



FJSS GROUP



**COMPLAINTS HANDLING
PROCEDURE**

INTRODUCTION

Definition: FJSS Group defines a complaint as 'any expression of dissatisfaction (with FJSS Group the organisation), with a member of staff, or with an FJSS Group Trustee) that relates to FJSS Group and that requires a formal response'.

Purpose: The formal complaints procedure is intended to ensure that all complaints are handled fairly, consistently, and wherever possible resolved to the complainant's satisfaction.

FJSS GROUP's responsibility will be to:

- acknowledge the formal complaint in writing.
- respond within a stated period of time.
- deal reasonably and sensitively with the complaint.
- act where appropriate.

A complainant's responsibility is to:

- bring their complaint, in writing, to FJSS Group's attention normally within 4 weeks of the issue arising
- raise concerns promptly and directly with an officially designated member of the FJSS Group team who may be a staff, volunteer, or trustee in the first instance.
- explain the problem as clearly and as fully as possible, including any action taken to date and what would be the primary reason for raising the complaint.
- allow FJSS Group a reasonable period of time to deal with the matter
- recognise that some circumstances may be beyond FJSS Group's control.

Responsibility for Action: All Staff, Volunteers, and Trustees of FJSS Group.

Confidentiality: Except in exceptional circumstances, every attempt will be made to ensure that both the complainant and FJSS Group maintain confidentiality. However, the circumstances giving rise to the complaint may be such that it may not be possible to maintain confidentiality (with each complaint judged on its own merits). Should this be the case, the situation will be explained to the complainant and the reasons clearly outlined.

Monitoring and Reporting: FJSS Group Trustees will receive annually an anonymized report of complaints made and their Resolution and Complaints will be handled in accordance with FJSS Group's Privacy Policy.

I. Complaints Policy Statement – FJSS Group:

- a)** is committed to providing a good standard of quality services to service users, other agencies, and organisations
- b)** will take seriously any concern or complaint and will look into it promptly, for resolution as quickly as practically possible all other circumstances being considered
 - i. recognises that all service users, agencies, and organisations have the right to raise concerns or complaints about our services
 - ii. have access to clear information on how to voice complaints and concerns

- a)** is committed to providing a good standard of quality services to service users, other agencies, and organisations
- b)** will take seriously any concern or complaint and will look into it promptly, for resolution as quickly as practically possible all other circumstances being considered
- c)** concerns and complaints procedures are open to everyone who receives or requests a service from FJSS Group and people acting on their behalf
- b)** will produce a standard leaflet outlining this policy and procedure which should be on display and available to anyone who asks for it.
- c)** will deal with complaints in line with FJSS Group privacy and confidentiality policy
- d)** will keep a register of all complaints, which will be reviewed regularly by the Board of Trustees at FJSS Group.
- e)** this complaints procedure will be part of the process of monitoring the quality, effectiveness, and non-discriminatory nature of our services to the community.
- f)** All staff, volunteers and Board of Trustees members are required to read, understand, and comply with this policy and its procedures

2. Introduction

2.1 FJSS Group strives for high standards in service delivery and welcomes feedback from individuals, users of our services, stakeholders, funding bodies and anyone who works with us, on all aspects of our work, programs, and activities. Such feedback is invaluable in helping us evaluate and improve our work.

2.2 The objectives of FJSS Group complaints policy and procedures are to:

- Ensure that everyone knows how to make a complaint to our organisation and how their complaint will be handled here at FJSS Group.
- Ensure that complaints are dealt with consistently, fairly, and sensitively within clearly set out time frames
- Provide individuals with a fair and effective way to complain about our work or their experience in dealing with our organisation.
- Ensure that all complaints are monitored to improve our services

2.3 FJSS Group will ensure that we:

- Listen carefully to complaints and treat complaints as confidential, where possible
- Record, store and manage all complaints accurately and in accordance with the Data protection Act and GDPR
- Investigate the complaint fully, objectively and within the stated time frame
- Notify the complainant of the results of the investigation and any right of appeal
- Inform the complainant of any action that will be implemented in order to ensure that there is no re-occurrence
- Report on an annual basis, the number of complaints received, the outcomes and

3. Definition of a complaint

3.1 A complaint is any expression of dissatisfaction by an individual, whether justified or not.

3.2 An individual may make a complaint if they feel FJSS Group has:

- Failed to provide a service or an acceptable standard of service or made a mistake in the way the service was provided
- Failed to act in a proper way
- Provided an unfair service

3.3 This policy and procedure relates only to complaints received about FJSS Group and its services.

4. Concern or Complaint

4.1 It is important to establish the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the likelihood of their developing into formal complaints.

4.2 If you have any concerns about our work, please tell a staff member or volunteer as soon as possible, so they can quickly understand your concerns and try to appropriately put things right using the existing channels.

4.3 If you are not happy with the response to your concern and/or you want to make a formal complaint please follow the procedure below.

