Complaints Policy

Introduction

This document outlines WAYS FOR WELLBEING UK CIC commitment to managing complaints in relation to the service provided by WAYS FOR WELLBEING UK CIC. It also provides information about how we manage, respond to and learn from complaints made about our services. We recognise that occasionally service users, volunteers, donors, etc and their representatives may be dissatisfied or concerned about their interactions with the organisation or the services it provides, and we hope that problems can be reconciled between the parties concerned. If not, we will manage any complaint promptly, thoroughly, impartially and sympathetically as per the details and procedures contained within this document. All complaints will be dealt with in strict confidence.

We will treat complaints seriously and ensure that complaints, concerns and issues raised by service users, volunteers, donors, etc and their representatives are properly investigated in an unbiased, non-judgemental, transparent, timely and appropriate manner. The outcome of any investigation, along with any resulting actions will be explained to the complainant by the investigating officer, see Appendix 1 for list of officers.

Our policy aims to consider the key issues when addressing a complainant1 needs, these include:-

- provide a fair complaints procedure which is clear and easy to use.
- ensure the Organisation's complaints procedure is freely available so that people know how to make a complaint.
- ensure that all complaints are investigated in a timely manner.
- make sure that all complaints are, wherever possible, resolved quickly, fairly and effectively and that relationships are repaired.
- provide the complainant with step-by-step instructions how to complain.
- provide a fair complaints procedure ensuring the complainant feels their complaint is being dealt with seriously.
- ensuring the complainant understand that their concerns will be investigated, and they will be informed of the findings of that investigation.
- that the Organisation will learn from complaints, feedback and praise and apply those lessons whilst also learning from and sharing best practice.

WAYS FOR WELLBEING UK CIC are happy to receive a complaint through an advocate or representative, if they know the full details relating to the case. If someone else writes the complaint on the complainant's behalf the complainant should sign the report to confirm that the contents are accurate and true.

Policy Statement

Everyone has the right to expect a positive experience and a good treatment outcome. In the event of a concern or complaint, young people and their parents or responsible adult have a right to be listened to and to be treated with respect. Service providers should manage complaints properly, so customers' concerns are dealt with appropriately. Good complaint handling matters because it is an important way of ensuring customers receive the service they are entitled to expect. Complaints are a valuable source of feedback; they provide an audit trail and can be an early warning of failures in service delivery. When handled well, complaints provide an opportunity to improve service and reputation.

The policy aims to offer redress to substantiated complaints and to enable WAYS FOR WELLBEING UK CIC to revise and review practices and correct any shortcomings that are within our control in response to concerns.

We will ensure that service users, volunteers, donors, etc and their representatives can seek advice, provide feedback or make a complaint about the services we deliver or the policies, guidelines etc we have developed and implemented.

An effective complaints management system is a proven way of maintaining and building relationships with the service users, volunteers, donors, etc and their representatives of WAYS FOR WELLBEING UK CIC. Handling complaints transparently and well:-

- Demonstrates WAYS FOR WELLBEING UK CIC's commitment to our service users, volunteers, donors, etc and their representatives and others.
- Demonstrates WAYS FOR WELLBEING UK CIC's commitment to providing the best possible service.
- Helps WAYS FOR WELLBEING UK CIC to find out about problems so we can fix them.
- Helps WAYS FOR WELLBEING UK CIC learn by its mistakes and prevent the same issue happening in the future We recognise that whilst a few complaints may be vexatious and / or unfounded, the majority are made because the person making the complaint actually cares about WAYS FOR WELLBEING UK CIC and the services it provides / delivers. We understand that a person's perceptions cannot be wrong. We will respond to how a

person has perceived the situation; it is far better to receive a complaint, handle it well and thereby ensure a happy supporter / service user, then to lose donors / service users, volunteers, donors, etc by not taking their concerns seriously. Without complaints we can often fail to appreciate our own shortcomings, so they are an important part of our operations.

