



## VASL Complaints Policy and Procedure

It is essential that complaints are dealt with quickly and courteously.

The following procedure is the approved Complaints Procedure for Voluntary Action South Leicestershire and must be followed strictly when investigating any complaints.

### STAGE 1

#### **Informal Complaint**

- 1) When a complaint is received but the complainant or her or his representative does not wish to formalise it in writing, the person receiving it must:
  - a) seek to resolve it on the spot if she or he has the authority to do so
  - or
  - b) if not authorised to resolve it, find someone who can
- 2) If the complaint cannot be resolved immediately, the person receiving it must:
  - a) notify the complainant that it will be investigated and a response made within 14 days.
  - b) ensure that she or he takes steps to investigate it if authorised to do so, or passes it on to an authorised person for resolution and response.
- 3) Anyone investigating an informal complaint must:
  - a) respond to the complainant within 14 days of the date of the complaint.

### **STAGE 2**

#### **Formal Complaint**

- 4) If a complainant is not satisfied with the response to an informal complaint, or wishes to have her or his complaint dealt with by a senior member of staff or by the Chairperson of the Trustee Board (or other Trustee in the case of a complaint about the Chairperson), the member of staff receiving it must:
  - a) complete a complaints form
  - b) notify the Chairperson of the Trustee Board of the formal complaint as soon as possible, unless the complaint is about the Chairperson, when the Company Secretary must be informed (see para 6 below)
  - c) forward the complaints form to the Chairperson (or Company Secretary) marked URGENT
- 5) On receipt of the complaints form the Chairperson will:

- a) give a written acknowledgement to the complainant within 48 hours of the receipt of the complaint
  - b) investigate the complaint, interviewing the complainant and others if necessary to establish the facts
  - c) make a written response to the complainant within 28 days of receipt of the complaint setting out the facts and the conclusion reached
  - d) if the complaint was about an individual, notify that individual of the conclusion reached
  - e) ensure that the conclusion is documented in writing
  - f) ensure that all documentation relating to the case is secured for continuing investigation and future reference
- 6) If the complaint is about the Chairperson of the Trustee Board, the person receiving the complaint must:
- a) follow the procedure in paragraph 4 above, notifying the Company Secretary and not the Chairperson
- 7) On receipt of a complaint form relating to the Chairperson, the Company Secretary will:
- a) notify the Chairperson of the fact of a complaint and an indication of its substance, but in no way discussing the accuracy of the stated facts or the Chairperson observations
  - b) call an emergency meeting of the Trustee Board to be held within 14 days of the receipt of the complaint – the meeting to be chaired by the Company Secretary
  - c) acknowledge in writing to the complainant the receipt of the complaint and procedure being adopted to investigate it
- 8) The Trustee Board at its meeting will:
- a) appoint a Trustee to investigate the matter
  - b) in no way discuss the accuracy of the facts or allow any statement of the Chairperson's observations
- 9) The Trustee appointed will:
- a) follow the procedure laid down in paragraph 5 clauses b, c, d and f
  - b) provide the Company Secretary with a copy of her or his conclusions
- 10) If a complaint is about an office holder or other Trustees, either as a Trustee or whilst engaged as a voluntary worker, the matter will be investigated by the Chairperson.

### **STAGE 3**

#### **Appeal Procedure**

- 11) If a complainant is not satisfied with the response to a complaint dealt with under Stage 2, then an appeal can be made to the Trustee Board, through the Company Secretary. The Committee will:
  - a) appoint a Review Panel of three Trustees, we will ensure that none of the members of the Review Panel have been involved previously with the resolution of the complaint, except that in the case of a complaint about the Chairperson, the Trustee appointed may have attended a Trustee Board Meeting convened under paragraph 7 above
  - b) appoint as Chairperson of the Review Panel one of the three Trustees
- 12) After the appointment of the Review Panel, the Company Secretary will:
  - a) notify the complainant and the investigating Officer/Trustee who responded to the complaint on behalf of VASL, of the procedure being followed
  - b) invite both parties to submit, if they so wish, written statements to the Review Panel
  - c) notify the complainant that she or he may be accompanied at the Review Panel by a person of her or his choice who may be a Union Representative
  - d) give 7 days notice to the complainant, investigating Officer/Trustee and Review Panel members of the date, time and place of the meeting, together with any papers submitted by the parties involved in the appeal
- 13) The Review Panel Chairperson must ensure that:
  - a) the meeting is conducted in as informal a manner as possible consistent with the unimpeded statement by the two parties of their respective positions
  - b) the complainant and the investigating officer are present together in the meeting and leave together after stating their cases
  - c) the Panel members reach their conclusion in private
  - d) immediately after the meeting, the conclusions are given in writing to the Company Secretary – (a minute secretary who is not a Trustee or person involved previously in the investigation of the complaint may be present during the meeting to make the official recording of the meeting)
- 14) On receipt of the Review Panel's conclusions the Company Secretary will:
  - a) notify the conclusions in writing to the parties concerned in the Appeal Procedure
  - b) inform the complainant that the decision of the Review Panel is final in so far as the matter is dealt with by VASL , but if the complaint relates to the provision of a community care funded service provided on behalf of the County Council, the complainant has a right of access to the Leicestershire County Council Social Services Department's

Complaint Procedure and the name of the Social Services contact person will be given

- c) note the outcome in writing
  - d) ensure that all documentation relating to the case is secured for future reference and complaints monitoring
- 15) If the complaint is referred by the complainant to the Leicestershire County Council Social Services Department, she or he will need, on becoming aware of this, to notify the Trustee Board and seek instruction on the release of records for the representative of Voluntary Action South Leicestershire in a subsequent investigation.
- 16) VASL is regulated by the Fundraising Regulator. If your complaint is in relation to the way that we fundraise and/or how we use those funds and you do not get a satisfactory response from us. You can appeal's VASL's decision by writing to the Fundraising Regulator at Fundraising Regulator, 2nd floor, CAN Mezzanine Building, 49-51 East Road, London, N1 6AH. For more information, please see their website <https://www.fundraisingregulator.org.uk/>
- 17) If your complaint is in relation to the way VASL has handled your personal data and you did not get a satisfactory response from us, you can raise the matter with ICO (Information Commissioners Office), more information is available on their website <https://ico.org.uk/concerns/> or call 0303 123 1113

VOLUNTARY ACTION SOUTH LEICESTERSHIRE

Complaints Form

Name of person making complaint: .....

Address: .....

.....

Tel: .....

Details of complaint

Date of Incident: .....

Reason for complaining:-

*Staff conduct	*Staff attitude	*Ill treatment by staff
*Racial abuse	*Poor conditions	*Poor Communication
*Delay in service	*Breach of confidentiality	*Funding
*Behaviour/Attitude of other users	*Personal Data	
*Other (state)		

Person receiving complaint: ..... Date: .....

Passed for action to: - .....

Action taken:-

Documented in writing.....

Referred to Chairperson (or Company Secretary) .....  
Chairperson's (or Company Secretary's) action (date as appropriate below):-

a) referred to appropriate Manager for Paragraph 4 investigation .....

or

b) dealt with by Chairperson under Paragraph 4 .....

or

c) dealt with by Company Secretary under paragraphs 6-10

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Outcome of above action:-

If Appeal:-

Date of Appeal: .....

Outcome of Appeal:-

Outcome of any subsequent use of LCC Social Services' Complaints Procedure:-

Date record completed: ..... Signed: .....