

Living Well Bromley

Complaints Policy

1. If things go wrong

- 1.1 We value feedback from our guests. If you received a good service or have ideas about how we can do better please let us know. If something does go wrong, please report the problem to us as quickly as possible. We can often quickly put right simple mistakes and misunderstandings.

2. Introduction

- 2.1 We aim to deliver a positive experience for our guests. If we don't meet our *Standards for Guests*, we will:
- apologise
 - accept responsibility
 - put things right when they are in our control
 - listen to you to improve what we do.
- 2.2 The terms 'you' and 'your' in this Policy mean you, as one of our guests, service providers, suppliers, partners, funders, contractors, donors, volunteers or member of the public. The terms 'we', 'our' and 'us' mean Living Well Bromley. It does not apply to employed staff, who will use our grievance procedure instead.
- 2.3 We hope to resolve most complaints quickly and informally to your satisfaction if we can.
- 2.4 Our approach to investigating complaints will be based on evidence.
- 2.5 This policy and procedure outlines how we will resolve complaints.

3. What is a complaint?

- 3.1 A complaint is when you tell us you are unhappy with:
- something we failed to do, including meeting our *Standards for Guests*
 - something we have done, but should not have done
 - an error we have made
 - our *Standards for Guests*
- 3.2 We usually treat multiple complaints by the same person as a single complaint.
- 3.3 If a complaint is already the subject of a formal investigation, for example by the police or other government agency, the complaint will not be addressed until such investigations and resulting actions have been concluded.

4. Complaints process

Informal approach

- 4.1 In the first instance, we will try to resolve problems informally and simply to your satisfaction.
- 4.2 You can make a verbal complaint to a paid member of staff: usually the administrator but also the advocacy team leader. They will pass the complaint to the relevant person who will try to get an answer and resolution for you within a week or two. You should be kept updated of how this is going using your preferred method of communication (email, telephone, text, or in person when you visit us).
- 4.3 We will keep a record of the informal complaint and the outcome.

5. The process for formal complaints

- 5.1 All formal complaints need to be in writing and should be made through a paid member of staff. We can provide you a member of staff or a volunteer (who is not connected with your complaint) to write down the details of your complaint for you in words you are happy with.
- 5.2 In order to investigate your complaint, we need to know:
 - your details
 - the reason for complaining
 - the date and time of any incident/s and details of anyone else who was present or involved
 - any evidence you may have, such as photographs or documents
 - what you would like to see happen as a result of your complaint.
- 5.3 We expect all guests to behave reasonably. We are unable to accept your complaint if your behaviour is unreasonable, such as if you threaten, verbally abuse or attack our staff, volunteers, guests trustees or anyone else connected with Living Well Bromley.
- 5.4 We will reply to your complaint within 15 working days. If we are unable to give you a full answer at this point we will tell you how much longer we need.

First Stage – service Team Leader

- 5.5 The Team Leader of the service being complained about will investigate the complaint. This will involve taking statements from those involved and/or witnesses, and reviewing evidence that has been provided to them or that may arise during the interviews. They will take notes of the key points. Statements should be agreed by those who gave them, and signed and dated.
- 5.6 The aim is notify you of the decision and the reason for a decision within fifteen working days. If the matter is complex, the team leader may need additional time to investigate, and will inform you of the likely timescale.
- 5.7 The Team Leader will write to you setting out whether the complaint is upheld, partially upheld or not upheld and the reasons for this. They will also tell you what action is to be taken by Living Well Bromley as a result, if any.

- 5.8 If you are not satisfied, you can request that your complaint is heard at the next stage, usually by Trustees. Your request should be made within ten working days of receiving the decision. You will need to give us the reasons why you think the decision was wrong. Again, we can provide you with someone to help you to put this in writing.

Optional stage – a person appointed by the Trustees

- 5.9 At the discretion of the chair/s of the Trustees may decide to instigate a further stage of investigation and decision making. This will not be used in most cases. Examples of where it might be used are when the chair/s feel the first stage was not fully conclusive, where further evidence has come to light that was not available at the first stage, or where the outcome of the complaint might have serious consequences for the complainant or Living Well Bromley.
- 5.10 The Trustees will appoint a suitable person who will consider the action taken to date. They will take into account the reasons you have given for not being satisfied with the first decision.
- 5.11 They may seek further evidence, as needed to satisfy themselves that they have carried out a full investigation.
- 5.12 The aim is to notify the complainant of the decision and the reason for a decision within twenty working days. If the matter is complex the appointed person may need additional time to investigate, and will inform you of the likely timescale.
- 5.13 The appointed person will write to you setting out whether the complaint is upheld, partially upheld or not upheld and the reasons for this. They will also tell you what action is to be taken by Living Well Bromley as a result, if any.
- 5.14 If you are not satisfied, you can request a Final Stage hearing within ten working days of receiving the decision. You will need to give us the reasons why you think the decision was wrong. You should also set out who else you think should be asked to address the hearing with your reasons. Again, we can provide you with someone to help you to put this in writing.

