



COMPLAINTS POLICY AND PROCEDURES

August 2024

(Review due: August 2026)



1. POLICY STATEMENT

Birchwood sets out to provide a high quality of service and satisfaction to all our service users.

If however, at any time, a service user becomes dissatisfied with the quality of the service they have received or the way in which they have been treated by staff of Birchwood or its partners then they have the right to complain, to have that complaint investigated and dealt with promptly and fairly.

If the service user is dissatisfied with the outcome of their complaint or the way in which it has been handled, then they have the right of appeal.

All complaints will receive fair treatment in accordance with the procedure regardless of the complaints previous background, age, disability, sex, religion or belief, race or sexual orientation or any other protected characteristic.

Birchwood expects all staff to advise and facilitate service users who approach them wishing to complain.

All complaints will be kept in the strictest confidence and treated seriously and with sensitivity. Information may need to be shared with appropriate parties (internal and external to the organization), depending on the nature of the complaint and in line with our Data Protection Policy.

2. THE COMPLAINTS PROCEDURE

2.1 Informal Resolution

Unless the complaint is of a 'serious nature', attempts should be made to resolve the complaint at an informal level by discussing the concerns with the employee concerned.

Initial complaints should be recorded in the concerns book and communicated to the relevant member of staff who will try to deal with it immediately and appropriately, if possible. Service users will be given a written acknowledgement of their complaint. A response will be provided within 14 working days and should inform the complainant of the right for review by the Manager of the service if they are not satisfied with the action taken.

2.2 Formal Examination

Should the Service User find the initial response unsatisfactory, feel an informal complaint to be inappropriate, or the complaint falls into the serious category the complaint should be addressed by the Manager of the service. Complaints will be recorded or updated in the complaints file. Assistance will be given to people if requested, but not so as to amend, misunderstand or minimize the Complainant's concerns.

Complaints of a serious nature against Birchwood's Staff will be investigated by an appropriate Manager and /or the CEO.

All other complaints will be investigated by the relevant Manager who will aim to provide a written response within 14 working days.

Appropriate details of the investigation carried out and correspondence shall be placed on the Service User's file.

Complaints will be reported to the Board of Trustees by the Manager or CEO at Trustee meetings.

2.3 Appeals

Complainants who are dissatisfied with the outcome of their complaint have the right to appeal to the Chair of the Board of Trustees.

The Chair will review the Complaints, investigation carried out and outcome issued and check that the policy was properly implemented with due consideration for the individuals circumstances, exercising appropriate discretion where necessary.

A response will usually be made within 14 working days of receipt of the appeal.

If the Complainant is still not satisfied with the outcome of their complaint, they will be advised on the option to refer their complaint to the Independent Housing Regulator.

2.4 Other Action

Complainants may wish to discuss their complaint at any time with an external support agency eg. an advocate, a guardian, an external professional worker, Solicitor, local Councilor or Member of Parliament. All complainants will be supported about how to do this by Birchwood.

2.5 Mediation and Arbitration

Birchwood is committed to promoting alternative dispute resolutions procedures (such as mediation) as alternative the ways of resolving disputes between the organisation and Service Users.

3. SERIOUS COMPLAINTS

Complaints against members of staff of Birchwood or its partners which contain an allegation of serious misconduct by any such person or persons are dealt with in line with the procedure outlined below..

Complaints alleging:-

- Violence or abuse towards service users
- Being under the influence of alcohol or drugs
- Financial irregularity or theft from service users
- Deliberate damage of property or possessions
- Sexual, racial or any other form of harassment

Will be referred immediately to the CEO and the Chair of the Board of Trustees.

Complaints of this nature will be dealt with immediately and the following procedure strictly adhered to:-

1. The complainant will be interviewed within 5 working days by the CEO or Chair of the Board of Trustees.
2. The CEO or Chair of the Board will interview the member of staff or contractor.
3. The Chair of the Board will then consider the complaint and decide if there is a case to answer.
4. The Birchwood Disciplinary procedure will be followed if appropriate.
5. The Chair of the Board will complete the necessary enquiries and send an acknowledgement of receipt to the complainant within 5 working days of receipt of the complaint.

4. PROCEDURAL GUIDELINES

A leaflet has been produced for service users and staff which summaries the Complaints Procedure with the aim of making it easy for service users to understand and for staff to respond appropriately.

- 4.1** Stage 1. Initial complaints should be made to any member of staff in writing, verbally, by phone or in person, or by emailing Birchwood@wbriscentre.org.uk. The complaint will be investigated and a response given as soon as possible, within 14 working days of receipt of the complaint. We will endeavor to resolve the complaint through discussion, in person, or over the phone. If needed, a letter to confirm the outcome or any other form of response should include details of the complainant's rights for review if they are not satisfied.

