

BOSP SERVICES COMPLAINTS POLICY

BOSP accepts the rights of service users to make complaints and to register comments and concerns about the services received. It further accepts that they should find it easy to do so. It welcomes complaints, seeing them as opportunities to learn, adapt, improve and provide better services.



The Policy

This policy is intended to ensure that complaints are dealt with properly and that all complaints or comments by service users and their relatives, carers and advocates are taken seriously. BOSP believes that failure to listen to or acknowledge complaints leads to an aggravation of problems, service user dissatisfaction and possible litigation. BOSP supports the idea that most complaints if dealt with early, openly and honestly can be sorted at a local level between just the complainant and the organisation. The complaints procedure is made available to all service users and families.

Aim of the Complaints Procedure

We aim to ensure that the complaints procedure is properly and effectively implemented, and that service users feel confident that their complaints and worries are listened to and acted upon promptly and fairly.

Specifically, we aim to ensure that:

- Service users, carers and their representatives are aware of how to complain and that BOSP provides easy to use opportunities for them to register their complaints
- A named person will be responsible for the administration of the procedure
- Written complaints are acknowledged within 5 working days
- All complaints are investigated within 14 days of being made
- All complaints are responded to in writing within 28 days of being made
- Complaints are dealt with promptly, fairly and sensitively, with due regard to the upset and worry that they can cause to both service users, staff and workers
- Details of all verbal and written complaints must be recorded in the Complaints Log folder
- The Charity formally reviews all complaints at least every six months as part of its quality monitoring and improvement procedures to identify the lessons learned
- If the complaint is about the BOSP CEO the formal complaint needs to be sent in writing to the Chairman of the Board of BOSP Trustees

Please be aware that due to staff absences and closures over the Christmas period, responses to complaints, Freedom of Information (FOI) and Individual Rights Requests, including Subject Access Requests (SAR) may incur minor delays

Responsibilities

The BOSP CEO is responsible for co-ordinating the complaints procedure and Complaints Record Log. Communication with BOSP's CEO should be clear and transparent in order to demonstrate and evidence compliance with the policy.

VERBAL COMPLAINTS PROCEDURE

- Support Workers who receive a direct verbal complaint will notify the Activity Co-ordinator immediately
- Other members of staff or volunteers who receive a direct verbal complaint should notify the Services Manager/CEO at The BOSP Office immediately
- If the complaint is being made on behalf of the service user by an advocate, it must first be verified that the person has permission to speak for the service user, especially if confidential information is involved. (It is very easy to assume that the advocate has the right or power to act for the service user when they may not). If in doubt it should be assumed that the service user's explicit permission is needed prior to discussing the complaint with the advocate
- After discussing the problem, the Services Manager/CEO will suggest a means of resolving it. If this course of action is acceptable then they will clarify the agreement with the complainant and agree a way in which the results of the complaint will be communicated to the complainant (i.e. through another meeting or by letter)
- If the suggested plan of action is not acceptable to the complainant, they will be asked to put their complaint in writing to: BOSP CEO, The BOSP Office, Wat Tyler Country Park, Pitsea Hall Lane, Pitsea, Basildon, Essex SS16 4UH.
- The complainant will be given a copy of BOSP's complaints procedure if they do not already have one
- Details of all verbal complaints should be recorded in the Complaints Log folder

WRITTEN COMPLAINTS PROCEDURE

- Immediately on receipt of the complaint, the CEO will start an investigation
 - On receipt of a written complaint, it is recorded in the Complaints Log folder
 - A separate file on the computer system will be created for all correspondence, identified by the Complaints Log number
 - A letter acknowledging the complaint and asking for confirmation or further details will be sent within **5 working days** to the complainant
 - The complainant will be given a copy of BOSP's complaints procedure if they do not already have one
 - If the complaint is not made by the service user but on the service user's behalf, then consent of the service user, preferably in writing, must be obtained from the complainant where required
 - If the complaint raises potentially serious matters, advice could be sought from a legal advisor. If legal action is taken at this stage, any investigation by BOSP under the complaints procedure ceases immediately
- A full reply to the complainant with our suggested solutions for resolving the complaint will be issued within **28 days** of the original complaint unless there is some good reason why this will not be possible, in which case, a written explanation will be sent with an indication of when our full reply will be given

The reply will cover the following points:

- Results of investigations
- Explanations
- Acceptance or not of validity of complaint
- Apologies if necessary and any learnings, changes to procedures as a result of the complaint
- Any other course of action taken
- Right to appeal to the Board of Trustees

- If the complainant does not find our written reply to be a satisfactory resolution of the complaint, we will offer to have a meeting with the complainant which will be conducted by the CEO
- If a meeting is arranged, the complainant will be advised that they may, if so desired, bring a friend, relative or a representative such as an advocate
- Within **5 days** of the meeting, we will write to the complainant to confirm what took place and any solutions we have agreed with them

Right to Appeal

- If the complainant is not satisfied and appeals to the Board of Trustees, a meeting will be arranged with the complainant, BOSP CEO, BOSP Chairman and another BOSP Trustee
- The meeting will take place within **2 weeks** of the complainant informing BOSP that they wish to appeal
- An agreed written record of the discussion will be made, a copy of which will be given to the complainant
- The Chairman, CEO and Trustee will make a final report concerning the complaint. The final report will then be sent to the complainant within **2 weeks** from the date of the appeal meeting

Vexatious Complainers

BOSP takes seriously any comments or complaints regarding its service. However, there may be service users who may be treated as 'vexatious complainers' due to the inability of the organisation to meet the outcomes of their complaints, for example, we are unable to support their child/young person or meet their requests/demands. Complaints by 'vexatious complainers' will be reviewed by the Board of Trustees, with potential referral to external bodies such as arbitration services, so that repeated investigations become less of a burden on the organisation, its staff, workers and other service users.