All documentation of any kind relating to a complaint should be retained for five years after the last entry in the record. These should be treated as confidential documents and kept separate from other records.

Recording

A central database of complaints will be maintained to log and record all complaints - formal and informal - along with incidents of when services have been withdrawn.

Monitoring and reporting

The number of complaints will be monitored and reported on by the Chief Executive. This will take place on a quarterly basis and reported to the Board of Trustees.

Legal proceedings

If the complainant has either instigated formal legal action, or notified intent to do so in writing, the complaints procedure should be stopped. The complainant and any person identified in the complaint should be advised accordingly.

Withdrawal of service

It may, on occasion, be necessary to withdraw our services from a client. If a service user acts inappropriately (threatening behaviour) or is in need of more specialist support, it is appropriate for the Chief Executive or senior manager of the service to withdraw the services in such exceptional circumstances.

It is possible that this decision may lead to a formal complaint so any decision to withdraw a service will need to be recorded on the complaints data base, so that the information is readily available should an investigation be required.

**Publicity Materials**

See Appendix 1 for Statement to be displayed in public areas of Freeva.

See Appendix 2 for Leaflet

**Appendix 1:**

**STATEMENT**

We aim to provide services of a high standard acceptable to all our clients. If we fail to do this we want to know about it. This will enable us to deal with the specific problem and avoid it happening again.

Our complaints procedure sets out how to take up matters you think are unsatisfactory about the service you have received from us.

Please ask a staff member for a leaflet or you can find our policy and complaints form on the websites at [www.freeva.org.uk](http://www.freeva.org.uk) and [www.jenkinscentre.org](http://www.jenkinscentre.org).

**Appendix 2 – Leaflet**

Freeva aims to provide high quality services that meet your needs. We would like to know how we can improve services. If you have a comment, suggestion, compliment or complaint, please let us know.

Whether you have a concern or whether you want to make a complaint, we want to hear from you so that we can help you. We aim to deal with any complaints quickly and thoroughly.

If you have a complaint, please talk to the relevant member of staff and we hope that you will sort out any worries, concerns, problems and complaints quickly and to everyone's satisfaction. You can also ask to speak to the Chief Executive or a senior manager at this point, if they are available, and you want to make a verbal complaint. Sometimes this doesn't happen and for whatever reason you may not be happy with what has been done or suggested.

If you are unhappy with an individual in Freeva sometimes it is best to tell him or her directly. If you feel this is difficult or inappropriate then speak to the staff member's manager or the Chief Executive.

Often we will be able to respond straight away. When the matter is more complicated we will give you at least an initial response within ten working days.

At this point you may decide you want to use the complaints procedure to get things sorted out.

Making a written formal complaint

If you are not satisfied with our response or wish to raise the matter more formally, please write to:

Freeva

PO Box 7675

Leicester

LE1 6XY

Or email: admin@freeva.org.uk

All written complaints will be logged. You will receive a written acknowledgement within ten working days.

The aim is to investigate your complaint properly and give you a reply within ten working days, setting out how the problem will be dealt with. If this is not possible, an interim response will be made informing you of the action taken to date or the action being considered.

We will write to you with the outcome of the investigation within ten working days. If after we have responded you are not satisfied, please write to the Chief Executive. If the complaint cannot be resolved, the Chief Executive will report the matter to the Board of Trustees who will decide on any further steps.

All complaints will be treated confidentially.

What do I do next?

Talk to any member of staff. They will give you a copy of the complaints form. When you send it back we will forward it to the relevant manager who will look into the matter, if necessary with any staff member or volunteer concerned. After this has happened they will tell you of the result of the meeting within ten working days.

If you are still not satisfied

If you are still not satisfied then contact the Chief Executive

We will involve a Trustee to give their opinion of the complaint and how we have dealt with it. We will send you a copy of their findings within 28 days of the complaint being filed at this second stage. Their decision is final.

Further Advice

Many people who wish to make a complaint will want to talk to someone independent about it. This can help in sorting out their ideas, putting the complaint in writing or just getting an independent point of view. If you wish to do this, contact Freeva and we can put you in touch with someone who can help, such as a local advice or information centre.

Compliments

If you wish to compliment either a member of staff, volunteer or the organisation on any aspect of our services, you can email admin@freeva.org.uk or info@jenkinscentre.org.

**Complaints Form**

If you wish to make a written complaint about Freeva’s staff, volunteers or services please fill in the following form and email/send it marked, Private and Confidential, at the email/address above.

Please tell us the details of your complaint: what date it happened, who was involved and the nature of your complaint.

Please tell us what you feel should/should not have happened.

Please tell us what you would like us to do now.

Your name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Your telephone no: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Your address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Is it OK to contact you here? Yes/No

Thank you for completing this form. You will receive a response in ten days.

You can make a complaint in person, by telephone, in writing, through another representative or through a friend, where this is agreed by you.

**Stage 1 – Informal Complaint**

**Stage 2 – Formal Complaint**

**Stage 3 - Appeal**

Issue clarified and an agreed timeframe for an informal resolution set. This is communicated to the complainant in writing and they are updated of the process and expected resolution date within 10 working days.

If it becomes clear that the investigation will not be resolved with this timeframe, the complainant is informed in writing and another proposed resolution date set.

Where a matter is not resolved, it is referred to the Chief Executive so that it can be heard by the complaints panel.

All formal complaints about FreeVA services should be put in writing.

If the complainant is unable to put the complaint in writing, they will be offered an interview with the appropriate manager or their nominee.

The complainant will be informed immediately that this is being done and that the panel will also be contacting the staff member(s) or volunteer(s) against whom the complaint is made.

All formal complaints will be acknowledged by written reply within 10 working days of receipt

The panel will review the decision made at Stage 2 and may seek further clarification from any of the parties involved. The panel then makes its decision.

A draft response will go to the complainant, within 10 days from the date the acknowledgement letter was sent, unless otherwise discussed with the complainant.

The Complaints panel will notify the complainant of its reasons and decision within 28 working days of having received notice of the complaint at Stage 3. The panel's decision will be final.

Should it remain unresolved, it will be escalated to the Chief Executive. Any decision by the Chief Executive will be final.

If the matter is not resolved to the complainants’ satisfaction, it will pass back to the service manager for further investigation.

If the complainant is not satisfied then a decision to proceed to a formal complaint should be made by the complainant.

If the complainant is satisfied with the response, the case may then be closed.