Final Stage – Trustees' Hearing

- 5.15 Two Trustees of Living Well Bromley, with no involvement in the complaint to date, will review the evidence of the case to date in advance of arranging a hearing.
- 5.16 They will look at who you have said should address the hearing and the reasons. They will decide who to ask to attend along with the reasons you have given, and will decide who will be asked to attend. They may decline to invite people you have suggested if they have good reason including:
- a person has no clear involvement in or knowledge of the matters under consideration
 - you have not given a good reason why they should be asked to attend
 - the Trustees have reason to believe that you have put undue pressure on someone to attend against their wishes (but it is reasonable to freely ask someone whether or not they would be willing to attend in advance of requesting they address the hearing)
 - the Trustees believe your request was vexatious, designed to be unkind to someone, or was made to frustrate due process

- 5.17 It is not possible for the Trustees to make someone attend if they do not want to, other than paid employees of Living Well Bromley. The hearing will only be able to take into consideration the evidence placed before them at the hearing and provided from the earlier stages.
- 5.18 You will be informed of the hearing date, time and place within 20 days of you requesting a stage three hearing.
- 5.19 You will have the opportunity to explain your complaint in person and you may be accompanied by a friend.
- 5.20 The Trustees may also request others involved in the case to address the hearing apart from those you have asked for.
- 5.21 When a person has already made a statement as part of investigating the complaint at an earlier stage, that statement will normally be used as the basis of their evidence.
- 5.22 The Trustees may ask questions of you and others addressing the hearing in order to satisfy themselves of the facts.
- 5.23 In exceptional circumstances, the Trustees may need to verify points raised at the hearing. They may do this within a reasonable timescale and, if necessary, may speak with you or others to clarify the evidence. If this happens, you will be told and given the likely timescale.
- 5.24 Once the Trustees come to their decision, you will be notified of this, and the reason for the decision, within seven working days.
- 5.25 The decision of the Trustees' hearing will be final.

6. Putting things right

- 6.1 If your complaint is upheld, we will apologise to you and we will do what we can to put things right.
- 6.2 We will tell you what we have done, so far as it is possible to do so, though sometimes we may not be able to tell you everything for reasons of confidentiality.
- 6.3 We will not normally provide financial compensation.

7. Learning from Complaints

- 7.1 We want to learn from complaints as this helps us improve our services. Once your complaint has been closed, we'll contact you to ask for your views on the handling and outcome of your complaint.
- 7.2 We also have formal mechanisms in place to make sure we gather learning from complaints and use this insight to improve services.

8. Further Complaints about Living Well Bromley

- 8.1 There are other avenues for particular types of complaints, though in most cases it would be expected that your complaint had been made to Living Well Bromley in the first instance.

- *Illegal activity, such as terrorism or abuse*
Contact the Police on 101

- ***Advertising***
 - an advertising campaign you think is offensive, deceptive or inaccurate
 - the amount of emails or mail you get from a charity

Contact the Advertising Standards Agency

- ***Fundraising***
 - the way you've been asked for donations
 - how fundraisers have behaved

Contact the Funding Regulator

- ***Other serious complaints***

Living Well Bromley is not doing what it claims to do:

 - losing lots of money
 - harming people
 - being used for personal profit or gain
 - involved in illegal activity

Contact the Charities Commission

- ***The Advice Quality Standard***
 - The Standard is not being met and that Living Well Bromley failed to instigate corrective action that would bring the service back in line with the Standard

Contact the Advice Services Alliance.

9. Review

- 9.1 The Trustees will review this policy 15 months after its initial adoption and thereafter every two years.
- 9.2 We will review this policy and procedure to address legislative, regulatory, best practice or operational issues. After each use of the complaints procedure, consideration will be given to any changes that could be made and, if it is thought necessary, these changes will be made either at the two-yearly review by Trustees or as a matter of urgency.

Date adopted: 27 September 2019

Last reviewed: 27 September 2019

Next review: By Board: December 2020