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Complaints Policy and Procedure

Purpose

The purpose of this policy is to protect the interests of users coming in to contact with Sexual Assault and Abuse Support Service Buckinghamshire and Milton Keynes (SAASSBMK), to improve the quality of services by responding to the views of people involved and to enable people to challenge our way of working.

SAASSBMK believes that it is essential that there is a clear, effective, and easily understandable procedure through which any complaint can be dealt with. All complaints will be considered using our complaints procedure set out below.

SAASSBMK welcomes complaints and suggestions so that concerns can be addressed, and improvements made wherever possible.

SAASSBMK will ensure that a fair hearing is given to the complaint and that any member of staff or volunteer involved is given the opportunity to answer all criticism made.

Certain principles will be followed during all stages of the complaint's procedure:

- Confidentiality is protected; including the confidentiality for both the person making the complaint and any staff member or volunteer involved in the complaint. Clearly the nature of the complaint and the identity of individuals will be disclosed to all individuals involved in dealing with the complaint.
- Independent investigation: where an investigation is required, SAASSBMK will endeavour to ensure, where possible, that it will be carried out by someone who was not involved in the complaint.
- Support and advocacy; people making a complaint may be supported by a friend/advocate at any stage of the procedure.

SAASSBMK will ensure that this complaint policy and procedure is easily available for any person who wishes to make a complaint.

Scope

This policy applies to complaints made by external stakeholders who have been directly impacted or dissatisfied with the standards of services, actions of lack of action by SAASSBMK, its staff, volunteers, trustees or anybody directly involved in the delivery of our services.

This policy does not apply to any complaints made by SAASSBMK staff, volunteers or former staff or volunteers, including those relating to misconduct.

Complaints can be made about anything that gives an individual legitimate and reasonable cause for concern. This might include the behaviour of staff or volunteers, the standard of service being provided or our facilities.

What is a complaint?

A complaint is an expression of dissatisfaction about the standards or service, actions or lack of action by SAASSBMK or its staff, volunteers or anybody directly involved in the delivery of our services. It is a criticism that expects a reply and would like things changed. It is a complaint that has not been possible to resolve informally in the first instance.

SAASSBMK can only respond to complaints that are about an action that SAASSBMK is responsible for or within its sphere of influence. SAASSBMK may decide not to deal with a complaint where the recipient of the complaint does not consider it to fall within the definition of a complaint as set out above.

Complaints should be made within 3 months of the relevant incident. SAASSBMK may be able to respond to a complaint if it is older, although the passage of time may make it harder to resolve the complaint satisfactorily.

Who can bring a complaint?

A complaint can only be brought by the individual affected. SAASSBMK may accept someone else raising the complaint but will require an explanation of why the affected person cannot bring the complaint themselves, for example, through mental or physical capacity or them being under 18. SAASSBMK will seek the consent of the affected individual to the bringing of the complaint when possible and will always need to ensure compliance with Data Protection laws.

Roles and Responsibilities

Service-related complaints will be managed by the relevant Service Manager or Coordinator, or the Head of Services where the complaint relates to the Service Manager or Coordinator.

All other complaints will be managed by the relevant member of the Senior Leadership Team, or the Board of Trustees as appropriate.

SAASSBMK will endeavour to ensure, where possible, that it will be carried out by someone who was not involved in the complaint.

Complaints Procedure

SAASSBMK wants to resolve problems satisfactorily for all involved. It is most effective to try to resolve any problems informally with the person concerned as soon as it arises. If it is necessary to take matters further, this should be done in line with the formal process and timescale detailed below.

At each step, everyone concerned with the complaint will be kept fully informed. The complainant is entitled to be accompanied by a friend/advocate at all formal stages to provide support. At every stage of the formal process there will be a written record on the findings and opinions expressed. This record will be available at any later stage of the procedure.

Informal Procedure

This stage can be by-passed if the complaint is regarded as sufficiently serious.

The complainant should discuss, at the earliest opportunity, the complaint directly with the member of staff or volunteer concerned or the Manager or Coordinator for the relevant service, who will respond to complaints about the service. If the complainant prefers to have a face-to-face informal discussion with the individual concerned, we will endeavour to arrange for this opportunity.

If the complaint is not resolved to the complainant's satisfaction, the complainant will be advised that they can make a formal complaint.

Formal Procedure

Stage 1

A formal complaint can be registered in writing via email to admin@saassbmk.org.uk.

To ensure complaints are responded to promptly, we will require the following information:

- The complainants contact details
- Clarification that the contact is a formal complaint
- Details of the reasons for the complaint, plus any relevant information or documentation
- Any action requested

Following receipt of this complaint, the complainant will receive confirmation of receipt and information about the next steps.

The investigator will endeavour to carry out an investigation within three weeks of SAASSBMK receiving the complaint. This timescale may need to be extended dependent upon the availability of relevant parties and the complexity of the investigation. The complainant will be advised as soon as a need for such extension becomes apparent.

The investigator will gather and evaluate all evidence. The result of the investigation will be reported to the complainant and to other relevant parties within fourteen days of completion of the investigation. The results of the investigation will be confirmed in writing and the complainant will be offered the opportunity to have the response delivered verbally if preferred. This will include:

- a description of the details of the complaint
- comments addressing each of the violations alleged in the complaint
- outline the investigations undertaken to consider the complaint
- the findings resulting from the investigations
- an admission or denial of the allegations
- justification or rationale for our actions
- explanations of any improvements made as a result of the complaint

Where the proposed decision or action is accepted by the complainant, then the decision or actions will be carried out and recorded and the complaint will be closed.

Where no response to the complaint outcome letter is received, it will be assumed that the proposed decision or action is accepted.

Appeal Process

If the complainant remains dissatisfied with the outcome of their complaint, they can request an internal review of a complaint decision within two weeks of the outcome letter.

This appeal should be made in writing and should briefly set out:

- The nature of the complaint/appeal
- The steps already taken
- Details of the response received
- A statement as to why they remain dissatisfied
- Any remedy which they are still seeking

Where possible, the person conducting the appeal will be more senior than the person who conducted the first investigation.

The internal reviewer will receive all of the complaint and investigation material, and any representations from the complainant on why the initial decision was incorrect.

The reviewer will conduct further investigations if they consider that the initial investigation was insufficient.

The complainant will be sent a further acknowledgement letter giving;

- The contact details of the reviewer
- The process to be followed
- Timeframes for the appeal

Once the internal review is complete, the complainant will be informed what the decision is and what the external appeal options are which may include registering a complaint with Rape Crisis England and Wales or the Charity Commission.

Handling, Retention and Destruction of Complaints

Complaints will be seen and discussed by as few members of SAASSBMK as possible whilst ensuring a prompt and fair hearing.

A record of the complaint shall be maintained in accordance with SAASSBMK's Document Retention Policy. Thereafter, an anonymised record of the complaint will be maintained for the purposes of monitoring and evaluating complaints centrally. The Senior Leadership Team will regularly meet to identify trends in complaints, lessons to be learned and areas for improvement. Reports on complaints shall be provided to our Board of Trustees at least annually.