Service Users should receive a copy of the leaflet summarising the Complaints Procedure.

- 4.2** Stage 2. Complaints should be investigated and a written response given within 14 working days of receipt of the complaint. If it is considered that a complaint against a staff member or Contractor is of a serious nature it should be reported to the appropriate Chair of the Board immediately.
- 4.3** Details of the outcome of the complaint, any subsequent appeals, final appeals, the outcome of the complaint will be shared with the individual complainant. Following on from this all complaints/investigations and outcomes will be shared with the board of trustees in an appropriate manner.
- 4.4** Service users will be given support if required to log or follow up a complaint with Birchwood.

5. MAKING A COMPLAINT **(A Summary of our Procedure for service users and staff)**

Our Commitment

We are determined to make the services we provide for you as efficient and effective as possible.

To make sure that any problems you have are dealt with swiftly and courteously, we have introduced a procedure for handling complaints about Birchwood services. The procedure is designed to make it easy for you to complain and to get things put right quickly, it helps us to prevent problems happening again.

We will make sure that your concerns are looked into thoroughly and reply within the time promised. At the end of each financial year, we will publish details of how many complaints we have received and how they were resolved. We will also tell you of any improvements we make as a result of your complaints.

This leaflet explains what constitutes a complaint, how to make a complaint. It also tells you what you can expect from us if you do complain.

What is a complaint?

We will treat a complaint as an expression of dissatisfaction or disquiet about the actions, decisions or apparent failings our services which requires a response.

All complaints will be treated fairly be given equal importance, and kept confidential.

How do I complain?

STAGE 1

Simply contact a member of staff, if you feel you can't speak to a member of staff contact the Manager, who will deal with your complaint.

What if I am still not happy?

STAGE 2

TELL THE CEO OF BIRCHWOOD

If you are not satisfied with what has been done or if the problem continues, despite the action taken, you should contact the CEO.

The manager will record details of your complaint and check with you that these are correct. If you prefer, you can put the complaint in writing yourself, or use one of our complaint forms. The manager will examine the complaint and review action taken so far if necessary.

You should expect a full response within 14 working days. If we cannot provide you with a full reply within 14 days, we will tell you why and you will be given a date when you will have a full reply.

What should I do if this still doesn't solve my problem?

STAGE 3

PUT YOUR COMPLAINT TO THE CHAIR OF THE BOARD OF TRUSTEES

It may be that we have not acted in the way we told you we would, or that you are unhappy with the result of the action taken.

If so, you can put your complaint to the Chair of the Board of Trustees.

If he or she is unable to find a solution, your complaint will be referred to the Housing Ombudsman.

Can someone help me to make a complaint?

Yes – if you need help with any part of this procedure simply contact us. We will do our best to make sure that your complaint reaches the right person.

Otherwise, you may wish to ask for help at any stage from friends or relatives, your local Councillor or MP. You may also call upon a voluntary group to assist you.

The Citizens' Advice Bureau has staff who can help you to make a complaint. **Birchwood e-mail address is birchwood@wlcrisiscentre.org.uk**

Associated Documents

1. Making a complaint recording sheet
2. Registering a complaint
3. Making a complaint leaflet

This policy will be monitored and reviewed on a regular basis, at least annually and amended in response to change in the organisation, legislative changes, incidents or good practice, feedback for service users, staff members and stakeholders as appropriate. The policy will be approved and ratified by the Board of Trustees.

<p>BIRCHWOOD CHARITY</p> <p>WEST LANCASHIRE CRISIS AND INFORMATION CENTRE</p>	<p>Located:</p> <p>Internal Policy Documents</p>
<p>TITLE: <u>COMPLAINTS POLICY</u></p>	<p>AUTHORISED BY: CHIEF EXECUTIVE OFFICER</p> <p>DATE: August 2024</p>
<p>TRAINING</p>	<p>All staff will receive relevant training on induction and identified through review and supervision</p>
<p>RELATED POLICIES AND PROCEDURES</p>	<p>Employee Handbook Safeguarding Policy Professional Boundaries Policy Confidentiality Policy Equality and Diversity Policy</p>
<p>MONITORING</p>	<p>Chief Executive Officer is responsible for the implementation of the policy</p>
<p>CONTACT FOR POLICY REVIEW AND CLARIFICATION</p>	<p>Chief Executive Officer is responsible for the periodic review of the policy and for dealing with any queries raised by staff on its implementation</p>
<p>RELATED LOCAL AUTHORITY AND OTHER EXTERNAL DOCUMENTS</p>	<p>Employment Rights Act 1996 Health and Safety at Work Act 1974 Data Protection Act 2018 Public Interest Disclosure Act 1998</p>

Signed: _____

Chair of the Board of
Trustees

Date: _____

Signed: _____

Chief Executive Officer

Date: _____

