

<b>Title</b>	Compliments and Formal Complaints Policy & Procedure
<b>Issue Date</b>	April 2024
<b>Review Date</b>	April 2025
<b>Equality Impact Assessment Date</b>	April 2024
<b>Equality Impact Assessment Review Date</b>	April 2025
<b>Total Number of Pages</b>	6
<b>Owner</b>	CEO's Office
<b>Distribution</b>	Trust Wide

## Definition(s)

**Compliment** - is a congratulatory and / or positive comment.

**Complaint** - is defined as follows; "when a service user does not feel they have received a satisfactory response to an expression of dissatisfaction about an action or lack of action by the Trust and when they wish to progress this to a formal complaint."

**Service User** - is a parent, student, resident, tenant, visitor or member of the public.

**The Originator** - is the person making the comment, compliment or complaint to the Trust.

## Purpose

The purpose of this procedure is to record details of all compliments and formal complaints received from service users and to provide a process to resolve formal complaints nearest their point of origin and prevent potential formal complaints escalating.

The objective is to provide a procedure which;

- is simple for service users to use and is equally accessible to all;
- compliments the informal complaints procedure in addressing concerns as close to their source as possible and as quickly as possible
- deals with formal complaints swiftly
- ensures that compliments are recorded centrally
- give service users confidence that their formal complaints are being dealt with effectively
- creates a culture in which concerns are embraced to drive continuous improvement
- seeks to learn from feedback and prevent the recurrence of problems
- generates a consistent approach to compliments and formal complaints throughout the Trust

Wherever possible complaints should be addressed as close to source within the guidance of the Informal complaints procedure.

## Procedure

### Compliments

- All compliments must be passed to the CEO's office with the knowledge of the Head of Department

### Formal Complaints

The formal complaints procedure has three stages:

#### Stage 1 – Operational Level (Operational Management Group)

- The formal complaint will be investigated by the Head of Service responsible for the area about which the complaint has been made.
- The aim is to resolve the issue to a satisfactory outcome to both parties as near to the point of origin as

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possible. This procedure applies where an informal route has not achieved a desired outcome for both parties.

- The Head of Service will provide a draft written response to the formal complaint to the CEO's office within the timescales advised by the CEO's Offices, to enable the CEO's Office to send a formal response to the originator within 20 working days of receipt of the formal complaint.
- If the formal complaint has not been satisfactorily resolved at this level, the originator may wish to refer the formal complaint to the next level, Stage 2 – Senior Management/ELT level. The original complaint will stay open for one calendar month, following the formal response being sent, should an escalation be required.

### Stage 2 – Senior Management/ELT Level

- If the formal complaint has not been satisfactorily resolved at the Operational Level, the formal complaint will be referred to the Senior Management/ELT level.
- The Senior Manager for the department (a member of the Executive Leadership Team) will take responsibility to try to resolve the issue about which the formal complaint has been made to a satisfactory outcome.
- The ELT member will provide a draft written response to the CEO's office within the timescales advised by the CEO's Office, to enable the CEO's Office to send a formal response to the originator within 20 working days of receipt of the referral.
- If the formal complaint has not been satisfactorily resolved at this level, the originator may wish to progress the complaint to Stage 3 – Corporate Level. The second level complaint will stay open for one month following the formal response being sent, should an escalation be required.

### Stage 3 – Corporate Level

If the formal complaint has not been satisfactorily resolved at the Senior Management/ELT level, the complaint will be referred to the Corporate Level. This may be the Chief Executive or another member of the Executive Leadership Team nominated by the Chief Executive.

- The Chief Executive will take responsibility to try to resolve the issue about which the formal complaint has been made to a satisfactory outcome.
- The Chief Executive will provide a written response to the originator within 20 working days of receipt of the referral.
- **The decision of the Chief Executive, or their nominated ELT member, will be final.**

### External Parties

The complainant can, at any point, contact the regulatory body to which the complaint relates;

- Care Quality Commission
- Charity Commission
- Ofsted
- Stockport Quality Team

### Confidentiality

All formal complaints made to the Charity will be treated in confidence. However, on occasion it may be necessary to discuss the complaint with other individuals as part of the investigation process and although confidentiality will be preserved, anonymity may not.

### Response

Formal complaints must be submitted in writing, by letter, via email, or by using the Seashell Trust Complaints form, clearly outlining the nature of the formal complaint. Responses to the originator will be in writing. The expected

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response time for a complaint to be acknowledged will be 5 working days and a full response within 20 working days. Times may vary where formal complaints fall within any statutory complaints process, which may work to different time scales.

The Trust reserves the right to take the decision to extend any complaint response timescales, however the CEO's office will seek to agree any ongoing timescales that fall outside of the timescales detailed and keep the person making a formal complaint informed.

### Resolutions

All resolutions will be based on appropriateness, timeliness and consistency. It is the Charity's aim to restore service users to the position they would have been in had the complaint not arisen. However, this may not always be possible however a full explanation would be provided in this instance.

### Reports

Reports on the operation of the procedure will be presented termly to the Executive Leadership Team. Report details will include the number and a summary of the compliments and formal complaints received across department areas.