Aims and Objectives

- We aim to provide a service that meets the needs of our service users, and we strive for a
- high standard of care.
- We welcome suggestions from service users and from our staff and volunteers about the safety and quality of service, and care we provide.
- We are committed to an effective and fair complaints system; and
- We support a culture of openness and willingness to learn from incidents, including complaints.

Definition of a complaint or concern

A complaint or concern is an expression of dissatisfaction about an act, omission or decision of WAYS FOR WELLBEING UK CIC, either verbal or written, and whether justified or not, which requires a response. The British Standard (BS8543) definition of a complaint is "an expression of dissatisfaction whether justified or not". It can be further defined as "an expression of dissatisfaction, written (by post or email) or verbal (by telephone or face to face) which requires investigation, action (where appropriate) and / or follow up verbally or in writing" Reasons for making a complaint might include:-

- a failure of an activity, service or system which affects an individual or a group of people, causing inconvenience, upset or loss.
- marketing / fundraising material, which is misleading, inaccurate or has caused upset or offence.
- personal contact with a WAYS FOR WELLBEING UK CIC employee or representative which was inaccurate or misleading or which has caused upset or offence.

Who can make a complaint?

A complaint may be made by the person who is affected by the action, or it may be made by a person acting on behalf of the service user, in any case where that person:-

- is a child (an individual who has not attained the age of 18)

in the case of a child, WAYS FOR WELLBEING UK CIC must be satisfied that there are reasonable grounds for the complaint being made by a representative of the child, and furthermore that the representative is making the complaint in the best interests of the child.

• has died.

in the case of a person who has died, the complainant must be the personal representative of the deceased.

WAYS FOR WELLBEING UK CIC needs to be satisfied that the complainant is the personal representative, and we may request evidence to substantiate the complaint's claim to have the right to make such a complaint.

• has physical or mental incapacity or in the case of a person who is unable by reason of physical capacity, or lacks capacity within the meaning of the Mental Capacity Act 2005, to make the complaint themselves, WAYS FOR WELLBEING UK CIC needs to be satisfied that the complaint is being made in the best interests of the person on whose behalf the complaint is made.

• has given consent to a third party acting on their behalf o in the case of a third party pursuing a complaint on behalf of the person affected,

WAYS FOR WELLBEING UK CIC will require the following information:-

♣ name and address of the person making the complaint.

♣ name and either date of birth or address of the affected person, and

♣ contact details of the affected person so that WAYS FOR WELLBEING UK CIC can contact them for confirmation that they consent to the third party acting on their behalf via a Subject Access Request The above will be documented in the complaint log and confirmation will be issued to both the person making the complaint and the person affect.

• has delegated authority to act on their behalf, for example in the form of a registered Power of Attorney

• is an MP, acting on behalf of and by instruction from a constituent If the investigating officer and / or CHAIR is of the opinion that a representative does or did not have sufficient interest in the person's welfare, or is not acting in their best interests, we will notify that person in writing.

Complaints that cannot be dealt with under this policy

The following complaints will not be dealt with under this policy:-

- a complaint made by an employee about any matter relating to their employment.
- a complaint, the subject matter of which has previously been investigated under these or previous policies and / or guidelines.
- a complaint which is made orally and resolved to the complainant's satisfaction no later than the next working day.
- a simple request for removal from any of WAYS FOR WELLBEING UK CIC's databases
- a request for other data markers to be removed or corrected.
- a change of address
- a comment or remark with no response expected / required.

How to complain

A complaint can be made using the following contact details:-

- By email:- info@waysforwellbeing.com
- By post: WAYS FOR WELLBEING UK CIC. 79 Webb Lane Hall Green Birmingham B28 0ED

We will endeavour to make the necessary reasonable adjustments in order to receive, investigate and respond to any complaint.

Informal Complaints

If an informal complaint is made (i.e. verbally, bringing an issue to our attention but not wanting to make a formal complaint), we will respond verbally within seven working days, either in a face-to-face meeting or telephone conversation.

