

Policy Number:	3A
Policy Name:	Complaints Policy
Effective Date:	February 2022
SMT Review	February 2022
Trustee Approval	2 nd March 2022
Policy Author/Owner	Chief Operating Officer
Policy Classification:	Unclassified

1.0 Purpose

We are committed to providing a high quality service and achieving the highest standards of conduct at all times. One of the ways in which we can continue to improve our service is by listening and responding to the views of our service users, employees, volunteers and the general public, particularly where it is believed The Benjamin Foundation (TBF) has fallen short of these standards.

2.0 Policy Statement

Our policy aim is to ensure that:

1. Making a complaint is as easy as possible
2. We treat as a complaint any clear expression of dissatisfaction with our services which calls for a response
3. We treat complaints seriously whether it is made in person, by telephone, by letter, or by email
4. We deal with it promptly, politely and, where appropriate, informally by telephone.
5. We respond with an explanation, or an apology where we have got things wrong, or provide information on any action taken.
6. We learn from complaints and use them to improve our services
7. All complaints will be dealt with in complete confidence to the extent possible taking into account the nature of the complaint and wishes of the complainant.

3.0 Policy Scope

This policy relates to complaints about the conduct of our employees, volunteers or Trustees engaged in delivering services or representing TBF and the services that TBF provides directly to the public. The Benjamin Foundation also welcomes feedback and the views from its service users and members of the public who are not satisfied with their experience of TBF. Complaints or problems relating to an individual's employment with TBF should be raised under the Grievance Policy.

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4.0 Process and Procedure

How to make a complaint –

Informal

Informal complaints should be addressed in the first instance to the relevant staff member, manager, COO or to a member of the Board of Trustees. Complaints can be made by telephone, by letter, by email or in person (by making an appointment with the appropriate person). If you would like a response by telephone, please ensure you provide your current telephone number. If you would like your response in writing, please state if an email response is required or acceptable and, if not, please provide a full postal address. Unless there are exceptional circumstances, a complaint should normally be made within four weeks of the event leading to the complaint.

We aim to respond as soon as possible and often this will be straight away. However, if the matter is more complicated an initial response will be given within five working days. Depending on the nature of the informal complaint, it may be necessary to escalate the matter and treat it as a formal complaint.

Formal

If the complaint is of a more serious nature and could possibly lead to criminal and/or Child Protection and/or Disciplinary Proceedings, or you are not satisfied with the outcome of your informal complaint, it must be made in writing to any of the Executive Directors or the complaint passed to the COO. If the complaint is about one of the Executive directors, it should be addressed to the COO. If the complaint is about the COO, it should be addressed to the Chair of the Board of Trustees.

If the complaint could lead to potential proceedings, the Police will be informed at the appropriate point. If the complaint raises Child Protection issues, the Local Area Designated Officer (LADO) who works within Children Services will be informed. If there are specific concerns about the safety of a child or young person we will work in accordance with our Safeguarding Policy and notify Children's Services immediately. If there is a need to report an allegation of abuse against a person who works with children and young people we will notify the LADO team in accordance with the Safeguarding Policy. For further details, please refer to the Safeguarding Policy and Procedures.

Any employee, volunteer, service user or member of the public who requires support in providing a written complaint will be given appropriate assistance or guidance by a member of the Human Resources Department in the instance of employee/volunteers and a Senior Member of the Service Delivery Area team for service users and members of the public. Where appropriate, arrangements will be made for an independent advocate to provide support.

Who to send your formal complaint to

Complaints Administration
The Benjamin Foundation
23-27 St Andrews Street
Norwich
Norfolk
NR2 4TP
Tel: 01603 615670, Email: info@benjaminfoundation.co.uk

What happens next with a formal complaint? -

Dependant on the nature of the complaint, the COO will allocate the complaint to a Director of The Benjamin Foundation specific to the complaint. On receipt of the written complaint, we will acknowledge your complaint in writing within five working days. If it is not possible to give you a full reply within this time, for instance, because a detailed investigation is required, we will give you an interim response, telling you what is being done to deal with your complaint. A full reply will normally be sent within a further ten working days unless an alternative, reasonable timeframe is agreed with you.

The full reply will include details of who to contact next if you believe that your complaint has not been dealt with properly. This will normally be the COO .

If following the second response, you are still not satisfied that your complaint has been dealt with, you can send your complaint to the Chair of the Board of Trustees who will convene the 'Complaints Panel'. The Complaints Panel will be composed of people who have not been involved in the complaint up to this point. You will normally be informed within 5 working days of the date of the Panel meeting. The Panel will fully review the complaint, the actions and the recommendations to date. If necessary, they will put in place new actions and recommendations. You will be informed in writing of the recommendations of the Panel normally within 5 working days of the meeting. The decision made by the Complaints Panel will be deemed as the final decision of TBF.

If you are still not satisfied with the way your complaint has been dealt with you are entitled to follow this up with the Charity Commission or other relevant regulatory bodies if your complaint relates to a matter within the scope of those organisations' responsibilities.

Complaint recording

A full written and dated record will be securely stored of the complaint, investigation and the outcome.

All records will be kept in line with The Benjamin Foundation's Confidentiality Policy and data management practices. These records will be stored and held at the Corporate Office of The Benjamin Foundation.

Complaint evaluation

Feedback is vital to developing and improving our services. We endeavour to use comments, compliments, and complaints in training, employee personal reviews and appraisals as well as Policy Development. Complaints will be reported to the Risk, Audit & Performance (RAP) Committee at each quarterly meeting as part of TBF's quality assurance and performance management arrangements to enable Trustees to monitor volumes and to identify any issues, patterns or trends. Complaints will be reported to the Board if they have been escalated by the RAP Committee or the Executive Team, or if they warrant consideration as a strategic risk in the context of the Corporate Risk Register, or where there is organisational learning to be taken from complaints.

5.0 Related Policies

This policy should be read in conjunction with the following related policies:

- 2 Safeguarding Policy
- 3B Whistleblowing Policy
- 4 Confidentiality Policy
- 5 Data Protection Policy
- 6A Grievance Policy