



Fixing the Big Issues for Disabled People in Buckinghamshire

Charity No 1102511

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Complaints

Policy and Procedures

Reviewed and updated – April 2024

Approved by Trustees – July 2024

Date of next review – July 2026

Introduction

1. Buckinghamshire Disability Service (BuDS) views feedback and complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person or organisation that has made the complaint.
2. Our policy is:
 - To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a non-vexatious complaint
 - To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint
 - To make sure everyone at BuDS knows what to do if a complaint is received
 - To make sure all non-vexatious complaints are investigated fairly and in a timely way
 - To make sure that non-vexatious complaints are, wherever possible, resolved and that relationships are repaired
 - To gather information which helps us to improve what we do

3. Definition of Feedback and a Complaint

- a. Feedback is any information, good or bad, received from anyone about any aspect of Buckinghamshire Disability Service (BuDS) or its work, eg post-event comments. Feedback is always acted upon, but not necessarily within the terms of this policy.
- b. A complaint is a bona fide expression of dissatisfaction, whether justified or not, about any aspect of Buckinghamshire Disability Service or its work where the complainant would like a response or for BuDS to change something. Complaints may come from any person or organisation that has a legitimate interest in BuDS, for example our members, partners, donors and members of the local community. A complaint can be received verbally, by phone, by email or in writing.
- c. A vexatious complaint is one which maliciously or wilfully exaggerates or feigns dissatisfaction with BuDS or its work in order to satisfy a personal vendetta or further a campaign to discredit or impugn BuDS or to suppress or discourage its work.

4. Confidentiality

All feedback and complaint information will be handled sensitively, telling only those who need to know and following any relevant data protection and information security requirements.

5. Responsibility

Overall responsibility for this policy and its implementation lies with the board of trustees.

6. Making a complaint

Publicised Contact Details for Complaints:

Written complaints may be sent to Buckinghamshire Disability Service via email using the contact details in **Appendix 2**.

Spoken complaints may be made by phone or in person. While anyone at BuDS may initially receive a spoken complaint, they shall refer the complainant as soon as possible to a designated person whose responsibilities include receiving spoken complaints. This may involve taking the complainant's details so that a designated person can call them back. Hints on dealing with spoken complaints can be found at **Appendix 1**

7. Receiving Complaints

Complaints may arrive through channels publicised for that purpose or through any other contact details or opportunities the complainant may have.

Complaints received by telephone or in person need to be recorded. The person who receives a phone or in person complaint should take the complainant's name, e-mail address and/or telephone number so that a designated person can contact them. If the complainant declines to give contact details, they should be asked to send a written complaint.

8. Resolving Complaints – Stage One

In many cases, a complaint is best resolved by the person responsible for the issue being complained about. If the complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate.

Whether or not the complaint has been resolved, the complaint information should be passed to the designated post-holders (Secretary or Chairman) within 10 working days. If you are unsure who to contact, then you should contact the Secretary. On receiving the complaint, the post holder will record it in the complaints log.

Occasionally, a complaint may be received which is expressed in highly abusive or offensive language or which uses such incoherent or bizarre terms that it does not appear to make sense. Such complaints must be courteously received, recorded and passed to the designated postholders, but the postholders may at their discretion decide to take no further action on the complaint beyond recording it.

Sometimes, complaints will be received which appear to maliciously or wilfully exaggerate or feign dissatisfaction with BuDS or its work. This is sometimes done in order to satisfy a personal vendetta or further a campaign to discredit or impugn BuDS or to suppress or discourage its work. Where this appears to be the case, the designated post-holders will carefully consider whether or not the complaint is a vexatious complaint rather than one which expresses an honest and bona fide dissatisfaction with BuDS' work. If the post-holders both agree that the complaint is vexatious, they shall courteously acknowledge the complaint but take no further action on it beyond recording it.

If the complaint has not already been resolved, the postholders will then delegate an appropriate person to investigate it and to take appropriate action.

If the complaint relates to a specific person within BuDS, they should be informed and given a fair opportunity to respond.

Complaints should be acknowledged by the person handling the complaint within a week. The acknowledgement should say who is dealing with the complaint and when the person complaining can expect a reply. A copy of this complaints procedure should be attached.

Ideally complainants should receive a definitive reply within a month. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is justified or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

Resolving Complaints – Stage Two

If the complainant feels that the problem has not been satisfactorily resolved at Stage One, they can request that the complaint is reviewed at Board level. At this stage, the complaint will be passed to the Chair.

The request for Board level review should be acknowledged within ten days of receiving it. The acknowledgement should say who will deal with the case and when the complainant can expect a reply.