This will be recorded for our records, but we will not give a written response.

All formal complaints will receive a full, written response, as detailed in this document. In either case, complaints will be taken seriously and dealt with swiftly.

The complaint process

Stage 1

A complaint can be communicated to WAYS FOR WELLBEING UK CIC by any channel including telephone, mail, email, social media or in person.

On receiving a complaint, by whatever means, this will be recorded by way of the complaint recording form, detailed in appendix 1, the individual receiving the complaint will request supporting evidence from the complainant and pass the complaint form onto investigating officers for them to (i) detail the complaint on WAYS FOR WELLBEING UK CIC's complaint log, (ii) allocate an investigating officer as detailed in appendix 2 and (iii) where applicable notify the relevant line manager.

The log entry will include the name and contact details of the complainant and their relationship with WAYS FOR WELLBEING UK CIC (e.g. service user, donor, event participant, customer or volunteer) together with details of the nature of their complaint and the date of the incident giving rise to the complaint.

The investigating officer will write to the complainant to acknowledge the complaint no later than five working days after the day the complaint is received (the acknowledgement will usually be in writing but can be verbally in some circumstances although this should be the exception rather than the norm).

The acknowledgement will detail:-

- Handling of the complaint
- Timescales for responding.
- Methodology of the investigation
- How the outcome of the investigation will be informed to the complainant

The investigating officer will investigate the complaint and issue a formal response within 28 working days of the complaint being received.

The complainant will be asked, if necessary, for consent for WAYS FOR WELLBEING UK CIC to handle the complaint in the event that the complaint requires input or investigation from parties or organisations outside of WAYS FOR WELLBEING UK CIC, e.g. where matters involving fraud or criminal activities, the Police will be informed without need for consent.

The investigating officer will capture relevant information about the case and ensure this is accurately recorded, including any necessary data collection.

The complainant can expect that:-

- they will be kept up to date with the progress of their complaint.
- if a case has passed the 30-working day target (or the timescale agreed with the complainant is different), the complainant (and advocate if relevant) should receive an update every 10 working days thereafter the target has been surpassed. This could be by telephone, email or letter, the format should be agreed with the complainant.
- they will receive a quality response with assurance that action has been taken to prevent a recurrence if the complaint is found to merited.
- they will be informed of any learning.

WAYS FOR WELLBEING UK CIC's response to a complainant will be wherever possible by the complainant's preferred method of communication (email correspondence will only be responded to by email when the complainant has expressly requested this as their method of communication and security measures will be implemented in line with WAYS FOR WELLBEING UK CIC's policy/s to protect personal information sent via email).

Once the investigating officer has concluded the report, a summary of the findings, the outcome and learnings will be sent to the complainant, will including information on the next stages of the complaint's procedure should the complainant wish to take matters further.

Where complaints involve more than one organisation, the investigating officer will lead discussions between the organisations concerned, in relation to the most appropriate organisation to take the lead in coordinating the complaint and communicating with the complainant if the complaint is to be considered as one. It is possible that each organization will handle its part of the complaint separately.

Where a complaint involving several organisations is to be processed jointly, written consent will be sought from the complainant before sharing or forwarding a complaint to another body.

As soon as it is reasonably possible after completing the investigation, and within the timescale agreed with the complainant, WAYS FOR WELLBEING UK CIC will send a formal response in writing to the complainant which will be signed by the investigating officer.

The response will include:-

- an explanation of how the complaint has been considered.
- an apology if appropriate

- an explanation based on facts.
- whether the complaint in full or in part is upheld
- the conclusions reached in relation to the complaint including any remedial action that the organisation considered to be appropriate.
- confirmation that the organisation is satisfied any action has been or will be actioned.
- information and contact details of the Directors (Board) as the next stages of the process, if the complainant is not satisfied with the answer. A key consideration is to ensure that each case is treated according to its individual nature with a focus on satisfactory outcomes, organisational learning and those lessons which should lead to service improvement.

