

TITLE	COMPLAINTS POLICY
Version	5
1. Background	<p>Family Action strives to deliver services of the highest possible standards for the families and individuals that we work with, and more widely. However, we recognise that on occasions we might not get things right. In these situations, we want our service users, supporters or partners to be able to tell us about their concerns.</p> <p>The Complaints Procedure is part of Family Action’s culture of openness. For example, our services encourage service user participation, so that people understand why they are using the service, the objectives of the work, and how those objectives will be achieved. Services encourage, receive and value the views of our service users.</p> <p>Hearing and resolving complaints should be a two-way process. It is essential that anyone raising a complaint is able to discuss their concerns with staff and managers, are given time to be fully heard and fairly and, where appropriate, are offered the support of an advocate.</p>
2. Objectives	<p>The aim of Family Action’s Complaints Procedure is to ensure that complaints are taken seriously, are dealt with fairly and consistently, and that there is appropriate redress, in line with Charity Commission’s guidance.</p> <p>The protection of children, young people and vulnerable adults involved in, or affected by, a complaint will always be of paramount importance.</p> <p>Anyone has the right to define what their complaint is about and how they wish to resolve it. No one should be subject to any reprisals or less favourable treatment because they have made a complaint.</p>
3. Scope	<p>We will treat any expression of dissatisfaction about our conduct as a complaint- not just in respect of service delivery. This policy covers complaints about how a complainant or others have been treated by Family Action, or the behaviour of Family Actions staff or volunteers.</p> <p>All service users, including children or young people, have the right to make a complaint. Complaints received from a parent, other relative, friend or other individual on behalf of the service user will also be accepted under this procedure.</p> <p>Where a complaint is received from a child or young person under 18 years of age (or made by someone on their behalf) Family Action will ensure that an “Independent Person” is has been appointed to support them who is not an employee of Family Action.</p>

	<p>We recognise that Family Action service users may make complaints to other authorities or agencies. We recognise this right and will cooperate fully with the agency that has received the complaint in order to achieve a satisfactory resolution.</p>
<p>4. Policy</p>	<p>4.1 Definition of a Complaint</p> <p>A complaint is any dissatisfaction about the quality of a Family Action service or Head Office function about the actions, or lack of action, taken that affects an individual or group of individuals. A complaint can be made in writing or, initially, simply by telephone or in a conversation. Usually, a complaint will be about a service that is currently being provided or has recently finished.</p> <p>We will accept complaints up to 12 months after the last contact with Family Action. Complaints that fall outside of this period will be considered at the discretion of the relevant Director which the complaint relates to.</p> <p>Although not exclusive, possible grounds for accepting a complaint made after 12 months are:</p> <ul style="list-style-type: none"> • genuine issues of vulnerability; • the Director believes there is still a benefit to the complainant in proceeding; • there is likely to be sufficient access to information or individuals involved at the time, to enable an effective and fair investigation to be carried out; • action should be taken in light of human rights-based legislation. <p>Some issues may not be considered a complaint, for example:</p> <ul style="list-style-type: none"> • objections to certain processes or decisions we have taken in compliance with a legal requirement; • disapproval of Family Action’s refusal to take a particular course of action in a matter where we have no legal power; • complaints raised by staff (who should refer to the Grievance Policy); or • anonymous complaints. <p>In these cases, we will notify the complainant why we will not accept their complaint.</p> <p>4.2 Raising a complaint</p> <p>Complaints can initially be made verbally to a member of staff, or in writing, to complaints@family-action.org.uk, or to named individuals, via a third party, or via our Family Action website (https://www.family-action.org.uk/contact-us/).</p> <p>Complaints handling must be child, young person or vulnerable person-friendly and appropriate to the age and understanding of the complainant. If a child or vulnerable person wishes to make a complaint, we have a duty to provide them with information about advocacy services and offer help to obtain an advocate.</p> <p>Complaints can be received from service users, their family, friends or relatives on their behalf, or from third parties. All complaints are to be recorded and passed to the Complaints Manager. Complaints not from, or on behalf of, service users will, however, be restricted to Stage 1 resolution only, unless the director and Complaints Manager agree that they should progress further.</p>

If a complaint is made to a member of staff, the Complaints Manager must be informed as soon as possible so they can register the complaint and monitor its progress. However, there may not be a need to engage the complaints procedure if the matter is resolved immediately. Nevertheless, if the complaint has wider implications for the service or Family Action as a whole it should be recorded and reported, even if it has already been resolved satisfactorily.

As soon as it becomes apparent that someone wishes to make a complaint, the complainant should be given information about Family Action's complaints procedure including how to contact the Complaints Manager. This information is included in Family Action's Comments, Compliments & Complaints leaflet. Acknowledgement of the complaint will be made within 10 Working Days of receipt of the complaint.

The complainant retains the right to approach the commissioning authority's Complaints Manager or Local Government Ombudsman (LGO) at any time– we make this clear in our publicity. However, the LGO would ordinarily expect the provider or commissioner to consider the complaint initially and may refer the complaint back to the relevant Complaints Manager if this has not already been done.

4.3 STAGE 1: Local Resolution

A complaint is made on the date on which it is received by the Complaints Manager or another member of staff. If the complaint is received by a member of staff, they must immediately inform their manager, and they should attempt to resolve it swiftly and informally and should then send, as soon as possible, a report to the Complaints Manager and their own manager.

The expectation is that the majority of complaints should be considered (and resolved) at Stage 1.

A child, young or vulnerable person is entitled by law to advocacy support that is independent and confidential. In principle, Family Action would supply advocacy support for any vulnerable person, of whatever age. The Complaints Manager should ensure that a suitable person meets the vulnerable person to discuss the complaints process and ensure that any questions or concerns that the complainant may have are fully addressed. Where an advocate is being used, staff need to ensure that the advocate is acting with the informed consent of the young or vulnerable person. Further guidance is provided at Appendix 2.

At Stage 1, staff in the relevant service or Head Office team and the complainant should discuss and attempt to address the complaint as quickly as possible. They should discuss the issue, investigate locally, exchange information, highlight the thinking behind any decisions, ascertaining the desired resolution and try to agree a way forward.

Staff locally should, if and when needed, also consider how to meet the varying needs of complainants. This should be particularly important in relation to complainants whose first language is not English and those with communication difficulties. Facilities to support individuals with raising a complaint are generally available to complainants locally from voluntary organisations and community or self-help groups.

If the complaint comes directly to the Complaints Manager, the Complaints Manager will send the email to the relevant team to try to arrange local resolution.

4.3.1 STAGE 1: Timescale

Stage 1 should be completed within 15 working days of the complaint being received. Most Stage 1 complaints should, ideally, be concluded within this time limit. However, all concerned should, where possible, be flexible about the time limit, particularly when considering complaints that cannot progress to Stage 2.

Where the local service or Head Office team cannot provide a complete response, it can implement a further 10 days' extension. The maximum amount of time that Stage 1 should take is 25 working days. After this deadline the complainant can request consideration at Stage 2 if they so wish and if this is appropriate.

Stage 1 investigations should be conducted expeditiously and learning from the investigation may lead to changes operationally or organisationally, where the investigation report indicates a need for this.

4.3.2 STAGE 1: Resolution

The local manager must write to the complainant confirming the resolution and the Complaints Manager should be informed of the outcome as soon as possible.

The local manager should inform the Complaints Manager as soon as it is clear that a full or partial resolution has been reached or that a resolution cannot be reached through the Stage 1 procedure. The local manager will need to inform the complainant that they have the right to move on to Stage 2 (if this is the case), within 20 working days (so that momentum in resolving the complaint is not lost).

4.4 STAGE 2: Escalation

Where the matter cannot be resolved locally and the complainant is not satisfied with the outcome of Stage 1, and, if appropriate, the complainant may have the right to request consideration of the complaint at Stage 2, and to have a further and independent investigation made of their complaint.

There is no time-limit within which they must request this, but the Complaints Manager will recommend that the complainant does this within 20 working days.

On receipt of notification that the complainant wants to escalate the complaint to Stage 2, the Complaints Manager will draft a brief to the relevant director detailing the complaint, timeline of events, providing any relevant documentation, who to speak to, and the process. The Investigating Person may also consider other documentation or speak to other people that they may see fit.

A relevant independent staff member (appointed by the director responsible) will be appointed to investigate the complaint. This will also involve investigating why the local attempts to find a solution where not to the complainant's liking or satisfaction, and what the complainant's desired resolution is.

4.4.1 STAGE 2: Investigation

On receipt of the brief from the Complaints Manager the director will ensure that confirmation is sent to the person making the complaint, within five working days acknowledging that the complaint has proceeded to Stage 2 and that someone will be appointed to consider and investigate their complaint further. The director may, at their discretion, ask someone from outside the organisation to undertake the investigation. The person undertaking the investigation will be the Investigating Person.

The director will also make sure that the Service/Project Manager or Head Office team manager know of the complaint, the proposed investigation and will ask the manager to ensure that any members of staff mentioned in the complaint are notified and are properly supported.

The director will establish the arrangements for the support to be given and assistance to be given to the Investigating Person, for example, how their administration needs will be met, or how they can be enabled to meet all the people they need to.

The Investigating Person will be sent the brief, and any other relevant information, and they will carry out their investigation into the complaint in line with the guidance that Family Action has set out in Appendix 1.

The Investigating Person will contact the person making the complaint at the earliest opportunity, to discuss the complaint with them. It is particularly important that the person making the complaint should be asked what they want to happen as a result of the investigation. Family Action expects that creative problem solving should continue to be attempted at this stage.

The Investigating Person will then decide who they would like to interview, what documents they need to read and what further questions they want to ask so that they can gather all the information they need to write their report.

When the Investigating Person meets with people during the investigation, they should make notes of their discussion and write these up. The notes should be sent to each person who has been interviewed so that they can check for accuracy of facts. Anyone who has been interviewed can also propose any amendments they would like to make to the notes to the Investigating Person, these can be added at the Investigating Person's discretion, marked as amendments.

It is possible that, during the course of the investigation, information emerges that require another sort of investigation, perhaps an investigation under the Child Protection or Disciplinary Procedures. This will be dealt with separately under those policies, where appropriate.

Within 20 working days of being appointed the Investigating Person will submit a report on their completed investigation to the relevant director. This report will not make a judgement about the complaint but will set out the investigation process and its findings. Investigators should be asked to write their report bearing in mind that the person making the complaint normally has the right to read it. If the process is to take more than 20 working days the Investigating Person will write to the complainant and the relevant director let them know the revised timescale.

4.4.2 STAGE 2: Distribution of the report and summaries

The director will read all the material very carefully and decide how the information in the report and papers will be distributed. The director will send the report and any resolutions to the person making the complaint (and/or their advocate, if applicable). It is at the discretion of the relevant director whether amendments need to be made to protect third parties or whether a comprehensive summary would be more appropriate to be sent to the complainant.

Notes of interviews appended to the report, will not be sent to either the person making the complaint or to other staff, other than the director.

The director will also decide on, and write, the formal response that is to be made to the person making the complaint, whether that is an apology, an offer to meet to discuss possible changes to working methods or a simple statement that the complaint they have made has not been upheld as no evidence was found to support it.

The director will also decide how the report will be shared with any members of staff involved. Family Action will seek to share as much as possible whilst maintaining necessary confidentiality.

The Complaints Manager should be updated throughout the investigation process.

4.4.3 STAGE 2: Timescales

The formal response and finding will be made as quickly as possible. Investigating Persons have 20 working days to investigate the complaint. The director will strive to conclude the formal response within 10 working days following receipt of the Investigating Person's report. If the process is to take more than 10 days the director will write to the complainant and let them know the revised timescale.

4.4.4 STAGE 2: Resolution

The director must write to the complainant confirming the outcome and resolution, and the Complaints Manager should be informed of the outcome as soon as possible.

Where necessary, the director will ensure that the manager for that service or Head Office team (and other managers if a significant point of practice has been raised) thinks about and takes action so that the service/team and the whole organisation can learn, change and develop through the process of the complaint.

The director should inform the Complaints Manager as soon as it is clear that a full or partial resolution has been reached or that a resolution cannot be reached through the Stage 2 procedure. They will need to inform the complainant that they may have the right to move on to Stage 3 (if this is the case), within 20 working days, or confirm that they, having reviewed the report, do not have the right to move to Stage 3. Reasons why a complaint may not proceed, at the discretion of the director, include:

- it is a vexatious complaint;
- the conduct of the complainant;
- no new evidence has been raised following Stage 1 and 2;
- the impact or potential impact on staff involved; or

- it is highly unlikely, in the director's opinion, that an agreed resolution will be achieved or that the agreed resolution has already be achieved, by proceeding to Stage 3.

4.5 STAGE 3: Review Panel

The complaint cannot be considered again under this procedure once the response from the relevant director has been received. In their response the director will advise the person making the complaint of their potential right to request that an independently chaired Review Panel considers the complaint.

Subject to the bullet points in 4.5.4 above, if a complainant is not satisfied by the formal response of the Family Action to their complaint at Stage 2, may have the right to request a Complaint Review Panel. This will be chaired by someone within Family Action who has not been involved in the complaint process previously. A request for such a review must be made to the relevant director from Stage 2 and within 20 working days of receiving Family Action's formal Stage 2 response. Family Action's Chief Executive Officer will be notified by the Complaints Manager of any complaints that reach Stage 3.

The Complaints Manager and director will invite a Panel to meet as quickly as possible and within 20 working days of receiving the request from the person making the complaint that they wish to escalate the complaint to Stage 3. The panel will meet with the person making the complaint.

Panel members will consist of at least two of the following:

- A senior member of Family Action staff, maybe from another department, but with enough managerial responsibility to ensure that any action that is needed is taken.
- A person from another voluntary agency or local authority who has experience of managing complaints and related issues.
- Another person who will bring additional knowledge or experience on important aspects of the complaint, or example, someone with mental health experience, or a person with a research or other interest in the issues being complained about or a person who reflects the service user's ethnic, disability, gender or cultural identity. This person may be from Family Action provided that they have no connection with the complaint previously.

A chair for the Panel, from the above list, will be identified by the Complaints Manager and the relevant director, and the claimant will be notified of who the chair is.

4.5.1 STAGE 3: How the Panel will work

Before the Panel meets with the person making the complaint, its members will read all the relevant documents. The chair will decide on whom the Panel wishes to be present and the order and agenda of the meeting with the complainant. The Complaints Manager will write to the complainant to schedule the Panel meeting, giving at least 5 working days' notice.

The Panel will be conducted in a non-adversarial manner so that all the relevant issues can be brought to light and discussed. At the meeting the Panel will introduce themselves to the person making the complaint (and their advocate if they have one) and they will

hear and read information from a number of people connected to the complaint investigation, to understand why no resolution has been found, so far.

The Panel may want to hear from the relevant director, the Investigating Person, local managers or from other staff. The complainant, with support from their advocate if they have one, will be given the opportunity to present their complaint at the beginning of the hearing and to summarise at the end (see Appendix 3).

Adjournments may be requested by any party and agreed by the chair. The chair will be responsible for ensuring that the hearing is conducted fairly and respectfully. In exceptional circumstances the chair, if they believe that the presence of any of the parties is preventing the panel from reaching a decision, may ask one or all of the parties to leave the hearing.

4.5.2 STAGE 3: The Panel's conclusions and the responsibility of Family Action's Chief Executive

The Panel will meet together on its own to record its conclusions and recommendations. It will do this as soon as possible after the end of the meeting and within 10 working days.

The conclusions and recommendations will be sent to Family Action's Chief Executive so that they can send a letter to the person making the complaint as to the conclusions of the Panel meeting. They will do this as soon as possible and within 20 days of the receipt of the Panel's conclusions and recommendations.

The response of the Chief Executive is final.

4.6 Local Government Ombudsman and Regulators

A complainant has the right to contact the LGO or any other regulator, such as Ofsted, should they not be happy with outcome of Stage 3. Contact details are:

The Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH
T: 0845 602 1983 or 024 7682 1960
www.lgo.org.uk

For Children's Centres/Early Years' settings/PAC-UK:
Ofsted
Ofsted National Business Unit
Piccadilly Gate
Store Street
Manchester
M1 2WD
T: 0300 123 1231
<https://www.gov.uk/government/organisations/ofsted>

4.7 Vexatious Complaints

A small minority of people may make complaints that are vexatious, in that they persist unreasonably with complaints, make complaints other than genuinely to resolve a concern or act in a manner which, even after making allowances for the cause of their behaviour, is inappropriate and unacceptable.

A complaint may be regarded as vexatious in cases, including but not limited to, where the complainant:

- persists in pursuing a complaint which has already been investigated by Family Action and provides no new and material information;
- seeks to prolong contact by continually changing the substance of a complaint or by continually raising further concerns or questions whilst the complaint is being addressed;
- fails to clearly identify the substance of a complaint or the precise issues which may need to be investigated, despite reasonable efforts by Family Action to assist the complainant to do so;
- complains solely about trivial matters to an extent which is out of proportion to their significance;
- makes excessive contact with Family Action or seeks to impose unreasonable demands or expectations on resources, such as responses being provided more urgently than is reasonable or necessary.

If a complaint is determined to be vexatious, the relevant director will make a decision on whether to close the matter. In the event that the matter is closed, the complainant will be informed in writing of the decision and advised that Family Action will not enter into any further correspondence about the matter.

It is reasonable for any Family Action employee involved in the Complaints procedure to terminate a telephone conversation or meeting with the complainant if a complainant displays an unacceptable level of abuse or aggression during the conversation. In any such cases the employee should explain to the complainant why they are ending the conversation and, unless it is clearly inappropriate to do so, they should also be informed that it may be possible to continue the conversation at a future time when they are less distressed.

Violence or threats of violence are unacceptable and will not be tolerated by Family Action. Other than in the most exceptional of circumstances, any assault or threat of violence on a member of Family Action in course of their duties will be reported to the police.

4.8 Data Protection

Family Action will store data in compliance with the Data Protection Act 2018 (and GDPR). We will only process data on the complaint confidentially with those people involved in the various stages under this policy. If a complaint is by a child, young person or vulnerable adult, we will liaise with their advocate, as and where necessary.

We may retain anonymised data from previous complaints to ensure that we learn from them, but data on complaints will be held and stored in line with the Data Protection Act 2018.

4.9 The role of the Complaints Manager

	<p>The Complaints Manager, who is the Policy Lead, shall ensure that any complaint is processed in line with this policy. They are not part of the decision making, but will ensure that the Investigation Person, any relevant director, manager or staff, and Panel are aware of the policy and its procedures.</p> <p>They will ensure, as much as possible, that the timescales referred to in this policy are adhered to and will provide support where needed. The Complaints Manager will also keep a log of the complaints received by Family Action and when they have been resolved. They may bring in additional support from their team to advise on any aspect on a complaint, such as reviewing any correspondence to the complainant.</p>
5. Timescales	With immediate effect
6. Supporting Appendices	<ol style="list-style-type: none"> 1. Guidance for the Investigating Officer conducting a Stage 2 Complaint Investigation. 2. The special responsibilities of the Independent Person advocate who is appointed where a complaint from a child or young person under the age of 18, or a vulnerable adult. 3. Guidelines for the Review Panel. 4. External Complaints Process flow chart and leaflet
7. Linked Policies	Employee Code of Conduct
8. Legislation	<ul style="list-style-type: none"> • Local Authority Social Services Complaints (England) Regulations 2006 • Equality Act 2010 • Data Protection Act 2018
9. Policy Lead	General Counsel & Director of Systems
10. Approval at EG	15 February 2024
11. Review Date	28 February 2026
12. Effective Date	15 February 2024

Appendix 1: Guidance for the Investigating Person- Conducting a Stage 2 Complaint Investigation

Planning and information gathering

Discuss the complaint with the relevant director, planning the way the investigation will be conducted, who will be interviewed and what written information relating to the complaint needs to be read, in line with the brief prepared by the Complaints Manager.

Liaise with the identified local managers to ensure that access to relevant documentation, information and staff will be available.

Decide how, where and when interviews will be arranged and written up. You will not be allowed to tape record interviews, as this is too intrusive.

Carrying out the interviews

It is usually best to start the process by interviewing the person making the complaint. It is sensible to clarify the complaint, make sure that you understand it and any nuances it contains, you may want to re-order it to prevent duplication of issues or to put some areas of the complaint outside your sphere of responsibility, for example, where a service user has also complained about another service or colleague from another agency.

You may consider asking the person making the complaint to confirm and sign a written statement of the complaint. This allows the complaint to be crystallised, making the investigation process clearer, as it cannot be changed.

The interview should also clarify what the person making the complaint expects as a resolution or outcome. You should explain the investigation procedure, including possible timescales and, if required, obtain the complainant's consent to read the information held about them by Family Action.

After the interview

Think about what you have heard, digest it and write it up in clear note form. You may want to do some reading; there may be relevant records, background papers and, perhaps, legislation, regulations, government guidance and Family Action policies, standards and procedures.

You should assess at this point whether the Complaints Procedure is the most appropriate way of handling this complaint. If you think that other issues are emerging that are more appropriately addressed by Family Action's Disciplinary, Child Protection or other Procedures then you must advise the Complaints Manager and the relevant director.

Analyse the complaint and break it into a series of areas or questions you want to ask, decide who can help you with getting the answers, then schedule interviews with other parties. It is best to give everyone to be interviewed at least two working days' notice.

Interviewing staff

Just as you sought to clarify issues with the person making the complaint, so do the same with the member of staff, as with all complex interviews you will gain more information from asking open

rather than leading questions and inviting answers that lead to other areas you are interested in. Make sure that the meeting has a more conversational tone than an interview.

At the end of the interview, you should summarise the main points covered and ask if the member of staff has anything to add.

It is wise to remind the person being interviewed that the information they provide may well be included in your report but that they will have the opportunity to check the interview notes for accuracy. You should make these notes of the interview as soon as possible and send them to the people you have interviewed.

People may read the notes and seek to make more significant changes than simple corrections of fact. If their view is at odds with yours and your original notes of the interview you will be best advised not to make such changes but record them as something that the person wanted recorded, it will then be up to the relevant director to decide whether they will rely upon these late additions or not.

The Report and its Structure

The person making the complaint will have the right to read the report, so it should be written in plain, clear and accessible language, please do not use acronyms. The report's suggested structure:

- A summary of the complaint, breaking down a complex complaint into its different elements.
- The resolution sought by the person making the complaint.
- A list of persons interviewed, and papers read.
- An analysis of each element of the complaint that distinguishes clearly between fact and opinion.
- State unambiguously whether or not each element of the complaint is upheld.
- Make recommendations specific to the complaint and the person making the complaint's wishes for resolution, if any.

Recommendations need not be restricted to an individual service or team. The policy, procedure and practice of individuals, or Family Action as a whole, may be important in any specific complaint.

Append notes of interviews you have written to the report and send it to the Complaints Manager and the director overseeing the complaint. If during the course of an investigation concerns of a wider applicability come to light, you should write these under a separate letter to the director responsible for the work area those concerns relate to, without reference to the complaint, with any recommendations or proposals for action.

Keep a copy of all materials (paper and computer records) until the complaint has been concluded.

Appendix 2- The special responsibilities of the Independent Person who is appointed where a complaint from a child or young person under the age of 18, or a vulnerable adult, requires a Stage 2 investigation.

The Independent Person has specific responsibilities to ensure that a child, young person or other particularly vulnerable person, has their needs attended to during the investigative process and that their age or vulnerability is taken into account. Special needs for communication support may be required, it may be crucial to have a same sex investigator or that interviews take place with a translator present.

The Independent Person has a specific responsibility to report to the relevant director that the investigation was carried out properly and in accordance with best interviewing practice. The Independent Person undertakes their role by liaising with the Investigating Person about the process of an investigation, timetable, witnesses and interview questions, records to be examined, and how the person making the complaint can be connected to the process by receiving information at regular intervals.

The Independent Person will need to clarify information for themselves to ensure that their report is coherent and properly reflective- it is not their role to investigate the issues arising out of the complaint but by being present, wherever appropriate, at all interviews undertaken by the Investigating Person the Independent Person offers scrutiny and safeguarding to the whole process.

Once the interviews have been concluded the Independent Person is required to establish their own independent and objective view of the complaint. They need to comment on both the process of the investigation and the Investigating Person's report by writing their own report to the relevant director.

Appendix 3- Guidelines for the Review Panel.

Background: why have a panel?

Family Action has adopted a parallel process to that of local authorities and the NHS. Family Action has a three-stage approach. In relation to any complaint which cannot be resolved at Stage 2 of the Family Action Complaints Procedure, a Review Panel will be convened to consider and make recommendations to Family Action's Chief Executive Officer.

Family Action will convene a Review Panel if the person making the complaint or their representative asks for this to happen, which has been agreed by the Complaints Manager and relevant director. It takes place when the person making the complaint tells the director in question that they are not satisfied with the outcome at Stage 2 within the 20 working day notice period that they have in which to make this request.

Composition of the Panel

Each Panel will be made up of:

- A senior member of Family Action staff, maybe from another department, but with enough managerial responsibility to ensure that any action that is needed is taken.
- A person from another voluntary agency or local authority who has experience of managing complaints and related issues.
- Another person who will bring additional knowledge or experience on important aspects of the complaint, or example, someone with mental health experience, or a person with a research or other interest in the issues being complained about or a person who reflects the service user's ethnic, disability, gender or cultural identity. This person may be from Family Action provided that they have no connection with the complaint previously.

The relevant director brings the Panel together- they, together with the Complaints Manager, will select people to sit on the Review Panel bearing in mind the particular issues within each complaint or the specific issues raised by the person making the complaint.

It is very important for reasons of consistency that all members of the Panel are present throughout the process. Should for any reason a Panel member be unable to remain for the whole of the process (e.g. because of an emergency or sickness), then the Panel meeting shall be paused until their return. If they are unable to return for any reason, then the Panel will proceed without a third member.

Notifications

The person making the complaint will be reminded that they may be accompanied by a friend or representative (but not a solicitor) and that the Panel can only consider the original complaint and the response of Family Action to the Stage 2 investigation. The Panel cannot listen to new matters as it has no means of investigating and assessing them.

The Complaints Manager will provide the Panel all of the required documentation relating to the original complaint, and that need to be raised and reviewed by the Panel.

Everyone attending the Panel meeting will receive the same documents, including:

- An Agenda
- A copy of the procedure and this guidance

- Copies of the complaint and any written statements of the complainant, including any Stage 1 correspondence and communications.
- Copies of the Stage 2 documents (i.e. the report of the Investigating Person).
- Copy of the formal response Stage 2 of Family Action.

Attendance

Attendees will attend the Panel meeting at the invitation of the director in whose area the complaint is about. Family Action needs to hold the balance between transparency and openness as set against the need for discretion and confidentiality.

The people attending the Review Panel will normally be:

- The complainant and/or their advocate;
- The Panel members;
- The relevant director;
- Investigating Person (Stage 2);
- An interpreter, if appropriate;
- Anybody else referred to in the complaint, for example, staff and volunteers.

Conduct of the Panel

The Panel meeting needs to be conducted as informally as possible, within a framework that allows the Panel time to consider all the issues and to enquire further into things that are not clear.

Family Action's Review Panel Framework

The chair of the Panel should outline the purpose of the meeting and introduce all participants.

It is proper for the complainant and/or their advocate to begin the proceedings if they can and want to- they may want to read out a prepared statement.

After this the director who undertook Stage 2, will move to outline the conclusions and recommendations of Stage 2. The Investigating Person (Stage 2), should outline their conclusions and recommendations. The complainant, or their advocate, can ask both these people questions.

Other relevant persons can make a statement and, again, the complainant, and/or their advocate, can question them.

The relevant director will then make a closing statement, as does the complainant, and/or their advocate or representative.

Panel members may put questions or ask for clarification at any stage of the meeting.

Deliberating and Reporting

The Panel members will then thank all the participants and close the meeting to consider what they have heard.

The Panel members will decide their recommendations and record them in writing as soon as possible, this should be within 5 working days after the end of the meeting. The chair of the Panel

will take responsibility for compiling the Panel's report and the recommendations, agreeing them with the rest of the Panel, and send them to Family Action's Chief Executive Officer.

What the Chief Executive Officer must do on receiving the Panel's recommendations

When the Chief Executive Officer has received the Panel's recommendations, they will decide what action to take. They may consult with the chair of the Panel to clarify matters if they so wish. Once they have decided, and within 10 working days after the Panel meeting, unless otherwise agreed, they will inform the complainant of their proposals for action, they will include a copy of the Panel's recommendations too.

These papers will be sent to the complainant, of their advocate (if they had one), and the following:

- the Panel members;
- the Investigating Person at Stage 2;
- the relevant director;
- The Complaints Manager;
- any other person that the Chief Executive Officer from time to time see fits.

The Chief Executive Officer's decision on these issues is final. There is no further process for appealing against this decision or the process through which the complaint has been reviewed.

Appendix 4- Complaints Process flow chart and leaflet

WHO CAN COMPLAIN UNDER THE FAMILY ACTION COMPLAINTS POLICY?

We will treat any expression of dissatisfaction about our conduct as a complaint- not just in respect of service delivery. We want our service users, supporters or partners to be able to tell us about their concerns.



AVENUES FOR COMPLAINT:

Complaints can initially be made verbally to a member of staff, or in writing, to complaints@family-action.org.uk, or to named individuals, via a third party, or via our Family Action website (<https://www.family-action.org.uk/contact-us/>).



ACKNOWLEDGEMENT:

We will acknowledge receipt of your complaint, within 10 Working Days.



STAGE 1- LOCAL RESOLUTION

- Swift, informal and local resolution
- Led by local manager or another manager, as required
- Aim to resolve your complaint within 15 Working Days
- We will write to you with our response



STAGE 2- INVESTIGATION

- Write to us within 20 Working Days of receiving your Stage 1 response letter
- An Independent Person will be assigned to investigate your complaint by a director
- Aim to prepare a report to you within 20 Working Days
- The Director will write to you with our response



STAGE 3- PANEL

- Write to us within 20 Working Days of receiving your Stage 2 response letter
- A Panel of 2 to 3 people will be assigned to your complaint, and notification given to our CEO
- The Panel will reconsider your complaint and provide a report to the CEO
- Within 30 Working Days our CEO will write to you with our response, and the decision will be Final



OUTCOME:

You have the right to contact the Local Government Ombudsman or any other regulator, such as Ofsted.