



Advocacy Service

Complaints Procedure

Introduction

Ulster Human Rights Watch aims to provide quality intervention, treatment, therapy and advice services to our service users. If we fail to do this, we want to know about it, and this procedure sets out how a service user can make a complaint to Ulster Human Rights Watch and how we will respond to complaints.

A complaint is defined as an expression of dissatisfaction made by a service user about Ulster Human Rights Watch services. Complaints are likely to be in one or more of the following areas:

- Procedures or activities;
- Discourtesy or unhelpfulness on the part of staff;
- Equal opportunities policy.

Policy

Ulster Human Rights Watch values complaints as opportunities to learn from mistakes and to improve the service we provide. The person affected can complain if we do something wrong or to a poor standard or treat someone unfairly.

Access to the complaints procedure is not available to service users who have already commenced legal proceedings against the organisation in relation to the matter in dispute or a related matter.

Aim

Ulster Human Rights Watch aims to provide a good quality service. We value complaints as an extremely useful form of feedback on the way we deliver our service, as well as a means of resolving individual service user grievances. Wherever possible staff are expected to deal with a concern at the point of it being reported before it escalates into a formal complaint.

When dealing with a complaint the aims of the organisation are to ensure that:

Ulster Human Rights Watch, The Victoria Suite, Brownlow House, Windsor Avenue, Lurgan, BT67 9BJ
Tel: +44 (0)28 3834 4500 Email: info@uhrw.org.uk Web: www.uhrw.org.uk Twitter: [@ulsterhumanrw](https://twitter.com/ulsterhumanrw)

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- Staff know how to respond effectively to service user dissatisfaction so that formal complaints are minimised;
- Staff know how to assist service users who wish to make a formal complaint;
- The complainant knows who is dealing with the problem, and what we are doing to resolve it;
- Wherever possible, the problem is resolved to the service user's satisfaction, quickly and sensitively. This may not be possible, however, if resolving a problem to the service user's satisfaction might in some way compromise or conflict with satisfaction of others;
- We learn from the experience and where necessary make changes to our policies and procedures.

Procedure

If a service user is unhappy with the service they receive, in the first instance the member of staff dealing with them tries to deal with the problem there and then.

Staff are encouraged to attempt to resolve any concerns that service users have before they reach the status of a formal complaint; encouraging a service user to make a complaint is never a substitute for inaction.

Staff will record all grievances, or informal complaints, using the complaints forms together with the action they have taken to resolve the concerns expressed. The committee will review the logs at least every three months to ensure procedures are being followed.

The use of complaints forms allows the organisation to monitor all grievances, large and small. A client or service user may wish to make a formal complaint without making an informal complaint or if they are not satisfied with the initial response they receive.

If resolution is not possible the member of staff should inform their line manager about the problem in writing to ensure that the service user's dissatisfaction is known about within the organisation.

The member of staff will inform the service user that they are passing this information on to their Line Manager. If the service user wants to make a formal complaint, there are normally three stages to the procedure:

- In the first instance the complaint is submitted for investigation.
- If the service user is not satisfied with the response they receive, they can complain to the chairperson who personally investigates the matter;
- If the service user is still unhappy, their complaint is considered by the committee as a whole.

Complaints Made by Telephone

If a service user contacting the Organisation by telephone wishes to make a complaint, the member of staff taking the call offers to complete the complaint form on their behalf by taking details over the telephone.

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Staff record on the form only what the complainant has said, and do not add any personal comments or observations on the nature and content of the complaint. The member of staff reads the contents of the form back to the complainant. Once it has been agreed as a true record, the member of staff explains what happens next and within what timescale the complainant can expect a reply.

The member of staff signs the form on the service user's behalf stating clearly their name and job title, the date on which the form was completed and the fact that the information was taken over the phone.

The member of staff sends a copy of the completed form and a policy statement to the service user for her/his own records, sends the original form immediately to the committee and if the complainant is an existing service user or client, places a copy on their file.

Complaints Made in Person

If service users visiting the office wish to make a formal complaint, staff offer them a first stage complaint form and policy statement. If staff think that individual service users may have difficulty in completing the form, they can offer to complete it on the service user's behalf.

If the complaint is about a specific member of staff, then that staff member should not be the one to help the service user complete the form. In the main office it would normally be a nominated responsible person who helps the service user to complete the form. In such cases the member of staff records on the form only what the complainant has said, and does not add any personal comments or observations on the nature and content of the complaint.

The member of staff reads the contents of the form back to the complainant. Once agreed, the member of staff explains what happens next and within what timescale the complainant can expect a reply.

