

COMPLAINTS POLICY & PROCEDURE

INTRODUCTION

Policy Statement

Headway East London (“Headway”) believes that everyone who accesses our services or comes into contact with the organisation has the inherent right to complain or comment on any aspect of that service or contact. We are committed to handling all complaints efficiently, fairly and sensitively.

Purpose

This policy aims to:

- a) Ensure there are clearly defined procedures for recognising and dealing with complaints, comments or suggestions.
- b) Ensure that all complaints are dealt with efficiently, fairly and sensitively and within clearly defined time limits.

Scope

This policy shall apply to all Headway members, clients, family members, supporters and the general public who come into contact with Headway.

Any staff member or volunteer wishing to raise a complaint should follow the Headway Grievance Procedure.

DEFINITIONS

Complaints shall be taken to include any form of dissatisfaction shown by all making use of Headway’s services. The complaint may be pursued by any of the procedures detailed below:

Staff shall include anyone who is on the payroll of Headway and any other person(s) contractually bound to perform services for Headway in the pursuit of its objectives.

Volunteers shall include anyone who has been accepted as a volunteer through the volunteer recruitment process and who subsequently offers their time to Headway free of charge.

Members shall include survivors of brain injury accessing the Headway Day Service.

Clients shall include survivors of brain injury accessing any of Headway’s other services.

Family member shall include anyone who is a relative or unpaid carer of a person with acquired brain injury.

Supporter shall include anyone who is on the supporter mailing list of Headway or who supports the organisation in any other way.

Stakeholder shall include any other person/body that has an interest in Headway e.g. a funder, community organisation.

Services shall include all support and services offered by Headway.

Senior Manager shall include any member of the Senior Management Team appointed to deal with the issue concerned.

Resources shall include any items used in the investigation or pursuit of a complaint. This shall include financial, time or staff resources.

PROCEDURE

At no time should anyone who is the subject of the complaint under consideration be involved in its investigation and adjudication.

Informal Stage

The informal stage involves collaborative problem solving and resolution of a concern or complaint rather than investigation, substantiation and adjudication. The aim is to seek shared understanding and early resolution of the issue, prior to it developing into a formal complaint.

The informal process is appropriate when:

- The complainant requests the complaint is dealt with informally
- The concern is not serious or complex
- A concern is raised and can be resolved before it develops into a formal complaint.

The procedure for informal complaints can vary according to the nature of the complaint or concern expressed but the following is intended as a guideline to staff dealing with informal complaints.

All frontline staff at Headway may be involved with the resolution of informal complaints.

Dealing with informal complaints may involve:

- A frontline staff member negotiating with someone to reach an agreement about what their complaint or concern is and how to resolve it
- This may involve:
 - Conveying to the person that they and their complaint / concern are being taken seriously
 - Listening actively to the person's concerns and reflecting these back to ensure they have been understood
 - Asking questions about resolution of the issue for example asking "what do you think would help?" or making suggestions for the person's consideration

- If another person is involved or connected, it may be appropriate, if both agree, to bring people together to conciliate
- A written record will be made by the staff member dealing with the complaint and a summary will be written and provided to the person if appropriate.

Complaint Not Concluded

It is hoped that the majority of complaints will be resolved by this informal process, but where a complainant is not satisfied with the result of the informal stage then Stage 1 of the procedure will be followed. The person will be provided with details of how to make a formal complaint and will be provided with assistance to set down the nature of their complaint in writing if needed.