### Responsibilities

#### It is the responsibility of the Line Manager to:

- Try to resolve complaints received as near to the point of origin as possible.
- Try to prevent the complaint from escalating to the next level.
- Ensure all compliments and complaints received are dealt with in accordance with the relevant procedure.
- Discuss all compliments with the individuals or teams concerned.
- Ensure the details of all compliments and formal complaints are passed to the CEO's office

#### It is the responsibility of the Operational Heads of Service to:

- Become involved in the procedure if the complaint has not been resolved through the informal procedure
- Ensure all compliments and complaints received are dealt with in accordance with the relevant procedure.
- Ensure the details of all compliments and formal complaints are passed to the CEO's office

#### It is the responsibility of the Senior Manager /ELT to:

- Become involved in the procedure if the formal complaint has not been resolved at Operational Head Level.
- Ensure all compliments and complaints received are dealt with in accordance with the relevant procedure.
- Ensure the details of all compliments and formal complaints are passed to the CEO's office

#### It is the responsibility of the Chief Executive to:

- Have overall responsibility for the operation of the procedure.
- Become involved in the procedure if the formal complaint has not been resolved at Senior Manager/ELT level.
- Ensure all compliments and complaints received are dealt with in accordance with the relevant procedure.

#### It is the responsibility of the Chief Executive's Office to:

- Log any compliments and formal complaints and ensure the relevant parties are informed

### Related Document(s)

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Compliments and Informal Complaints Form

## COMPLAINTS SPECIFIC TO FUNDRAISING (as required by the Fundraising Regulator)

<p><b>Definitions</b></p> <p><b>Fundraising Regulator</b></p> <p>Seashell Trust believes that members of the public should feel able to comment or complain about any issue relating to fundraising if they are of the opinion that the practice is flawed.</p> <p><b>Complaint</b></p> <p>A complaint is “an expression of dissatisfaction whether justified or not” (BS8600).</p> <p>A complaint may cover a wide range of expressions from vague disquiet to serious concern. These may be given verbally or in written format. All concerns must be addressed formally. Complaints may arise from:</p> <ul style="list-style-type: none"> <li>• The quality of the services provided.</li> <li>• The administration and/or staff costs.</li> <li>• The administration or processing of errors.</li> <li>• Retail issues.</li> </ul>
<p><b>Purpose</b></p> <p>As a member of the Fundraising Regulator, the Seashell Trust is demonstrating its commitment to the highest fundraising standards as well as increasing its credibility within the fundraising sector.</p> <p>The Seashell Trust will have a robust complaints procedure in place for dealing with fundraising complaints from the public.</p>
<p><b>Policy and procedure</b></p> <p>The Fundraising Regulator requires members to provide an established formal Complaints Policy.</p> <p><b>How to complain</b></p> <p>Any complaint should be made either by telephone, in writing or by e-mail to the Head of Fundraising.</p> <p><b>How does the complaints process work?</b></p> <ol style="list-style-type: none"> <li>1. Complaint made either to the member charity or the Fundraising Regulator.</li> <li>2. Referred to Complaints Coordinator who attempts to reach a resolution.</li> <li>3. If complainant satisfied, end of process.</li> <li>4. If complainant not satisfied next step.</li> </ol>

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5. Complaint referred to Fundraising Regulator
6. FSB staff attempt to reach resolution with all parties.
7. If both parties satisfied, end of process.
8. If both parties not satisfied, next step.
9. Complaint referred to the Board of the Regulator.
10. The Board upholds or rejects the complaint
11. End of process.

### Policy & Procedure information

A complete record shall be kept of any concern or complaint. The purpose of this policy is to ensure the use of best practice in all areas of fundraising.

### Handling complaints

The Head of Fundraising will keep a record of all complaints.

This will include:

- A copy of the complaint
- Details of the Code or section of the Fundraising Promise it is believed has been breached
- The date you received the complaint
- A copy of all the communications in connection with the complaint.
- Details of the investigation the charity has undertaken into the complaint

### Roles and responsibilities

It is the responsibility of the Head of Fundraising to:

- Ensure the Seashell Trust maintains the highest standards of fundraising so that the public can give to the charity in confidence.
- The charity will display the Fundraising Regulator kite mark on all their fundraising materials.
- The Head of Fundraising will act as the complaints co-ordinator and be the primary point of contact with the Fundraising Regulator. As such the Head of Fundraising will:
  - Ensure the charity's complaints procedure is available in writing or on the website
  - Keep records of complaints
  - Try to resolve all fundraising complaints as quickly as possible.

It is the responsibility of all members of the Fundraising department to:

- follow the Institute of Fundraising's Codes of Fundraising Practice and the Fundraising Regulator's Fundraising Promise when fundraising, namely:
- We Are Committed to High Standards
  - We do all we can to ensure that fundraisers, volunteers and fundraising contractors working with us to raise funds comply with the Institute's Codes and with this Promise.
  - We comply with the law including those that apply to data protection, health and safety and the environment
- We Are Honest and Open

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- We tell the truth and do not exaggerate
- We do what we say we are going to do
- We answer all reasonable questions about our fundraising activities and costs.
- We Are Clear
  - We are clear about who we are, what we do and how your gift is used
  - Where we have a promotional agreement with a commercial company, we make clear how much of the purchase price we receive
  - We give a clear explanation of how you can make a gift and amend a regular commitment
- We Are Respectful
  - We respect the rights, dignities and privacy of our supporters and beneficiaries
  - We will not put undue pressure on you to make a gift and if you do not want to give or wish to cease giving, we will respect your decision
  - If you tell us that you don't want us to contact you in a particular way we will not do so
- We Are Fair and Reasonable
  - We take care not to use any images or words that cause unjustifiable distress or offence
  - We take care not to cause unreasonable nuisance or disruption
- We Are Accountable
  - If you are unhappy with anything we've done whilst fundraising, you can contact us to make a complaint. We have a complaints procedure, a copy of which is available on request. If we cannot resolve your complaint, we accept the authority of the Fundraising Standards Board to make a final adjudication

**Related documents**

<https://www.fundraisingregulator.org.uk/complaints/make-complaint>



Formal Complaint Form