Both the staff member and the complainant sign the form. The member of staff clearly states their name and job title, the date on which the form was completed and that the information was completed on the service user's behalf. The member of staff sends a copy of the completed form and a policy statement to the service user for her/his own records, sends the original form immediately to the committee and if the complainant is an existing service user places a copy on their file.

Complaints by Letter, Email or Fax

Any member of staff who receives a letter of complaint treats it as a formal complaint, sends it immediately to the committee and places a copy on the service users file if the complainant is an existing service user.

Stage One

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The committee ensure that each complaint is entered on the complaints register, which gives each complaint a unique reference number to be used in all correspondence until the case is closed.

An acknowledgement letter is sent to the complainant within three working days. The letter specifies who is dealing with the complaint, when the service user can expect a reply and the complaint reference number.

The complaint is immediately forwarded on to the relevant officer dealing with the complaint. The officer looking into the complaint replies to the service user in writing within 15 working days of the organisation receiving the complaint. The reply should:

- State whether the complaint is upheld;
- That the complainant can return an enclosed stage two complaint form, or otherwise contact the Director within 10 working days of receiving the letter, if unhappy with the outcome.

Apologies should not be seen as a problem and are often all that the service user wishes to hear.

The manager places their response on the service user's file if the complainant is an existing service user and sends a further copy to the committee for information.

Stage Two

Upon receiving a Stage Two complaint, an acknowledgement letter is sent within three working days, stating that the complaint will be investigated and there will be a response to the complaint within 15 working days of receiving the stage two complaint.

The full reply should:

- State what action has been taken or will take to resolve it if the complaint is upheld;
- Complete a stage three complaint form or otherwise contact the committee within 10 working days, if unhappy with the outcome.

A copy of the letter is placed on the service users file if the complainant is an existing service user

Stage Three

If a stage three complaint is received, receipt is acknowledged within three working days. The acknowledgement letter should explain that the complaint will be considered by a member of the committee. The service user is also informed that a hearing of the panel will take place within 20 working days of receiving a stage three complaint.

There is no further right of appeal within Ulster Human Rights Watch.

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Membership of the Complaints Panel

The Complaints Panel will consist of at least one member of the committee. The panel has full authority to make a decision.

Arranging the Hearing

The hearing should take place within 20 working days of receiving the stage three complaint. Every effort is made to meet this target, but sometimes, where the complaint has taken place over a period of time it is not always possible to meet it.

The Hearing

- The complainant may be accompanied by a friend or relative;
- The complainant and their representative are encouraged to attend the hearing to put their case;
- A representative of the organisation attends to put the management case;
- An appropriate officer who is not acting as the management representative at the hearing, advises the panel;
- This person acts as secretary to the panel;
- If necessary, witnesses may be called.

The normal sequence of events is:

- The officer puts their case and calls any witnesses;
- Questions;
- The complainant or their representative puts their case and calls any witnesses.

The chair asks everyone to leave the room apart from the panel members and the appropriate officer, who offers advice but leaves the decision to the panel members. The chair is responsible for the conduct of the hearing and may vary the sequence of events if they think that by doing so there is a greater chance of a successful conclusion being reached.

After The Hearing

Following the panel's decision, the appropriate officer sends a letter to the complainant confirming the outcome of the hearing. This letter is drafted in line with the panel's instructions and is only sent out after consultation with all panel members and with the final agreement of the chair. The letter:

- Informs the complainant that there is no further stage to appeal within the organisation;
- Is sent to the complainant within 10 working days of the hearing.

Feedback from Service Users

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When the complaint has been fully dealt with, a feedback form is sent to the complainant. It asks them if there is anything outstanding or there is any valid reason why the complaint should not be closed. It states that, if there is no response within 21 days, the case will be deemed closed.

Complaints should be seen in a positive light as feedback on service delivery. It is appropriate therefore that the organisation finds out the service user's views on how we have handled the complaint. When a case has been closed all documentation is placed on the service user's file.

Learning from Complaints

Any complaint may provide points of learning for the organisation. The learning from complaints form must be filed outlining the learning objective, any corrective action to be undertaken and a date by which this action is to be completed.

General Advice on Dealing with Service User Dissatisfaction

All staff have a responsibility to take seriously any concerns a service user may express about the service they get from us. Quick and effective action early on can often resolve a problem without the service user having to make a formal complaint.

Staff are encouraged to attempt to resolve any concerns that service users have before they reach the status of a formal complaint; encouraging a service user to make a complaint is never a substitute for inaction.