The person who receives Stage Two complaints may investigate the facts of the case themselves or delegate a suitably senior person to do so. This may involve reviewing the paperwork of the case and speaking to the person who dealt with the complaint at Stage One.

If the complaint relates to a specific person, they should be informed and given a further opportunity to respond.

The person who dealt with the original complaint at Stage One should be kept informed of what is happening.

Ideally complainants should receive a definitive reply within four weeks. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is upheld or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

The decision taken at this stage is final, unless the Board decides it is appropriate to seek external assistance with resolution.

9. Resolving Complaints – External Review

If the complainant does not deem the decision to be justified they may ask the Trustees to refer the matter to a person unconnected with BuDS so that person can take an independent look at the matter. The Trustees have discretion in this matter.

Ideally complainants should receive a definitive reply within four weeks. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is upheld or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

The Trustees will normally follow the independent person's advice unless there is a compelling or legal reason not to do so.

The decision taken at this stage is final.

10. Charity Commission and Fundraising Standards Board

Charity Commission

The complainant can complain to the Charity Commission at any stage. However, the Commission will not normally investigate a complaint until BuDS' internal complaints procedure has finished.

Information about the kind of complaints the Commission can involve itself in can be found on their website at: www.charitycommission.gov.uk/publications/cc47.aspx

Fundraising Regulator

If a complaint is about BuDS' fundraising activities and we are unable to resolve it to the complainant's satisfaction, they can ask the **Fundraising Regulator**, the self-regulator for fundraising in the UK, to consider it by:

- submitting their complaint through the Fundraising Regulator website www.fundraisingregulator.org.uk
- calling – 0300 999 3407, or
- writing to Fundraising Regulator, 2nd Floor, CAN Mezzanine, 49-51 East Road, London, N1 6AH, although this does take longer.

BuDS is a member of the Fundraising Regulator and we agree to abide by its decisions. Please note that the Fundraising Regulator can only consider complaints about fundraising activities which are received by them within 2 months of the end of BuDS' final response to the complaint.

The Fundraising Standards Board will investigate any complaint within their jurisdiction and aim to complete investigations within **13 weeks** of receiving the complaint.

11. Procedure Variations and Monitoring

Variation of the Complaints Procedure

The Board may vary the procedure for good reason. This may be necessary to avoid a conflict of interest, for example, a complaint about the Chair should not also have the Chair as the person leading a Stage Two review.

Monitoring and Learning from Complaints

Complaints are reviewed annually to identify any trends which may indicate a need to take further action. The forms at the end of this document are used for this.

Appendix 1 – Practical Guidance for Handling Verbal Complaints

- Remain calm and respectful throughout the conversation
- Listen - allow the person to talk about the complaint in their own words.
- Sometimes a person just wants to "let off steam"
- Don't debate the facts in the first instance, especially if the person is angry
- Show an interest in what is being said
- Obtain details about the complaint before any personal details
- Ask for clarification wherever necessary
- Show that you have understood the complaint by reflecting back what you have noted down
- Acknowledge the person's feelings (even if you feel that they are being unreasonable) - you can do this without making a comment on the complaint itself or making any admission of fault on behalf of the organisation e.g "I understand that this situation is frustrating for you"
- If you feel that an apology is deserved for something that was the responsibility of your organisation, then apologise
- Ask the person what they would like done to resolve the issue
- Be clear about what you can do, how long it will take and what it will involve
- Don't promise things you can't deliver
- Give clear and valid reasons why requests cannot be met
- Make sure that the person understands what they have been told
- Wherever appropriate, inform the person about the available avenues of review or appeal

Appendix 2 – Contact Details

The Board of Trustees of Buckinghamshire Disability Service has appointed the following people to whom feedback or complaints should be reported:

The Secretary - Felicity Amswych:

Email: secretary@buds.org.uk

The Chair - Andrew Clark:

Email: chair@buds.org.uk

Letters should be sent to:

Buckinghamshire Disability Service
c/o BP Collins
20 Station Road
Gerrards Cross
SL9 8EL

Our voicemail service is available for people wishing to phone us and will be responded to as soon as possible:

01494 211179

7. Complaint Form

To be completed by a Post Holder

Name of Organisation: *Buckinghamshire Disability Service*

Name of Post Holder taking the complaints:

Dates of Complaints

Date Complaint Received:

Date Complaint Acknowledged:

Details of Complainant:

Salutation:

First Name:

Surname:

Address:

Postcode:

Telephone

E-Mail:

Details of Complaint

Please attach letters from the complainant, dates and any other material that may be relevant to this case (for example, promotional campaign literature)

Signed (Post holder):

Date:
