

NS Policy	COMPLAINTS
Senior Manager Responsible	Chief Executive
Policy Date	August 2020
Review Date	June 2023
Superseded Documents	Complaints Policy 2016
Associated Documents	Complaints Procedure "How to complain?"

Impact Assessment			
Name	Comments	Date	
D Finch	Neutral	30/01/20	

Committee Approval	Approval Date
P Styles	26/10/20

History	Name	Comments
October 2020	P Styles	Board of Trustee approved
August 2020	D Ellis	Reviewed and Amended
July 2017	P Styles	Board Approval
May 2017	G Henry	Reviewed and updated to include fundraising regulations.
July 2016	P Styles	Approved by the Board

1. Introduction

1.1 Background and legal Framework

A complaint is an expression of dissatisfaction about National Star's action or lack of action, or about the standard of service provided by or on behalf of the charity.

Requests for services or changes to services, comments and suggestions, focus group and questionnaire feedback and disciplinary appeals are not considered as complaints and therefore do not fall within this policy.

National Star recognises that the Complaints Policy is separate from the charity's Grievance Policy and the charity's Disciplinary Policy, however it may be necessary during the course of a complaint investigation to suspend the investigation pending the outcome of a grievance or disciplinary hearing.

1.2 Purpose

National Star is committed to the provision of high quality services. Complaints are viewed as an opportunity to review, and where appropriate, improve current service provision and support future high quality service development.

The aim of the policy is to ensure that any complaint received by the charity from a service user, parent or representative, staff member, donor, potential donor, or any other external stakeholder is acted upon effectively and impartially within the processes defined within the Complaints procedure

2. Scope

This policy applies to all service users, parents, representative, staff members, donors, potential donors, and other external stakeholders.

3. Policy Statement

This policy is based on the firm belief that those who use National Star's services should be able to complain if any aspect of our services or activities do not achieve the high standards that the charity expects.

Complainants are entitled to raise a complaint in their preferred method of communication. Some complainants may choose to raise their complaint directly, whereas others may seek support from a relative or a friend.

National Star will ensure that the implementation process is:

- regularly monitored, evaluated and reviewed
- accessible to service users, beneficiaries, staff, parents / carers employers, visitors and other stakeholders
- contributing directly to quality assurance review and to the constant improvement of our services

- investigated in a systematic and non-confrontational manner
- assigned to designated members of staff who will have responsibility for resolving the complaint
- confidential appropriate to the nature of the complaint

4. Roles & Responsibilities

4.1 Implementation

All staff have a responsibility to respond to queries and concerns appropriately to eliminate the need for people using our services to make complaints. Where a formal complaint has been made, staff have the responsibility to pass on complaints to the Chief Executive

The Chief Executive will review the complaint and acknowledge receipt.

In the absence of the Chief Executive, an appropriate member of the Senior Management Team will stand in.

Complaints regarding the Chief Executive will be sent to the Chair of Governors **or** the Chair of Trustees, leaving the other free to act in any other capacity that is required.

All formal complaints received by the Chief Executive will be notified to the Chairs of Governors and of Trustees within 48 hours.

All complaints relating to General Practitioners will be forwarded onto the appropriate General Practitioner Practice Manager. The Practice Manager will formally review all written complaints and provide a response to the complainant.

The designated person investigating the complaint will contact the person(s) making the complaint and investigate further or provide a response

4.2 Support, Advice and Communication

Parents, carers, donors, potential donors, and external stakeholders can download a copy of this policy and the Complaints Procedure from the charity's website. Alternatively a copy can be requested by post by emailing enquiries@nationalstar.org, or telephoning the charity's main reception on 01242 527631

Service users can access this procedure on the charity's intranet (audio version is available)

Staff and service users can obtain advice and support in implementing this policy and associated procedures from the Talk2Team, Safeguarding Officer, Student Advocacy Officer, their Personalised Learning Coordinator and their Line manager

All service users and staff will be informed about the policy and associated procedures during induction and in the Learner Handbook

5. Review

National Star maintains records of all formal complaints. This information will be evaluated and acted upon on a monthly basis by the Senior Management Team and reported to the Board of Governors or Board of Trustees as appropriate.

