

No 04 Complaints and Adverse Comments Policy and Procedures	
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Division	Chief Executive's Office
For use by	Staff, Volunteers and Trustees
Purpose	Process and procedures to be followed in the event of a Complaint or Adverse Comment being made
Key related Documents	
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POLICY AND PROCEDURES – NO 4

Complaints and Adverse Comments Policy and Procedures

This document sets out Age UK Norfolk's Complaints and Adverse Comments Policy and Procedures.

1. Purpose

Age UK Norfolk is committed to the provision of high quality services and to seeking continuous improvement. We want our service users/customers to be satisfied with the service they receive from us and delivering quality and improvement is at the heart of what we do. We see our complaints process as a positive tool in improving standards, allowing us to learn from people's experiences of our services and we consider feedback from service users/customers as valuable information in helping us put things right when they go wrong.

2. Key Related Documents

Other policies which cross-reference this Policy are:

- Policy 28 Archive and Filing Policy.

3. Aim

Our Complaints and Adverse Comments Policy and Procedures aim to deliver a complaints service that is fair, clear, transparent and service user/customer-focused. We are committed to getting the process right, being open and accountable, acting fairly and proportionately and achieving a satisfactory outcome.

4. Accessing Information About Making a Complaint

It is important to us that people using our services are clear about their right to express dissatisfaction or to make a complaint and know how to do so. Complaints information is conveyed at sign-up of our services, is included in our service literature and displayed in our information racks. A copy of this Complaints and Adverse Comments Policy and Procedures is available to download on our website under the "About Us" section and also under the "Frequently Asked Questions" tab.

5. The Complaints Process

There are three distinct stages to the process:

- Stage One – Informal Approach; resolving problems and issues as they arise
- Stage Two – Formal Complaint;
- Stage Three – Appeal Panel

6. Step One – Informal Approach; resolving problems and issues as they arise

In the first instance, some concerns or complaints will, by their nature, be easy to resolve immediately, to everyone's satisfaction. The complaint or concern should be raised with the member of staff or volunteer providing the service or the manager of the service concerned. Most issues will usually be resolved in this way.

If the complaint is unresolved it should be put in writing and sent to the Chief Executive of Age UK Norfolk following the process below.

7. Formal Complaints

7.1 Stage Two – Formal Complaint

Formal complaints are administered by the Chief Executive and the Finance and Business Performance Manager.

a) Making A Complaint

Service users/customers can make a formal complaint at any time about any aspect of our service delivery. This should be done in writing and sent to the Chief Executive of Age UK Norfolk at:

Age UK Norfolk
Henderson Business Centre
51 Ivy Road
Norwich
Norfolk
NR5 8BF

Complaints can also be e-mailed to the Chief Executive at: complaints@ageuknorfolk.org.uk

b) Representatives

In order to ensure that customers/service users who are unable to make a complaint without help are provided with support in respect of the complaints process, we will accept independent representatives, including friends and family supporting the complainant. In the interests of the service user, complaints received from a representative supporting the complainant will only be accepted under the following conditions. Either:

- Where the service user is unable to complain unaided and has consented, either verbally or in writing; **or**
- Where the service user is unable to complain unaided and cannot give consent because they lack capacity within the meaning of the Mental Capacity Act 2005.

The representative must act in the best interest of the complainant and respect the confidentiality of the complaints process.

Age UK Norfolk reserves the right not to accept a complaint from a representative if in our opinion the representative will not act or is not acting in the best interests of the complainant and/or will not agree to respect or is not respecting the confidentiality of the complaints process.

c) Timeframes for Making a Complaint

A complaint must be made no later than three months after the date the incident occurred or, if later, the date the incident came to the notice of the complainant.

The time limit will not apply if Age UK Norfolk is satisfied that:

- The complainant can give a good reason for not making the complaint within that time limit, and
- Despite the delay, it is still possible to investigate the complaint effectively and fairly.

d) What We Do When We Receive a Complaint

i) Acknowledgement

Upon receipt of a formal complaint the Chief Executive and in her absence, the Finance and Business Performance Manager will:

- Log the complaint in the Complaints Register.
- Make up a complaints file and assign a unique reference number.
- Send a written acknowledgement to the complainant of their complaint. This will be sent out within **three working days of receiving the complaint**. In the acknowledgement letter, the complainant will be informed of who the investigating officer is and they will be sent a copy of Age UK Norfolk's Complaints and Adverse Comments Policy and Procedures for their information.

