

## **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.
- The complaint will be acknowledged in writing within three working days.
- The Director of Services, (or in their absence, another member of the Senior Management Team), will investigate and seek to satisfy any complaints by conciliation or clarification of the issues involved.
- The Director of Services will interview all parties involved and records of any investigation will be made and kept alongside the complaint.
- If it is inappropriate for the Director of Services to deal with the complaint, this will be handled by the Chief Executive.
- In certain instances a person wishing to make a complaint or a person against whom a complaint is made will require the assistance or advocacy of an independent person throughout the process. In these instances the Director of Services will ensure that the person has access to an advocate/independent person.
- At the end of the formal process – no more than 28 working days following receipt of the complaint – a written statement will be completed by the Director of Services setting out the details of the complaint, the subsequent investigation and the conclusion.
- The statement should be signed by the Director of Services and the complainant and/or by their advocate.

## **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 complaint should be submitted to the Chief Executive within 10 working days of Stage 1 being completed. In most instances this would involve the handing over of all documentation collected as a result of the Stage 1 investigation with a letter from the complainant or their advocate indicating that the matter has not been resolved to their satisfaction.
- The Chief Executive will 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.
- The Chief Executive will interview all parties involved and records of any investigation will be made and kept alongside the complaint.
- If it is inappropriate for the Chief Executive to deal with the complaint, this will be handled by the Chair of the Board of Trustees.
- 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 advocate/independent person.
- The Chief Executive will send a written report to the complainant outlining Headway's conclusions and any proposed action to be taken. This report 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.

## **Appeals Process**

If the complainant is still not satisfied with the outcome of the investigation, they 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 14 working days of the complainant's receipt of the Stage 2 report. In most instances this would involve the handing over of all documentation collected as a result of the Stage 2 investigation with a letter from the complainant or their advocate indicating that the matter has not been resolved to their satisfaction.
- 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.
- The Chair will interview all parties involved and records of any investigation will be made and kept alongside the complaint.
- 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 advocate/independent person.
- The Chair will send a written report to the complainant outlining Headway's conclusions and any proposed action to be taken. This report will be sent within 28 days of the complaint being referred to the Appeal Stage.

### **Data Protection**

Data about the complaint will be stored by Headway East London for six years.

Anonymous data will be used in monitoring reports to statutory funders.