

COMPLAINTS POLICY & GUIDANCE



1. Introduction

WRASAC aims to be entirely supportive to all women needing our support. However, WRASAC recognises that there may be times when individuals using our service will be dissatisfied with the service and will wish to make a complaint. Maintaining good relationships throughout the process of the complaint is essential in order that full support can continue to be offered.

This in turn requires that we develop a “no blame” culture where complaints are welcomed as an opportunity to improve our service and to right occasional errors in practice and judgement. The appropriate response to complaint will develop further a woman’s sense of value and will add to the Centre’s credibility.

This complaints procedure covers complaints against members of staff, individuals (paid and volunteer) and groups carrying out work on behalf of our service.

2. Policy Aims

This policy has been produced by WRASAC in order to provide a working environment which deals with informal and formal complaints in a consistent and supportive manner. This policy aims to take a proactive approach to tackling all complaints by:

- Sharing complaints procedures with complainants
- Giving guidelines for handling first stages of receiving complaints
- Outlining procedures for dealing with complaints which are unresolved at the early stages.

3. Legislative and Regulatory Framework

Equal Opportunities Policy

WRASAC Equal Opportunities Policy sets out WRASAC commitment to prevent unequal treatment and discrimination.

WRASAC values the diversity of its workers and the contribution that each employee makes to the work of the organisation and will work to ensure that all workers are treated with dignity and respect.

4. Sharing Complaints Procedure

Details of the complaints procedure and copies of the complaints form will be displayed in all support rooms within the centre and also be available to download from www.wrasac.org.uk. It will also be provided to all service users as part of their introductory meeting. A leaflet outlining the complaints procedure will be made available to any individual who puts forward a complaint.

WRASAC will endeavour to provide the procedure in other languages or formats on request where practically possible.

The leaflet details:

- Our willingness to hear and respond to complaints informally and formally
- Internal procedures for dealing with complaints including time-scales for response
- Next steps should a complainant be dissatisfied with the outcome to date.

5. First Stage: Guidelines for Receiving Complaints

The good handling of a complaint is crucial to its outcome. Complaints can be made informally or formally. We will therefore strive to be open and relaxed when hearing complaints made against WRASAC. Workers hearing a complaint will bear in mind the following:

- Some individuals may be unused to making complaints and will need maximum support and reassurance in order that they can clarify their concerns.
- Some individuals may express anger which might seem disproportionate to the complaint. The support and understanding of the worker is essential: re-assurance and recognition of the anger will support the woman to make her complaint.
- The first complaint stated may not be the real issue. It is essential that space be given to explore possible further concerns.
- Some individuals may not be able to submit a written complaint. As such provision should be made to enable them to provide the complaint in another format .e.g. by telephone or in person.
- Individuals may require support to submit a complaint. Individuals should be made aware that a WRASAC support worker independent of the complaint can be allocated to provide this support. Alternatively Rape Crisis Scotland or Citizens Advice Bureau can also be identified in the complaints procedure and forms as a possible external source of support.
- Some individuals may wish for a support worker or advocate from another agency, such as the police, social work, and health professional, to make a complaint on their behalf.
- The complainant and the party who is being complained against and will be advised that they have the right to attend the complaints panel meeting and be accompanied and/or represented by a supportive person of their choice at the meeting.

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Complaints will come in a variety of forms. In responding to the first statement of complaint we will adhere to the following principles as far as is possible:

- The complainant will be reassured that WRASAC welcomes and responds to complaints informally and formally.
- Their complaint will be handled by someone independent of the complaint and be handled in a confidential manner.
- They will be encouraged to speak and be heard fully.
- The worker will clarify any points which are unclear and may take notes.
- The worker will repeat back to the complainant the key points from their complaint and outline the next steps which will follow. She will reassure the complainant that their complaint will be handled with confidentiality, be fully investigated and indicate the time frame in which they will receive a response.
- The complainant will be invited to state any other concerns.
- No comment will be made as to the validity or otherwise of the complaint. Our intention here is to provide accurate and supportive listening: decisions about the complaint will be made hereafter.
- If an individual has made a complaint we will reiterate our intention to give the best support possible to the service user who is making the complaint.
- Where an anonymous complaint is received, it will be passed to the manager who will investigate the matter as fully as possible in line with this procedure. Feedback regarding the issue where appropriate may be included on our notice boards within support room and service user forums.

All complaints received by WRASAC Workers, Volunteers, verbally or in writing should be forwarded on to the Manager, Sinead Daly, **01382 205556 or email sinead.daly@wrasac.org.uk**, who will, if appropriate, follow up with a phone-call or a meeting. The manager also has overall responsibility for managing the complaints procedure. Should the complaint involve a complaint against the manager, a representative from the Board of Governors will be appointed to respond to and investigate the complaint. At this stage, the complainant will be invited to re-iterate their complaint.