Key principles for staff in dealing with a complaint are:

- Do not argue;
- Be informative - explain what happens next;
- Service users can become abusive, threatening or even violent. This is unacceptable. If a service user becomes abusive or aggressive, the staff member ends the conversation and reports the incident to their line manager;
- Monitor the complaint regularly until it is clear that it is completely resolved.

General Advice on Investigating Complaints

It is difficult to prescribe what should be done when investigating a complaint. In most cases it is appropriate to discuss the matter or meet with the complainant and any member(s) of staff who may be involved. Staff may if they wish be accompanied by a representative or supporter when being interviewed as part of a complaint investigation.

Once service user dissatisfaction has developed into a formal complaint, all staff have a responsibility to respond as quickly and efficiently as possible to any instructions for information and action which help resolve the complaint

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Complainants wishing to contact staff about their complaint must not be deterred by staff. When contacting the organisation, complainants should be able to speak to the relevant staff member (including managers or directors) dealing with the complaint.

If not available, other staff should offer to take a message and pass this on to the relevant person. The latter contacts the complainant as soon as practically possible to avoid any possible misunderstandings and generate further dissatisfaction.

It is good practice for managers to keep the complainant informed of progress if the complaint is a complex one or if it is unlikely to be resolved within the 15 days response deadline.

Mediation

The use of mediation is encouraged at any stage of this procedure. The organisation should actively consider using mediation when appropriate to discuss the complaint and to seek an agreement acceptable to both sides.

The use of mediation should be particularly considered when the complaint is complex and resolution of one part has been achieved through the complaints procedure but resolution of remaining points may be dependent on progressing to the next stage of the procedure.

Making a Formal Complaint

If the service user is dissatisfied, despite attempts to help, staff can suggest they make a formal complaint if they have not already expressed a wish to do so. Staff should never discourage service users from making a formal complaint. Staff should not feel that they have personally failed if a service user wants to make a complaint.

While it is preferable that formal complaints are made on the complaint form, Ulster Human Rights Watch accepts complaints made over the telephone or in person.

Understanding and Completing the Form

Some service users may have difficulties in understanding and completing the form because they have difficulties with reading and writing, or if English is not their first language.

Where such problems are identified, staff either offer to complete the form on the service user's behalf or give them details of local community agencies who may be able to assist.

Censure of Staff

If at any stage a member of staff is to be censured as a result of the investigation of a complaint, the relevant officer ensures that that member of staff has an opportunity to put their point of view to them before drafting a reply.

The officer may decide to take account of this in replying to the complainant or, in the case of a stage three complaint, it is reported to the complaints panel.

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If necessary, the complaints panel can choose to question the member of staff additionally themselves.

Complaints Procedure Documentation:

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Informal Complaint Form

Name of the complainant:

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Address:

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Telephone number: Mobile number:

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Name of the UHRW member of staff to whom the complaint is reported to:

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Describe in detail and accurately the nature of the complaint:

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Describe what action has been taken in order to deal effectively with the complaint:

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Describe what measure has been taken to avoid a repeat of the complaint:

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Signature of the member of staff:

Date:

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Formal Complaint Stage 1

[Office use only: Ref. No.]

Name of the complainant:

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Address:

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Telephone number: Mobile number:

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Describe in detail and accurately the nature of your complaint:

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Describe what action can be taken in order to deal effectively with your complaint:

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Describe what measure can be taken to avoid a Stage 2 complaint:

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Name of the UHRW member of staff to whom the complaint has been reported to:

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Signature of the complainant:

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Date:

Signature of the member of staff:

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Date:

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Formal Complaint Stage 2

[Office use only: Ref. No.]

Name of the complainant:

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Address:

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Telephone number: **Mobile number:**

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Describe in detail and accurately the nature of your complaint:

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Describe why you are not satisfied with the reply from and/or action taken by the member of staff following your original complaint:

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Describe what action can be taken in order to deal effectively with your complaint:

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Describe what measure can be taken to avoid a Stage 3 complaint:

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Name of the UHRW person to whom the complaint has been reported to:
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Signature of the complainant:
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Date:

Signature of the person who received the complaint for UHRW:
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Date:

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Formal Complaint Stage 3

[Office use only: Ref. No.]

Name of the complainant:

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Address:

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Telephone number: **Mobile number:**

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Describe in detail and accurately the nature of your complaint:

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Describe why you are not satisfied with the reply from and/or action taken by the Managing Director of the UHRW:

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Describe what action can be taken in order to deal effectively with your complaint:

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Name of the person within the UHRW to whom the complaint has been reported to:

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Signature of the complainant:

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Date:

Signature of the member of staff:

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