WAYS FOR WELLBEING UK CIC is committed to quality responses and hopes at this point the issue will have been satisfactorily resolved for all parties concerned. However, if the complainant is dissatisfied with the response or with the way the complaint has been handled, the response will make clear that they should then contact WAYS FOR WELLBEING UK CIC again, details of this is included in Stage 2 below.

If at any time during the complaint process the complainant or their representative or advocate decides they would like to withdraw the complaint this request can be made either verbally or in writing. The withdrawal of a complaint will be acknowledged in writing.

WAYS FOR WELLBEING UK CIC is committed to resolving complaints and therefore will carry out regular reviews of complaints handled.

Stage 2

If the complainant is unhappy with the outcome of the investigation and final outcome, they may at this stage escalate the complaint to WAYS FOR WELLBEING UK CIC's Board, with copies of all correspondence and case documentation.

The Board will then decide whether or not to uphold the response of the investigating officer.

Within 10 days the Board will write to the complainant with their final decision and the reasons for it. Whether the complaint is upheld or not, the reply to the complainant should describe what action will be taken as a result of the complaint.

If the complainant is still not happy, then the case may be escalated to Stage 3, detailed below, and the complaint should be informed that this is the case.

Stage 3

At this stage, the complaint will be escalated to the an External Complaints Handling Subsidiary with copies of all correspondence and case documentation.

The External Complaints Handling Subsidiary will consider all the facts afresh and then decide what the final response of WAYS FOR WELLBEING UK CIC will be.

Within 10 days External Complaints Handling Subsidiary will write to the complainant with this final decision and the reasons for it.

This decision will be final. However, the complainant may contact The Office of the Regulator of Community Interest Companies for further advice if they are still unhappy.

Handling Verbal Complaints

If the complaint has been made verbally but face to face, the complainant should be given a copy of their verbal statements (which will be handwritten and signed by the individual receiving the complaint and the complainant) which is considered the formal complaint and asked to confirm that it represents the issues they wish to raise. If the complaint has been made over the phone, this can be quite difficult for the complainant and the recipient of the call.

WAYS FOR WELLBEING UK CIC will aim to:-

- Remain calm and respectful throughout the conversation.
- Listen – allowing the complainant to "let off steam" in their own words, though WAYS FOR WELLBEING UK CIC will not accept abusive language.
- Not enter into a debate or discussion about the merits of the complaint
- Show an interest.
- Ask for clarification, if needed
- Show that WAYS FOR WELLBEING UK CIC has understood the complaint by confirming it back.
- Acknowledge the strength of feeling of the complainant without forming a judgment about its merits before it has been investigated.
- If it is obvious that an apology is warranted, then WAYS FOR WELLBEING UK CIC will apologise.
- Ask the person what they would like done to resolve the issues, we cannot though make promises the same will be met.
- Be clear about the procedure, how long it will take and what is involved.

- Not promise anything that cannot be delivered.
- Thank the person for taking the time to contact WAYS FOR WELLBEING UK CIC and stress how seriously we treat all feedback confidentially.

How complaints will be recorded and used constructively

Keeping clear and accurate records of complaints is important and these should be retained for a period of six years.

All complaints WAYS FOR WELLBEING UK CIC receive must be recorded in a Complaints log which will include:-

- Date complaint received.
- Date of incident complained of
- Brief description of incident
- Preferred method of contact
- Nature / category of complaint
- Date investigation concluded.
- Outcomes, actions or learnings

Monitoring and reporting

A summary of the log will be reviewed periodically by WAYS FOR WELLBEING UK CIC Board, which will detail:-

- Numbers of complaints received in a twelve-month period.
- Numbers of complaints received considered to be based on solid evidence or good reasons (complaints upheld)
- Nature and extent of complaints / key themes that the complaints have raised.
- Actions taken, or being taken, to improve services as a result of the complaints made.
- Lessons learnt and action taken.
- Number of cases which WAYS FOR WELLBEING UK CIC has considered and which have been referred to WAYS FOR WELLBEING UK CIC Commission / Fundraising Regulator
- Praise and other feedback and how that information has been shared WAYS FOR WELLBEING UK CIC will always engage with complaints constructively and aim to make necessary improvements or put in place required training in order to prevent similar issues occurring in the future.