6 Timeframe for Response

A letter acknowledging receipt of the complaint will be sent to the individual (where appropriate) as soon as possible by the Manager.

The complainant will receive a written or verbal response to their complaint within 10 working days of raising the issue. If further time is required for the investigation the individual will be notified at this point that this is the case. We will communicate at this stage;

- The complaint is being taken seriously;
- Indicate the reason for the extension;

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- Indicate expected date for final response;

The Manager of WRASAC aims to have investigated all complaints within a maximum of 20 working days.

7 Dealing with a Complaint

Many complaints will be easily resolved: some will relate to a misunderstanding: some to miscommunication; some will have no substance. Some however will be more serious in nature. In dealing with all complaints, therefore, for the protection of workers, volunteers, other service users and complainant it is essential that the procedure is transparent and well documented in line with Data Protection.

WRASAC will investigate all complaints received within a 12 month period of the incident to which the complaint relates to.

The procedure for dealing with a complaint is as follows:-

- If an individual raises a complaint the worker/volunteer will clarify if the individual wishes to make this informally or formally. A WRASAC Complaint Form should be offered to the person if they wish to make a formal complaint.
- In the case of an informal complaint the worker or volunteer should document the concerns raised.
- The complaint is handled confidentially and passed to the Manager as soon as reasonably possible, or where the complaint relates to the manager a member of WRASAC's Board. The complaint will always be investigated by someone independent of the complaint.
- The complaint is investigated with any appropriate action taken and a record made and stored in line with Data Protection
- During the investigation any evidence from either party relating to the complaint will be heard separately and not together.
- Where parties of the complaint are required to attend meetings in relation to the complaint they are informed of their right to be accompanied by a third party of their choice.
- The outcome of the complaint, informal or formal, will be conveyed to the individual who has made the complaint

Further:

- If a complaint is made against a WRASAC worker or volunteer she will be informed by the Manager. If a complaint is serious in nature this information should also be communicated by the Manager to the Board of Governors.

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- Anyone identified within the complaint must declare any conflicts of interest to any person identified within the complaint.
- Any complaint relating to the provision of support will be passed to COSCA. All personal information about the service user will be removed and she will be identified by her ID number. (This will aid COSCA should the service user wish to complain to them also.)
- A complaint may lead to disciplinary action, WRASAC's Grievance and Disciplinary Policy and Procedure will then be implemented. All records of investigation must therefore be clear and the worker should be advised, for her support and protection, that when the issue is discussed with her she may choose to be accompanied by a trade union representative or a colleague for additional support. If the complaint relates to a volunteer they may request to be accompanied by a colleague or Trade Union Representative.
- If a complaint is unsubstantiated or caused by misunderstanding, support will be given to the worker or volunteer who may well feel distressed.
- WRASAC is aware of the possibility of litigation and if in doubt will seek legal advice. However, should we become aware of any legal action the complaints process will pause pending the outcome of the legal investigation.

The decision at the end of this stage marks the end of this stage of the Complaints Procedure.

If, following the investigation, the individual who is making the complaint is not satisfied with the outcome then they can appeal in the first instance to the Manager. The Manager will review the initial complaint and outcome with the individual and further discuss the matter. If the individual is still not satisfied with the outcome they then can appeal in writing to the Board of governors who may appoint an independent panel to hear the appeal.

When all internal complaints procedures have been exhausted and complainants are not satisfied with the outcome individuals can be directed to the Office of the Scottish Charity Regulator (OSCR) and COSCA with their concerns. Contact details will be displayed on complaints forms and notice boards within WRASAC premises.

8 Responding to a Complaint

Points for response to the complaint should be noted on the final section of the form.

- If the complaint has been lodged verbally, a verbal response will be considered, if appropriate. The exception to this will be if the service user raising the complaint has requested written feedback or if the complaint is of a very grave nature. However, all action taken should be recorded appropriately.
- If the complaint has been raised in written form, it may still be appropriate to respond verbally with the complainant's permission.
- If a complaint has been found to be unsubstantiated this will be made clear to the complainant and to others affected by the complaint.

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- There may be times when it will be appropriate to apologise for offence caused and any distress which has resulted. While it is appropriate to accept responsibility and outline changes which have been made, or actions which have been taken, any statements which imply damage will be treated with caution. If concerned that litigation may be made after legal advice has been obtained.

9 Complaints Policy for Paid Workers and Volunteers

WRASAC paid employees or volunteers who believe that they have suffered any form of discrimination, harassment or victimisation are entitled to raise the matter through the agreed procedures e.g. WRASAC's Bullying Policy/Guidelines, Equal Opportunities Policy, Health and Safety Policy and Grievance and Disciplinary Policy. All complaints of discrimination will be dealt with seriously, promptly and confidentially.