5. Complaints Procedure

5.1 FJSS Group aims to settle the majority of complaints quickly and satisfactorily by the member of staff who provides the service. The complaint may usually be resolved quickly by way of an apology or by an acceptable explanation to the individual.

5.2 There are three stages to the complaint's procedure:

- Stage One – the complaint
- Stage Two – investigation
- Stage Three – appeal option

6. Stage One - Complaint

6.1 The complaint can be written or if the individual prefers, they can tell someone at FJSS Group verbally, or someone else they trust who will write it down for them however, the complainant will need to sign it themselves. A complaint form is available to use on request.

6.2 Individuals wishing to make a complaint should contact the person who provided them with particular service they are complaining about, or their line manager or alternatively, they can contact us by writing to: FJSS Group, Justice House, 24-26 Main Street, West Calder, EH55 8DR or email us on legalservices@fjssgroup.org marking the subject "Complaint".

- 6.1** 6.3 The complaint should include the complainants name and address, the nature and date of the complaint and how they want to see it to be resolved. The complaints form can be requested and can be sent to the complainant or collected by the complainant.
- 6.2** 6.4 On receipt, each complaint will be allocated a reference number and logged on the complaints register. Complainants must receive an acknowledgement within 3 working days of receipt of a signed complaint.

7. Stage Two - Investigation

- 7.1** All complaints at this stage should be handled by a manager. If they need to meet with the complainant, they will do so within seven working days of receiving the written complaint.
- 7.2** Complaints will be fully investigated, and a written response provided to the complainant within ten working days by the investigator.
- 7.3** The complainant will receive written confirmation of the outcome of any investigation any recommendations/remedies made, such as reviewing of policies, staff development, and training or appropriate improvement to our services and procedures.
- 7.4** Where the complaint is upheld an apology should be offered.
- 7.5** Occasionally investigations may take longer, particularly if the complaint is complex. Should this be the case a holding letter will be sent after ten working days and a final date given for a conclusion to be reached.
- 7.6** If an individual remains dissatisfied with the outcome from Stage Two, they can appeal within fourteen working days of the date of the outcome and progress to Stage Three.
- 7.7** The complaints register will be updated accordingly, and any pending complaints flagged so they are followed up

8. Stage One - Complaint

- 8.1** If the complaint cannot be resolved to the complainant's satisfaction at stage two, or if the manager feels that the complaint is of a very serious nature or concerns a service leader then it will be referred to the Chief Executive Officer.
- 8.2** If the complaint is about the Chief Executive Officer, then the matter will be discussed with two Trustees.
- 8.3** The Chief Executive Officer and/or Trustees will acknowledge receipt within three working days, they will review the Stage Two investigation process and recommend one of the following actions within ten working days (from the date the complainant stated they wanted to take the complaint to stage 3):

- Uphold the action taken at Stage Two
- Make changes to the Stage Two recommendation/actions

8.4 The complainant should be informed in writing of the outcome of stage three, the decision reached about this complaint will then be final but other options available to the complainant (as listed below) should be detailed in the letter.

8.5 If after the FJSS Group Trustees have been through the three stages and the complainant is still not satisfied with the result, they should be advised that there is no further right of appeal within FJSS Group, but they could approach any of the following agencies for advice:

- A solicitor where the nature of the complaint requires legal recourse
- Citizens Advice Bureau where the nature of the complaint can be handled as such
- The charity regulator OSCR where the complaint borders on regulatory issues.
- This should be done within one month of receiving the outcome from the appeal and FJSS Group would appreciate if complainants approached the organisation in the first instance before escalating to any external recourse.

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9. Anonymous complaints

9.1 Complaints received anonymously will be recorded and considered, but action may be limited if further information is required to ensure a full and fair investigation. It is also not fair for FJSS Group to deal with invisible faces that complain about our services.

10. Data protection

10.1 To process a complaint FJSS Group will hold personal data about the complainant, which the individual provides, and which other people give in response to the complaint. We will hold this data securely and only use it to address the complaint. The identity of the person making the complaint will only be known to those who need to consider the complaint and will not be revealed to other people or made public. However, it may not be possible to preserve confidentiality in some circumstances, for example, where relevant legislation applied, or allegations are made which involve the conduct of third parties.

10.2 FJSS Group will normally destroy complaints files in a secure manner six years after the complaint has been closed.

11. Monitoring

11.1 Complaints are an important tool which, alongside data provided by exit surveys, stakeholder surveys, user feedback and focus groups, will allow us to learn about the services we provide. They provide a useful source of information about how individuals see our services and how we are serving them. To ensure we can learn from complaints the following data will be collected:

- Name and address
- Name of person dealing with the complaint
- Date of complaint and response
- Nature of complaint
- Action(s) taken/recommendations made in response to the complaint
Lessons learnt

II.I Complaints information will be considered on a regular basis by the Management Team and reported annually to FJSS Group board of Trustees. Wherever possible the data will be used to improve and develop the service.