Confidentiality

Complaints will be handed in the strictest of confidence in accordance with WAYS FOR WELLBEING UK CIC's Data Protection Policy and will be kept separately to service user records. Care will be taken that information should only be disclosed to those who have a demonstrable need to have access to it.

Suitable arrangements are in place for the handling of service user identifiable data to meet the compliance of the Data Protection Act 2018 and other legal obligations such as the Human Rights Act 1998 and the common law duty of confidentiality.

Confidentiality will be maintained in such a way that only the investigating officer and employee/s who are part of the investigation will know the contents of the case. Any employee/s disclosing information to others who are not directly involved in the complaint will be dealt with under disciplinary procedures.

Consent

There is an expectation that when capturing consent for the use and sharing of information, that the service user has made an informed decision and clearly understands the processing and potential sharing of their information. Staff must also understand the expectations of confidentiality that the information is provided under.

Information will not be disclosed to third parties unless the complainant or appropriate authorised party who has provided the information has given consent to the disclosure of that information. Consent should be pursued. If by the 30th working day consent to involve third party in order to investigate the complaint has not been received, the complaint should be closed and categorized as a concern only.

Exceptions to the policy

There may be circumstances in which information disclosure is in the best interests of the service user, or the protection, safety or wellbeing of a child or vulnerable adult. In these circumstances, a complaint will be escalated as necessary in line with WAYS FOR WELLBEING UK CIC's Safeguarding policies and procedures.

Any allegations of fraud or financial misconduct should be referred to WAYS FOR WELLBEING UK CIC's Board.

Safeguarding

The WAYS FOR WELLBEING UK CIC's Safeguarding policy identifies the key elements of safeguarding to support those working in WAYS FOR WELLBEING UK CIC, and

forms part of WAYS FOR WELLBEING UK CIC's complaints management and review system.

It may be necessary to identify if any of the following elements are evident in the complaint or supporting information: -

- Safeguarding concerns to the person, to include their ability to manage their daily living.
- Safeguarding concerns regarding the behaviour of a professional to a service user
- Safeguarding concern regarding the behaviour of the person / complainant to WAYS FOR WELLBEING UK CIC staff

All investigating officers must have an up to date (last 3 years) DBS check.

WAYS FOR WELLBEING UK CIC has a blanket policy in place that all employees, volunteers and Trustees have DBS checks (basic and enhanced) as part of their recruitment on boarding, as defined within the Recruitment and Selection policy.

The Safeguarding Policy will aid those undertaking any form of participation or engagement with complainants. The investigating officer is responsible for ensuring that all staff involved in the investigation have access to the Safeguarding Policy.

WAYS FOR WELLBEING UK CIC has a recognised Safeguarding Lead; guidance and support should be sought from the Safeguarding Lead as required.

An appropriate summary of any action or escalation in respect of safeguarding upon receipt of a complaint / concern or at any stage of the process should be recorded to ensure all staff who handles the complaint are aware.

The majority of contact with WAYS FOR WELLBEING UK CIC complainants is via telephone, email or post. However, there may be either planned or unscheduled meetings face to face with complainants and appropriate measures need to be in place to support staff.

The open office plan is not considered a suitable space appropriate for meeting complainants. If a complainant makes an unscheduled visit to any WAYS FOR WELLBEING UK CIC work space / offices it is important that upon being made aware of their arrival, a check should be made to see if there are any available meeting room/s, and the investigating officer should be found to establish whether there are any restricted communications or any possible risks or issues the complaint may pose. If the investigating officer is not available to meet with the complainant, details of the individual should be recorded and passed onto the investigating officer, the complainant should be advised of the same.

