

Complaints Procedure

Kernow Positive Support

SPECIALISED HIV INFORMATION,
SUPPORT, RESPITE & RETREAT

POLICY DOCUMENT 2013

Revised 2018



COMPLAINTS PROCEDURE

1. INTRODUCTION

Kernow Positive Support (KPS) welcomes complaints as part of the evaluation and feedback process of the organisation. The KPS Complaints Procedure covers Service Users/clients, employees*, volunteers and anyone from the general public or organisations who wish to make a complaint against KPS and/or its staff, volunteers.

**Employees are defined as any members of paid staff and any contracted persons such as; Therapists, Practitioners, Counsellors and Facilitators.*

2. PRINCIPLES UNDERLYING THE COMPLAINTS PROCEDURE

KPS is committed to maintaining and improving the quality of the services it offers. Complaints are viewed as an opportunity to correct misunderstandings, display accountability and maintain a quality service. KPS will ensure that those using its services are informed about the complaints procedure.

3. THE COMPLAINTS PROCEDURE

This procedure outlines the steps that are taken when a complaint or representation is received by KPS.

3.1 **Stage 1** is an informal resolution of a complaint. All complaints, whether oral or written, are acknowledged in writing within five working days of receipt. KPS aims to resolve any complaints to the complainants' satisfaction within 14 working days. The response, whether oral or written, should be recorded confidentially however briefly.

3.1.1 The senior member of staff and Chair of the organisation should always be informed of any complaint and should take the lead in advising those dealing with the complaint, making sure that the complainant understands the complaints procedure and checking that actions are taken to resolve the complaint.

3.1.2 Where a complaint has been made about a member/volunteer or paid staff member, that person has the right to be advised. In cases where disciplinary proceedings may be appropriate these should not prevent the complaint receiving full consideration and the complainant a full response to the complaint.

3.2 **Stage 2** is a formal complaint.

All requests to register a formal complaint must be immediately notified to the Board of Trustees. It is their responsibility to ensure that this request is properly recorded. Assistance may be offered to anyone who has difficulty in formulating their complaint due to age, disability, communication, language or other difficulties.

3.2.3 A written response is made to a formal complaint within five working days of its registration.

3.2.4 The response will usually include the investigating officer's report and a written response to the complaint from KPS (*usually a trustee*).

3.2.5 The response to a registered complaint must be sent to the person from whom the complaint was received and also, where different, to the person on whose behalf the complaint was made.

3.2.6 The response will advise the complainant of what further options are open to him/her, should he/she remain dissatisfied.

3.2.7 A record must be kept of all formal complaints and the outcome in each case. The designated complaints officer must be informed of the date that a response is sent to a complainant.

3.3 Where a complaint is found to be wholly or partially substantiated, the issue of redress should be discussed with the complainant and action taken to redress the problem.

3.4 A complaint may be withdrawn at any stage by a complainant, without prejudice to their resubmitting this complaint, subject to the time limit below.

3.5 A complaint will not be considered if made more than six months after the event, unless there are valid and acceptable reasons for this delay.

3.6 Where a complainant asks for KPS' response to a registered complaint to be reviewed, KPS must convene a review hearing panel within 14 working days of this request.

4. THE COMPLAINTS REVIEW HEARING PANEL

The panel shall comprise of not fewer than three members of the Board of Trustees.

4.1 Complainants and other interested parties must be notified in writing, at least ten working days beforehand, of the time and venue of the meeting and be invited to attend.

4.2 Complainants should also be informed of the name and status of the panel members, and of their right to make a written submission to the panel before the meeting and to make oral submissions at the meeting.

4.3 Complainants should, additionally, be told of their entitlement to be accompanied by up to two other persons, one of which would be entitled to be present at the whole meeting and speak on their behalf if they so wish.

4.4 The meeting should be conducted as formally as possible. The chair of the panel should open the meeting by explaining its purpose, proposed procedures, and with a reminder about confidentiality. The complainant (*or person accompanying them*) should be given the opportunity to make an oral submission before the KPS representative does.

4.5 The panel will record its recommendations within 48 hours of the meeting and notify this in writing to the complainant, and where appropriate, others with a formal interest. The letter of notification must state the recommendations and the reasons for them.

4.6 The Board of Trustees will, in the light of the recommendations made, consider what action it ought to take. This decision and any action which is taken or it is proposed to take, will be notified to the complainant and all others with an interest, within ten working days of the date of the panel's recommendations.

- The decisions made by the Board of Trustees are final.
- The review panel will consist of three Trustees.
- The designated complaints officer is the staff line-manager.

4.7 The senior member of staff needs to be informed of all complaints. It his/her role to set up the investigation. The senior member of staff has the role of advising staff/member volunteers within KPS at any stage of the complaints procedure. He/she has a significant role in ensuring support and advice to the clients or their carers if they have a complaint or representation they wish to make to KPS.

This policy also includes the identification of risks posed to both clients and staff during lone working. KPS recognises that a significant proportion of the support provided will be through one to one contact in a variety of settings and the risks to clients, staff and volunteers need to be identified. Staff and volunteer training and induction procedures will highlight the potential risks to staff and volunteers, and the risk to clients will be identified in the client handbook. As part of the overall service provision staff and volunteers are required to draw to the attention of prospective clients the relevant section of the client handbook which deals with these potential risks.

Information covering these potential risks and how both staff and clients deal with the possible risks which can arise from one to one working are contained in several policy documents including:

- KPS Risk Assessment
- KPS Lone Worker Policy
- KPS Whistleblowing Policy
- KPS Safeguarding Policy Children/Adults
- KPS Managing your Personal Safety
- KPS Harassment Policy
- KPS Ethics and Practices Policy
- KPS Disciplinary Procedure Policy
- KPS Conflict of Interest Policy
- KPS Confidentiality & Data Protection Policy
- KPS Health & Safety Policy

Plus the KPS Client Handbook, and the KPS Staff and Volunteer Handbook.

The KPS Complaints Procedure is available in different formats.

For example: if you have difficulty in understanding any procedure as listed above KPS will make a version available that is clear and concise and give you guidance and assistance if required.

All KPS policies and procedures are reviewed annually; this COMPLAINTS PROCEDURE POLICY has been reviewed and ratified by the KPS Board of Trustees commencing 1st May 2018 (*under 'policies' as shown in the KPS Annual Report and Accounts*).

Ref: CPP2013/14.