

## COMPLAINTS POLICY

Original creation date	1 <sup>st</sup> November 2015
Last review date	1 <sup>st</sup> November 2016
Next review date	1 <sup>st</sup> November 2017
Related policies	<p>Disciplinary Policy</p> <p>Whistle Blowing Policy</p> <p>Safeguarding Vulnerable Adults Policy</p> <p>Child Protection Policy</p> <p>Fundraising Complaints Procedure</p> <p>Customer Service Standards Policy</p> <p>Data Protection Policy</p> <p>Volunteer Complaints Policy</p>
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Approved by	Senior Management Team



# Complaints Policy

## Introduction

The RAF Association (the Association) is committed to delivering excellent service, meeting **people's individual needs and expectations and achieving the highest level of satisfaction.** We are committed to providing services in a professional and ethical manner in full accordance with our values of being supportive, responsive and meeting the needs of our beneficiaries and members.

The Royal Charter the Rules and Bye-Laws requires the Council, or person(s) approved by them, to investigate complaints whether made against an individual person or a Branch or Region or Area. The procedures to be followed shall be as prescribed by the Council.

The Association views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person or organisation that has made the complaint.

Our policy is:

- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint;
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint;
- To make sure everyone at Association knows what to do if a complaint is received;
- To make sure all complaints are investigated fairly and in a timely way;
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired; and,
- To gather information which helps us to improve what we do.

## Definition of a Complaint

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of Association.

## Where Complaints Come From

Complaints may come from any person or organisation who has a legitimate interest in the Association.

A complaint can be received verbally, electronically or in writing.

This policy does not cover complaints from employees, who should use the Association Discipline and Grievance policies.

We ask that you give us the details of your complaint within 12 months of the incident, or within 12 months of you becoming aware of the problem as otherwise it may not be possible to fully investigate your complaint. We will respond to your concerns considerately, in a timely manner and as effectively as possible.

## **Confidentiality**

All complaint information will be handled sensitively, telling only those who need to know and following any relevant data protection requirements.

## **Responsibility**

Overall responsibility for this policy and its implementation lies with the Council who are the Board of Trustees.

## **Complaints Procedure of the Association**

### **Publicised Contact Details for Complaints:**

#### **In writing to:**

Secretary General  
Headquarters  
RAF Association  
41 Wembley Road  
Braunstone Frith  
Leicester  
LE3 1UT

**By e-mail:** SecGen@rafa.org.uk

**By phone:** 0116 268 8768

Alternatively you can raise a complaint in person to any of the Association employees, members, volunteers or trustees or at any of our events or activities.

## **Receiving Complaints**

Complaints may arrive through channels publicised for that purpose or through any other contact details or opportunities the complainant may have. Complaints received by telephone or in person need to be recorded.

The person who receives a phone or in person complaint should:

- Write down the facts of the complaint;
- Take the complainant's name, address and telephone number;
- Note down the relationship of the complainant to the Association;
- Tell the complainant that we have a complaints procedure;
- Tell the complainant what will happen next and how long it will take;

- Where appropriate, ask the complainant to send a written account by post or by email so that the complaint is recorded **in the complainant's own words**.

### **Making a complaint on someone else's behalf**

Complaints can be made on behalf of someone else but must be made with their full written consent or you must have a legally recognised power of attorney. This is to comply with the Data Protection Act 1998.

If their full written consent is not received within 28 working days of the original complaint date, your complaint will have to be closed due to consent not being given.

If the complainant is unable to expressly consent due to a physical incapability or lack of capacity, assessed under the Mental Capacity Act or associated legislation, subject to written confirmation from a medical professional being provided, consent is not required. These cases will be considered and agreed on an individual basis.

### **Stage One**

In many cases, a complaint is best resolved by the person responsible for the issue being complained about. If the complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate.

Whether or not the complaint has been resolved, the complaint information should be passed to the Director with responsibility for the related Area.

On receiving the complaint, the Director with responsibility for that area of service ensures a record is made in the complaints log. If it has not already been resolved, they delegate an appropriate person to investigate it and to take appropriate action.

If the complaint relates to a specific person, they should be informed and given a fair opportunity to respond.

Complaints should be acknowledged by the person handling the complaint within two working days. The acknowledgement should say who is dealing with the complaint and when the person complaining can expect a reply. A copy of this complaints procedure should be attached.

Ideally complainants should receive a definitive reply within 20 working days. If this is not possible, for example because an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is justified or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation and any action taken as a result of the complaint.

## Stage Two

If the complainant feels that the problem has not been satisfactorily resolved at Stage One, they can request that the complaint is reviewed at Secretary General Level. At this stage, the complaint will be passed to the Secretary General.

The request for Secretary General level review should be acknowledged within 7 working days of receiving it. The acknowledgement should say who will deal with the case and when the complainant can expect a reply.

The Secretary General may investigate the facts of the case themselves or delegate a suitably senior person to do so. This may involve reviewing the paperwork of the case and speaking with the person who dealt with the complaint at Stage One.

If the complaint relates to a specific person, they should be informed and given a further opportunity to respond.

The person who dealt with the original complaint at Stage One should be kept informed of what is happening.

Ideally complainants should receive a definitive reply within 20 working days. If this is not possible, for example because an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is upheld or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

The decision taken at this stage is final, unless the Secretary General decides it is appropriate to seek external assistance with resolution.

## Vexatious / Malicious Complaints

The majority of complainants act entirely reasonably. However there are times when nothing further can be done to reasonably assist the complainant to rectify a real or perceived problem or their behaviour towards employees is unacceptably aggressive or rude. This can lead to significant time and resources being used in the management and investigation of complaints.

The decision to assess a person as a habitual and/or vexatious complainant rests with the relevant Director of service. Where complaints have been judged to be habitual or vexatious and, after all reasonable measures have been taken to assist the complainant, the Director can recommend to the Secretary General that the complaint should not be investigated and the complainant informed that correspondence has now finalised. The Director can withdraw the habitual and/or vexatious assessment should the complainant demonstrate a more reasonable approach or submit a further complaint for which the normal Complaints Policy procedure would be appropriate.

Vexatious or malicious letters may be passed to the relevant authorities and appropriate action may be pursued by the Association.

Disciplinary action, including dismissal, will be taken if an employee is found to be involved in vexatious or malicious activity.

### **External Stage**

The complainant can complain to the Charity Commission at any stage.

Information about the kind of complaints the Commission can involve itself in can be found on their website at: [www.charitycommission.gov.uk/publication](http://www.charitycommission.gov.uk/publication)