

# **BHEST TOGETHER COMPLAINTS POLICY AND PROCEDURE**

Purpose: To establish the BHEST TOGETHER policy and procedure for handling and responding to complaints and comments from service users and other stakeholders that relate to more than one of the delivery partners named in the BHEST Together collaboration namely RISE, CGL and Survivors' Network

Applies from: August 2017

Review date: July 2019

Applies to: BHEST TOGETHER Service Users, Stakeholders and Partners where the complaints relates to more than one member of the BHEST Together collaboration

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## **PART ONE – STATEMENT OF PRINCIPLES**

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### **PART ONE: BHEST TOGETHER Complaints Policy**

BHEST TOGETHER views complaints as an opportunity to learn and improve as well as a chance to put things right for the person or organisation that has made the complaint.

#### **Definition of a Complaint:**

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of the Portal service delivery where it relates to two or more delivery partners or where the complainant isn't sure which part of the Portal is responsible for their dissatisfaction or concern.

Staff across all BHEST Together delivery organisations will operate within the wide definition of the word 'complaint' including all expressions of concerns, grumbles, dissatisfaction, fears, anxieties or worries about services or treatment by staff, volunteers or members of the Boards of Directors.

Complaints can be in writing or verbal.

Complaints may relate to but not be restricted to:

- An unwelcome or disputed decision
- Poor quality of service
- Appropriateness of service
- Behaviour of staff
- Poor communication
- Inaccurate information
- Delays in decision making
- Accessibility of service

### **Where Complaints Come From:**

Complaints may come from any person or organisation that has a legitimate interest in the Portal service delivery including: service users, stakeholders, partners and donors.

A complaint can be received verbally, by telephone, by email or in writing.

This policy does not cover complaints from staff. Staff will refer to their organisations' Grievance procedure.

### **Confidentiality:**

All complaint information will be handled sensitively, telling only those who need to know, recognising our 'duty of care' to staff/service users and following data protection regulations.

### **Responsibility:**

Overall responsibility for this policy and its implementation lies with RISE Board of Trustees with day to day delegation of authority to the RISE CEO.

Each BHEST Together delivery partner agrees to fully cooperate with the policy and procedures.

## **AIMS AND PRINCIPLES**

1. BHEST TOGETHER delivery partners will encourage complaints and comments about Portal services to improve the experience and quality of service.
2. Complaints and comments are viewed positively and are used to improve the range and quality of service delivery.

3. BHEST TOGETHER will provide clear information on how to voice a complaint / comment.
4. Complaints may not always be clearly flagged as such by the complainant and it is the responsibility of the staff member to recognise when a complaint is being made and that this policy applies.
5. Those making complaints and comments will be treated respectfully, courteously and with due regard to ensuring they are not disadvantaged as a result of their complaint / comment.
6. Those making complaints and comments should be supported to voice their concerns in ways appropriate to their needs (communication preferences; level of understanding; mental health needs etc.) and consistent with Trauma Informed Principles.
7. Complaints and comments will be handled sensitively with regard for the 'duty of care' we owe to staff/volunteers and service users including our safeguarding responsibilities, and in-line with data protection principles.

## **PROCEDURE**

### **Part Two – Complaints Procedure**

#### **Applying this procedure**

Each BHEST Together Delivery Partner will have an up-to-date complaints policy and procedure.

Where a complaint can be clearly deemed to be about an individual delivery partner's function, that delivery partner's complaints system will apply. Where a complaint cannot be clearly deemed to be about an individual delivery partner's function, the BHEST Together policy and procedure will apply. The BHEST Together Partnership Steering Group will convene a complaints sub-group of not less than the RISE CEO, another RISE Senior Manager and not less than one senior officer representative of each delivery partner organisation. Additional members may be agreed.

This sub-group will be convened by RISE (in person or virtually) within 5 working days of receipt of the complaint to review the complaint and agree lead officers for each stage of the procedure.

## **Publicised Contact Details for Complaints:**

Written complaints may be sent to Portal Complaints at PO Box 889, Brighton, Sussex, BN2 1GH or handed in at any Portal delivery service or sent by e-mail to [complaints@theportal.org.uk](mailto:complaints@theportal.org.uk)

Verbal complaints may be made by phone to 0300 323 9985 or in person to any of the Portal delivery partners staff, volunteers or trustees at our offices or any location where the Portal operates.

## **Receiving Complaints:**

Complaints may arrive through channels publicised for that purpose or through any other route into Portal services.

Complaints received by telephone or in person should be recorded. The person who receives a telephone or in person complaint will:

- Write down the facts of the complaint
- Take the complainant's name, address and telephone number
- Note down the relationship of the complainant to BHEST TOGETHER (for example: service user, partner)
- Tell the complainant that we have a complaints procedure
- Tell the complainant what will happen next and how long it will take
- Where appropriate, ask the complainant to send a written account by post or by email so that the complaint is recorded in the complainant's own words.

If the above process is not appropriate due to e.g. the age of the complainant, specific communication needs or preferences, mental health needs etc., the process should be communicated using agreed alternative means and the content recorded appropriately.

If a complaint relates to or raises safeguarding concerns then the relevant organisations policy and procedure i.e. Safeguarding Children or Adult Safeguarding Policy should be followed alongside the Complaints Policy, with the appropriate Safeguarding Policy taking precedence where appropriate.

## **Resolving Complaints:**

The BHEST TOGETHER procedure has three stages:

## ***Stage One – Resolution and Investigation by Staff Member / Manager***

Stage 1 – Problem solving and investigation where the named manager and/or staff member of the service involved discuss the problem with the complainant, gather information and actively attempt to resolve matters. The complainant will be offered an opportunity to meet with the view to resolving the complaint.