These internal procedures do not replace or detract from the right of workers to pursue complaints under any relevant employment, discrimination or other relevant legislation.

Every effort will be made to ensure that workers making complaints will not be victimised. Any complaint of victimisation will be dealt with seriously, promptly, and confidentially. A finding of victimisation by a worker will result in disciplinary action and may warrant dismissal.

10 Procedures for paid workers and volunteers

In the first instance an employee or volunteer can approach the Manager to speak on an informal / formal basis. This discussion should explore how the employee or volunteer would like to proceed i.e. on an informal or formal basis.

If the concern is taken formally to the Manager she has the power to decide on an appropriate course of action. This may lead to an investigation and/or disciplinary or grievance proceedings being instigated.

A record of the date the concern is raised should be made. The nature of the concern and the action taken should be kept in the appropriate file and stored in line with Data Protection.

If an employee or volunteer feels unable to approach the Manager they can contact WRASAC's Board of Governors or the designated member of Rape Crisis Scotland, make a complaint through Dundee City Council's complaint procedure, or contact an organisation such as safecall 0870 2410762 www.safecall.co.uk to voice their concerns.

11 Training and Information

All workers of WRASAC will receive a copy of the Complaints policy and their role in implementing the policy will be fully explained.

WRASAC in the implementation of this policy will identify any training requirements for workers.

WRASAC Complaints Policy will form part of the induction programme for all new workers.

12 Monitoring and review

WRASAC will monitor and review this policy three yearly as part of the cycle of policy review and when there are relevant changes in legislation or circumstances.

The review should include:

- are the aims of the policy being achieved?
- do all workers understand and comply with the expected action?
- are complaints dealt with quickly and in line with procedures?
- what have been the difficulties in implementing the policy and how can they be addressed?



COMPLAINTS PROCEDURE FOR SERVICE USERS

WRASAC aims to provide a quality service to all. We welcome any comments or suggestions on how we can improve upon our service. However, there may be times when women using our service will be dissatisfied and may wish to make a complaint.

This leaflet explains:

1. How you can complain
2. Who to contact
3. How we will respond

You may complain informally or formally. In the first instance it may be that a complaint can be dealt with and resolved informally through discussion with one of our workers, however this may not be possible in which case we have a formal complaints procedure.

This procedure exists for any woman who is unhappy with the service received and who feels a situation has not been resolved. In circumstances such as these WRASAC encourages women to use this procedure. No woman will be discriminated against as a result of making a complaint.

How to make a complaint

You can make a complaint about any aspect of our service by emailing sinead.daly@wrasac.org.uk or writing to:

Sinead Daly, WRASAC Manager
2 Dudhope Street
Dundee, DD1 1JU

Please mark the envelope 'Private and Confidential'. Please use the attached Complaints Form.

Should you be unable to make a written complaint please **phone** Sinead Daly on 01382 205556.

A support worker independent of the issue can be allocated to help you write a complaint or you may have a worker from another agency support you with this.

Alternatively you might wish to seek support from an external advocacy service, such as:

Rape Crisis Scotland
0141 331 4180

or

Citizens Advice Bureau
Dundee - 01382 307494
Angus 01241 870661.

Please let us know if you require this form in another format e.g. braille, large font.

What happens when a complaint is made?

On receiving a complaint WRASAC Manager / Director will:

- Contact you as soon as possible by letter, email or phone
- Discuss the complaint with you and if you wish a friend/partner/relative or independent advocate to support you
- Investigate the complaint thoroughly
- Address the complaint sensitively
- Contact you by letter, phone or email within 10 working days, after discussions, to inform you of progress of the investigation.
- As we are registered as a counselling skills organisation with COSCA, we are required to pass on information about any complaints received that relate to support work. All identifiable personal information will be removed. The complaint will be referenced with your WRASAC ID number, this will assist COSCA should you wish to complain to them also.

If you are not satisfied with the outcome you can appeal to the Chairperson of WRASAC who will go over the initial complaint and outcome with you, with the possibility for further discussion if necessary.

After investigation you will be informed in writing about the outcome. The decision at this point marks the end of our internal complaints process.

If you are still not satisfied with our internal complaints process or outcome you can contact **OSCR at 01382 220446** or **COSCA at 01786 475 140** and ask for a copy of their complaints form.

The Complaints form is attached overleaf.

WRASAC COMPLAINTS FORM



**Women's Rape &
Sexual Abuse Centre**
Dundee & Angus

Please ask a member of staff if you require support to complete this form

Your Details

Name: _____ Contact No. _____
Any other contact details:

What Is your Complaint? (please continue on separate sheet if necessary)

When and where did the event(s) you are complaining about occur?

How would you like the complaint to be resolved?

Signature: _____

Date: _____