If a formal complaint is received, **it should be date stamped and forwarded immediately** to the CEO. Complaints made face-to-face or by telephone to members of staff should be recorded in writing and forwarded without delay to the Chief Executive and the Finance and Business Performance Manager. Complaints received via an Age UK Norfolk e-mail box must be forwarded without delay to the Chief Executive and the Finance and Business Performance Manager.

Recordkeeping

Once we receive a formal complaint we make up a file to hold all documentation relevant to the complaint. This includes, but is not limited to:

- The complainant's contact details.
- Records of meetings and formal discussions with staff and volunteers as part of the investigation.
- Letters from and to the complainant.

All correspondence sent by the charity to the complainant will be sent first class by recorded delivery.

The Chief Executive and the Finance and Business Performance Manager are responsible for completing forms CC1 and CC2 (attached at the end of this Policy).

ii) Investigation

The Chief Executive, or in her absence the Finance and Business Performance Manager, decides who is responsible for investigating a complaint.

Details of the complaint will be passed to the relevant Manager to investigate the complaint. The Manager/Investigating Officer will review all relevant documentation and carry out interviews with staff and other relevant parties. Interviews with staff should be recorded on the Age UK Norfolk [meeting report template](#) and include the following:

- Who was interviewed and their job title.
- The date that the interview took place.
- Who recorded and wrote up the interview.

A copy of the meeting report will be sent to the Chief Executive and the Finance and Business Performance Manager for filing on the complaint file.

For reasons of confidentiality, the matter will not be discussed with external agencies without the **express consent** of the complainant.

If the relevant Manager is on leave or otherwise absent, it is the responsibility of the Chief Executive, or in her absence the Finance and Business Performance Manager, to investigate or to delegate responsibility for investigating the complaint, to another Head of Department.

The investigating officer will provide a written report of their findings to the Chief Executive and the Finance and Business Performance Manager, who will either:

- Provide a full response to the complainant within 28 days of the complaint being received; or
- Ask the investigating officer to draft a full response to the complainant within 28 days of the complaint being received.

In exceptional circumstances and where a complaint is very complex, more time may be needed to undertake the investigation. The complainant will be informed in writing if more time is required to undertake the investigation.

8. **Stage Three: Appeal Panel**

This stage is used when the complainant is not satisfied with the outcome of stage one.

In such circumstances, the complainant should write to the Chief Executive of Age UK Norfolk at the address below requesting that their case is heard by an Appeal Panel. The request, which should set out the grounds for their appeal, should be made within 28 days of the date shown on the response letter from the investigating officer.

Age UK Norfolk
Henderson Business Centre
51 Ivy Road
Norwich
Norfolk
NR5 8BF

The request can also be e-mailed to the Chief Executive at: complaints@ageuknorfolk.org.uk

The Appeal Panel will normally consist of three people, including at least two members of Age UK Norfolk's Board of Trustees. An independent panel member may be invited onto the panel. One of the three members of the Appeal Panel will act as Chair of the Appeal Hearing.

The Chief Executive or in her absence, the Finance and Business Performance Manager will ensure that arrangements are made with all parties for the appeal to be heard. The complainant will be invited to attend and will be informed that if they so wish they can be accompanied by a family member, friend or representative for guidance and support and/or to present their case.

Providing the complainant lives within 25 miles of Old Catton, the Appeal Hearing, wherever possible, will be held at The Elms Business Space located in Old Catton, Norwich. If the complainant lives further away, the Appeal Hearing will be held at a location within 25 miles of the complainant's home.

Notes will be taken at the Appeal Hearing which will be typed up and placed in the complaint file.

Reasonable expenses will be reimbursed.

9. Conclusion

9.1 Future Learning

As part of future learning, we will use the learning gained from the complaint and the complaint investigation to:

- Make any necessary changes and/or improvements in our policies and procedures.
- Share with relevant staff and volunteers within the organisation.
- Endeavour to avoid a repeat of any errors we might have made.

9.2 Internal Reporting

A report of the complaints and adverse comments received by Age UK Norfolk is presented to the Board of Trustees on an annual basis. The report includes a description of the nature of each complaint, actions taken and any negative or positive trends that are identified. The report also gives statistical information about the adverse comments received and specifies the category/ies that each adverse comment pertains to (catering, facilities, quality of care/staffing and other). All information presented in the annual report is anonymised to protect service users'/customers' identity.

9.3 Recording

All complaints are recorded in writing and monitored.

At the conclusion of the complaint/appeal, the Chief Executive or in her absence, the Finance and Business Performance Manager will oversee the completion of paperwork on the file. This includes completing the "Date expired" once deadlines have elapsed.

In line with the charity's Policy 28 Archive and Filing Policy, complaint files will be archived for 50 years (as from the date they were resolved). They will then be confidentially disposed of.

9.4 Charity Commission

As a registered charity, Age UK Norfolk must fulfil the requirements and expectations laid down by charity law and the Charity Commission can be approached should an individual wish to raise a concern at any time (Age UK Norfolk's Charity Number: 1077097).

10. Serial Complaints

Instances of someone making serial complaints will be dealt with on a case-by-case basis.

11. Other Formats

These policy and procedures can be made available on request in other languages and in other formats such as Braille.

Complainant's Notification (This form is for CEO use only)

Complainant's name:	
Date complaint made and date complaint received:	
Is the complainant complaining on behalf of someone else? Yes or No:	
Complainant's address:	
Complainant's telephone number:	
Complainant's e-mail address:	

Briefly describe the nature of the complaint:

Signature:	
Job title:	
Date:	

Unique reference number:		Investigating officer:	
Date resolved:			

Complaints: Contact Sheet (this form for CEO use only)

File ref no:	
Name of complainant:	
Date complaint received:	
Name of investigating officer:	

Please detail dates and types of significant contact (eg letter, e-mail, telephone call, visit etc).

Date	Type of Contact	Details	Relevant Document Number(s) if applicable	Initials

Page number:

Complaints Relating to Age UK Norfolk's Fundraising

1. Complaints about fundraising undertaken by Age UK Norfolk will be dealt with using the procedures contained in this policy.
2. The Fundraising Regulator is the independent regulator of charitable fundraising. It was established to strengthen the system of charity regulation and restore public trust in fundraising.

One of its key roles is to adjudicate complaints from the public about fundraising practice, where these cannot be resolved by the charities themselves.

3. The Fundraising Regulator states that:

“If someone has a concern about fundraising they should usually first take up their concern with the fundraising organisation. This is because we think it is better to give the organisation an opportunity to respond to complaints before we look at a case.”

4. There is more information on the Fundraising Regulator's website about making a complaint to them which can be done in writing or by completing an online form: <https://www.fundraisingregulator.org.uk/make-a-complaint/complaints/>

Complaints and Referring to External Bodies

There are two organisations that complainants can complain to if they are unsatisfied with Age UK Norfolk services:

a) Norfolk County Council

If the complaint involves an Age UK Norfolk services which is commissioned by Norfolk County Council (NCC), complainants can complain directly to NCC:

- For information about “Adult Care Complaints”, please go to NCC’s website: <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/have-your-say/compliments-and-complaints/adult-care-complaints>

Please note that this section of NCC’s website also sets out where complainants **cannot** make a complaint to NCC eg “*Your complaint has already been considered under the complaints procedure*”.

- For information about making an official complaint to NCC please go to their website and complete the form provided: <https://online.norfolk.gov.uk/complaints/>

b) The Local Government and Social Care Ombudsman

The Local Government and Social Care Ombudsman investigates complaints about adult care services. This is regardless of whether the care is provided by a Council or paid for by the customer/service user privately.

To make a complaint to the Local Government and Social Care Ombudsman please go to their website: <https://www.lgo.org.uk/make-a-complaint>

Please note that the Local Government and Social Care Ombudsman’s says that:

“First complain to the organisation involved to give them a chance to put things right. You should go through all stages of their complaints procedure.”

The Local Government and Social Care Ombudsman’s website provides an online form that can be completed if a complainant wishes to make a complaint. To make a complaint by letter/post, the LGO provides a telephone number that complainants needs to ring to obtain details of how to do this.