A written response is then (usually) given – if this is not appropriate the response should be given in an alternative manner and the reasons for this recorded alongside the content of the communication.

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 will do so if possible and appropriate.

Whether or not the complaint has been resolved, the complaints information will be passed to the appropriate Manager within one week who will record this on the Portal complaints log.

If the complaint has not already been resolved, the Manager either investigates or delegates an appropriate person to investigate and to take appropriate action in line with this policy and procedure. The investigator will speak to all relevant people starting with the complainant and record their input, and review case notes and any other relevant information.

If the complaint relates to a specific member of staff / volunteer, they will be informed and given an opportunity to respond.

Complaints will be acknowledged in writing or agreed alternative means by the person handling the complaint within one working week of receipt. The acknowledgement will say who is dealing with the complaint; offer a face-to-face meeting and when the person complaining can expect a reply. A copy of this complaints policy and procedure will be provided.

Complainants will usually receive a definitive reply within four working weeks and will be offered to receive the outcome in person. If this is not possible because for example, an investigation has not been fully completed, a progress report will be sent within four working weeks with an indication of when a full reply will be given.

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

## ***Stage Two – Investigation by CEO / Senior Officers***

Stage 2 – If the complainant is not satisfied with the outcome, the Chief Executive Officer of RISE or their delegated senior manager and (a) senior officer(s) from one other BHEST TOGETHER delivery partner organisations reviews information gathered, initiates further investigation of the situation and responds to the complainant.

If the complainant feels that the problem has not been satisfactorily resolved at Stage One, they can request that the complaint is reviewed at CEO /Senior Manager level. At this stage, the complaint will be passed to the RISE CEO who will decide who will handle it. RISE CEO will ask each delivery partner to nominate an investigation officer.

The request for CEO level review will be acknowledged in writing within one working week of receipt.

The acknowledgement will say who will deal with the complaint and when the complainant can expect a reply.

The CEO may investigate the facts of the case themselves or delegate a suitable senior person to do so alongside the nominated investigating officer from the delivery partner involved in the complaint. This may involve reviewing the paperwork of the case and speaking with the person who dealt with the complaint at Stage One. The complainant will also be offered the opportunity to meet face-to-face.

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

Complainants will usually receive a definitive reply within four working weeks and will be offered the opportunity to hear the outcome face-to-face. If this is not possible because for example, an investigation has not been fully completed, a progress report will 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 will describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

## ***Stage Three – Investigation by the Rise Board of Directors with delivery partner Board Members or Regional Director of CGL***

Stage 3 – Where the complainant is not satisfied with the outcome, consideration by the RISE Board of Directors with members of BHEST TOGETHER delivery partner organisations Board or the Regional Director of CGL.

Where the complainant is still not satisfied the complaint will be referred to the RISE Chair of the Board of Directors.

The request for Chair level review will be acknowledged in writing within one working week of receipt.

The acknowledgement will say who will deal with the complaint and when the complainant can expect a reply.

The Chair or another Trustee, alongside the nominated person from the delivery partner involved will investigate and respond within four working weeks. The Board will review the decision of the CEO and decide whether to uphold this decision or not. The decision taken at this stage is final, unless the Board decides it is appropriate to seek external assistance with resolution.

### ***External Stage***

If the complainant is not satisfied with the internal findings or process they may make a complaint to the Commissioner of the BHEST Together service who will investigate in line with the service contract terms and conditions.

In the case of complaints that relate to commissioning issues, i.e. to do with service availability/restriction, type of service offered etc., it may be appropriate to refer the complainant directly to the Commissioners from Stage One onwards. Investigating managers should consult with the relevant senior manager for guidance making this decision.

The complainant may request investigation by the relevant ombudsman (Charity Commission, Women's Aid Federation England, Fundraising Standards, Housing Ombudsman, Advertising Standards or other appropriate Independent Ombudsman) and can complain to the Charity Commission at any stage. Information about the kind of complaints the Charity Commission can involve itself in can be found on their website at: [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk) or via the Helpline (available 9am to midday, Monday to Friday) 0300 066 9197.

### **Variation of the Complaints Procedure:**

The RISE Board and BHEST Together Steering Group may vary the procedure to avoid a conflict of interest or to allow sufficient time/resource to conduct the investigation.

## **Complaints management and Escalation:**

All complaints in respect of the arrangements between delivery partners will be referred to RISE Programme Manager or her delegated officer in the first instance, who will promptly log the complaint on to the BHEST Together complaints system.

The Delivery Partners must at all times comply with the relevant regulations for complaints and the DVA and SVA Contract.

If a complaint is received by the Authority about the standard of the provision of the Services or about the manner in which any of the Services have been supplied or work has been performed or about the materials or procedures used or about any other matter connected with the performance of the BHEST TOGETHER's obligations, then the Authority may take any steps it considers reasonable in relation to that complaint, including investigating the complaint and discussing the complaint with BHEST TOGETHER, and any Regulatory Body. Without prejudice to any other rights the Authority may have under the Contract, the Authority may, in its sole discretion, uphold the complaint and take any action specified in clause B28 (Default and Failure to Supply). The Authority will, in the first instance, refer the complaint to the Provider's internal complaints procedure. (P.15, B17. Brighton and Hove City Council Contract for the Provision of Services addressing Domestic Violence & Abuse and Rape, Sexual Violence and Abuse, 22 December 2015).

Complaints are logged on the BHEST Together Complaints log, reported on to commissioners of services, and are reviewed annually to identify and act on trends. All complaints shall be recorded and reported on a quarterly basis at the end of each quarter.