Stage 1

- Any formal (Stage 1) complaint, whether verbal or written, should be made, in the first instance, to the Director of Services at Headway, who will allocate it to a member of the Senior Management Team (SMT) excluding the Chief Executive.
- If it is inappropriate for any other member of the SMT to deal with the complaint, this will be handled by the Chief Executive.
- The complaint will be acknowledged in writing within three working days.
- The allocated member of the SMT, will investigate and seek to satisfy any complaints by conciliation or clarification of the issues involved.
- The allocated member of the SMT will interview all parties involved and records of the investigation will be made and kept.
- A record of any interview will be checked and signed by the interviewee and will form their witness statement.
- In certain instances a person wishing to make a complaint, or a person against whom a complaint is made, may require assistance or advocacy throughout the process. In some cases, this may need to be an independent person. The allocated member of the SMT will explicitly ask anyone considered an adult at risk involved in the complaint if they require assistance or advocacy and ensure that the person has access to this if they so wish.
- At the end of the formal process – if possible, no more than 28 working days following receipt of the complaint – a written response will be completed by the allocated member of the SMT setting out the details of the complaint, the subsequent investigation, the conclusion and any proposed action to be taken.

Complaint Not Concluded

It is hoped that the majority of complaints can be resolved through the Stage 1 process, but where a complainant is not satisfied with the result of Stage 1, then Stage 2 of the procedure will be followed.

Stage 2

- The complainant or their advocate should submit their complaint to the Chief Executive within 10 working days of Stage 1 being completed.
- The allocated member of SMT who dealt with the complaint at stage 1 will hand over all documentation collected to the Chief Executive..
- If it is inappropriate for the Chief Executive to deal with the complaint, it will be handled by the Chair of the Board of Trustees.
- The Chief Executive will then be responsible for the Complaints Procedure from Stage 2.
- The complaint will be acknowledged in writing within three working days.
- The Chief Executive will investigate the circumstances surrounding the complaint, including all the information collected at Stage 1 of the procedure.
- If appropriate, the Chief Executive will interview parties involved and records of the investigation will be made and kept.
- As in Stage 1, should any person involved in the investigation require assistance in understanding the process or taking part in the investigation, the Chief Executive will ensure that the person has access to an appropriate advocate..
- The Chief Executive will send a written response to the complainant outlining their conclusions and any proposed action to be taken. If possible, this response will be sent within 28 days of the complaint being referred to the Stage 2.

Internal Communication

With any complaint dealt with at Stage 1 and 2, the person dealing with the complaint will make all relevant staff aware in writing that a complaint has been made at the earliest opportunity. This should not include details of the complaint.

Upon conclusion of each stage of the procedure, the person dealing with the complaint will update, in writing, all relevant staff, in line with Headway's Data Protection Policy.

Appeals Process

If the complainant is not satisfied with the outcome of the investigation after stages 1 and 2, they, or their advocate, can appeal, in writing, to the Chair of the Board of Trustees. The letter should be marked 'Private & confidential' and addressed to:

The Chair of the Board of Trustees

Headway East London

Bradbury House

Timber Wharf

238-240 Kingsland Road

London E2 8AX

Appeal Stage

- The appeal should be submitted to the Chair of the Board of Trustees (Chair) within 28 days of the date of the Stage 2 response.
- The Chief Executive will hand over all documentation collected to the Chair of the Board of Trustees.
- The Chair will be responsible for the Complaints Procedure from the Appeal Stage.
- The complaint will be acknowledged in writing within five working days.
- The Chair will investigate the circumstances surrounding the complaint, including all the information collected at Stage 2 of the procedure.
- If appropriate, the Chair will interview parties involved and records of the investigation will be made and kept.
- If the Chair is unavailable to deal with the complaint, this will be handled by the Vice Chair or another member of the Board of Trustees, as appropriate.
- As in Stage 2, should any person involved in the investigation require assistance in understanding the process or taking part in the investigation, the Chair will ensure that the person has access to an appropriate advocate.
- The Chair will send a written response to the complainant outlining Headway's conclusions and any proposed action to be taken. If possible, this response will be sent within 28 days of the complaint being referred to the Stage 2.

If the complaint remains unresolved to the complainant's satisfaction, they should contact Headway – The Brain Injury Association or The Charity Commission.

Data Protection

All information will be processed and kept in line with Headways Data Protection Policy. Anonymous data will be used in monitoring reports to statutory funders.