All complaints and any subsequent investigations relating to Fundraising will be made available to the Fundraising Regulator on request.

Complaints relating to Fundraising will be retained for at least 24 months from the date on which the Complaint was made, except where data protection law requires that the information be put beyond use earlier than this (for example, where the complainant within this timeframe requests that their information be destroyed).

This policy will be reviewed in line with the policy schedule by the Chief Executive in conjunction with the Parent Forum, Student Union and Staff representative group.



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Complaints Procedure

- The Complaints Procedure is open to all people served by the charity, to include service users, parents, employers, neighbours, supporters & visitors.
- National Star employees must use the internal Grievance Procedure, where the complaint is about a member of staff but can use the complaints procedure where the complaint is about a service that National Star is responsible for.
- All formal complaints to be systematically sent onto the Chief Executive. In the absence of the Chief Executive, an appropriate member of the Senior Management Team will stand in.
- There is no standard complaints form as complainants should be enabled to complain using the method that best suits them. The person wishing to complain may well choose to use an 'Advocacy Service' to support them.
- Where possible, the Nominated Senior Manager will be the Senior Manager responsible for the department /employee about which/whom complaint has been made.
- The investigation will be conducted in strict accordance with the Complaints Policy
- All Complainants will be advised of right to appeal if still dissatisfied.
- The Appeal to the Chair of Governors / Trustees is the final stage of the Complaints Procedure within the charity.

1. How are complaints received / made?

All queries/concerns should be addressed as a matter of urgency by staff at the charity. They will make every effort to ensure the concerns/issues are addressed or rectified in accordance with the wishes of the complainant.

All staff are to ensure that formal complaints are passed onto the Chief Executive as soon as possible within 12 hours of the complaint being made. This should be done via e-mail.

Note:

- All safeguarding concerns are to be referred to the safeguarding procedure
- If the complaint is about the CEO it should be passed to the Chair of Trustees
- In the absence of the Chief Executive, an appropriate member of the Senior Management Team will stand in.

The Chief Executive will record the details of the complaint and an acknowledgement will be sent within 48 hours to the person making the complaint. The CEO will alert the Chair of Governors / Trustees to the complaint within 48 hours.

2. Who supervises the investigation into the complaint?

A Senior Manager will be nominated by the CEO or another Director, to supervise the investigation into the complaint.

3. How is a complaint investigated?

The Nominated Senior Manager will contact the complainant to ensure that there is clarity about the full nature of the complaint and that it has been understood appropriately by the charity.

This individual will then tell the complainant how they propose to conduct the investigation and the timeframe within which it will be reviewed. At this stage a date on which information about the results of the investigation will be provided to the complainant will be agreed.

4. Who replies to the complainant?

The Chief Executive will review the investigation report prepared by the Nominated Senior Manager and the draft reply to the complainant. The Nominated Senior Manager will then convey the reply to the complainant by letter, or where appropriate they should arrange to meet. This response will be made no more than 14 days after the complaint has been received but will always be handled as a matter of urgency.

5. What if the complainant remains dissatisfied?

If the complainant requires more information, the Chief Executive will respond by sending a further written response or by carrying out a further investigation.

If the complainant disagrees with the outcome, the Chief Executive will record details of the appeal and will then forward relevant papers to the Chair of Governors or the Chair of Trustees, (whoever is more appropriate).

6. How is an appeal handled?

The Chair of Governors / Trustees will consider the nature of the complaint and carry out a further investigation, supported by a Senior Manager who has not been involved in the initial investigation. They will then write to the complainant with the outcome or meet with the complainant face to face.

7. Who can the complainant refer to outside the charity

Depending on the nature of the complaint the complainant can refer the complaint onto external bodies. The Chief Executive or Chair of Governors / Trustees will give the complainant specific information relating to the identified complaint.

The key bodies will generally be the Local Authority, the Care Quality Commission, the Health and Safety Executive, the Charity Commission, the Fundraising Regulator, and Ofsted.

If the complaint relates to Fundraising, the complainant will be advised that any referral to the Fundraising Regulator should be made within two months of the response from the charity.