Whilst the complainant may wish to discuss a confidential matter it is essential that, based upon the knowledge of the complainant, the investigating officer makes a considered decision about where they speak to the complainant, where possible. In these circumstances, employees assisting the investigation of the complaint should not meet the complainant alone.

If the decision is taken that the complainant does not pose a threat to staff safety, employees ideally should again not meet with the complainant alone. Good practice would suggest that employees advise other colleagues of where they are meeting with the complainant and to request that they check on them at regular points. A documented record of the discussion which takes place should be made by the employees in attendance or investigating officer.

Within the complaints process there is scope for a resolution meeting. The investigating officer should never attend such meetings on their own and should be supported by another employee with appropriate experience according to the nature of the complaint. A neutral and safe venue should be sought for such a meeting. The senior management team should be aware of the location and duration of the meeting.

A colleague should be identified as a key point of contact and the complaints staff undertaking the engagement should contact this colleague prior to the start of the meeting and then again upon conclusion. The investigation officer should check the suitability of any suggested meeting space and an awareness of any security measures at the venue are recommended in advance of the meeting.

Distribution

WAYS FOR WELLBEING UK CIC will ensure that appropriate information is available in relation to the complaints policy and procedures.

Quality Assurance

WAYS FOR WELLBEING UK CIC will monitor both the effectiveness of the complaints process, and how complaints information is being used to improve service delivery.

Specifically, WAYS FOR WELLBEING UK CIC will aim to provide a system to:-

- Disseminate learning from complaints across the relevant parts of the organisation.

- Include the use of the complaints procedures as a measure of performance and quality.

- Use complaints information to contribute to service delivery.

Equality Impact Assessment

An initial assessment of the potential impact of the policy in relation to the protected characteristics of the Equality Act 2010 has been carried out. The intention of the equality impact assessment is to eliminate unlawful discrimination, advance equality of opportunity and foster good relations as stated in the Equality Act.

Equality and diversity are at the heart of WAYS FOR WELLBEING UK CIC's values. Throughout the development of the policies and processes cited in this document, we have given due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality of opportunity, and to foster good relations between people who share a relevant protected characteristic (as cited in under the Equality Act 2010) and those who do not share it.

Compliance and Review

Compliance with the policy and procedures laid down identified in this document will be monitored by the senior management team The Head of HR is responsible for the monitoring, revision and updating of this document. This policy will be kept under review in light of operational experience. The first review will take place one year from issue.

Malicious Complaints

WAYS FOR WELLBEING UK CIC will accept any complaint in good faith. However, complaints made on the basis of discrimination, or malicious or vexatious complaints will not be tolerated. In order to protect its employees, WAYS FOR WELLBEING UK CIC will investigate such complaints in a manner so as to expose such malicious intent.

This will not apply to genuine complainants.

APPENDIX 1 – Complaint Form

Name of Complainant	
Complainant's contact details Tel No Address	
Date complaint received	
Who received the complaint	
Complaint referred to	
Was the informal or formal procedure used	
Date of meeting or phone call to hear complaint	
Description of complaint	
Action Taken (apology, investigation, management action, changes to procedures)	
Complainant informed of next steps – verbally or in writing	
Does the complainant wish to take any further action? Y/N	
If yes how will this be handled?	

Signed (Manager hearing the complaint)	Date:
Signed Director	Date:

APPENDIX 2

Investigating Employee and Responsibilities

The investigating officers responsible for the management of the complaint along with meeting with identified employees are:-

Suriya Arblaster

If the complaint is about Suriya Arblaster the matter will be investigated by the 2 other Directors.

Record Keeping

Ensure that adequate records are kept on the complaint log of all contact with persistent and / or unreasonable contact.

Consideration should be given as to whether WAYS FOR WELLBEING UK CIC should take further action, such as reporting the matter to the police, taking legal action, or using a risk management procedure or health and safety procedures to follow up such an event in respect of the impact upon staff.