

## OPAL Complaints Policy and Procedure.

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## 1. Policy Statement

OPAL Services is committed to providing high-quality services and to treating all service users (members), staff, volunteers, partners, and stakeholders fairly and with respect. OPAL Services views complaints as an opportunity to learn, improve services, and put things right where possible.

OPAL Services will ensure that complaints are:

- Handled fairly, consistently, and transparently
- Investigated promptly and proportionately
- Treated confidentially in line with data protection and confidentiality requirements
- Used to inform service improvement and organisational learning

This procedure has been designed to meet Charity Commission guidance for charities in England.

## 2. Scope

This procedure applies to all complaints relating to:

- \* OPAL Services and its services
- \* The actions or conduct of OPAL Services employees or volunteers
- \* Decisions made in connection with OPAL's services or activities
- \* Fundraising activities or communications
- \* Use of personal data or access to records

For the purposes of this procedure, a \*complainant\* may include service users (members), family members or carers, volunteers, partner organisations, professionals, or members of the public.

This procedure does not cover:

- \* Safeguarding concerns (which must be managed under the Safeguarding Policy)
- \* Whistleblowing disclosures (covered by the Raising Concerns and Whistleblowing Policy)
- \* Staff employment grievances (covered by the Grievance Policy)

## 3. Definition of a complaint

A complaint is any expression of dissatisfaction, whether justified or not, about the standard of service, actions, decisions, or behaviour of OPAL Services, its staff, volunteers, or representatives. This may include, and this list is not exhaustive, the following;



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- The service received by an OPAL Services member.
- The behaviour and professional competence of OPAL Services employees, or volunteers.
- A disputed decision relating to the provision of OPAL Services' services.
- Complaints relating to fundraising campaigns or other promotions.
- The quality or appropriateness of OPAL Services' services.
- Issues arising from an access to records request.
- The use of a third party's personal data.

#### **4. Principles**

OPAL Services will ensure that:

- \* Making a complaint is straightforward and accessible
- \* No complainant is treated less favourably as a result of raising a complaint
- \* Support is available for complainants who need assistance to raise or pursue a complaint
- \* Conflicts of interest are avoided at all stages of investigation

#### **5. Procedure**

Any volunteer or employee of OPAL Services may receive complaints and feedback, either written or verbal. When that is the case, whether resolved at the time or not, the complaint must be recorded on the appropriate form and reported to their Organiser or Line Manager, sending a copy of the form, with any additional paperwork, such as written summaries of conversations and other evidence.

Throughout this complaints process, the person making the complaint may be accompanied to meetings by a family member or friend, or they may prefer to nominate a representative who acts on their behalf, if they feel that they are unable to act on their own.

Where a complaint is of a particularly serious nature, complainants are encouraged to put their complaint in writing, though this is not an absolute requirement because we do not wish to place barriers in front of people making complaints.

**Complaints are dealt with, until resolved, through a series of up to four stages – Informal, Formal, Board of Trustees Review, and Appeal to an Independent Panel.**

## 6. Informal Stage

Most complaints should be resolved to the customer's satisfaction at the Informal stage. However, some complaints may be so serious that they will, at the discretion of the Organiser immediately progress directly to the Formal Stage.

6.1 Initially, a complaint will have been made by a customer to a volunteer or a member of staff or Trustee. Volunteers should tell/contact their Organiser, unless the complaint is about the Organiser, when they should contact the OPAL Services Manager. If a Trustee receives a complaint they will follow the same process as Volunteers.

For each complaint made to a volunteer or Trustee, these actions should be carried out:

- The volunteer and Organiser (or OPAL Services Manager) should arrange to talk to the customer privately, to retain confidentiality.
- They need to listen carefully to what is said to them, and to try and establish the exact nature and/or underlying cause of the complaint.
- They should also discuss with the customer what outcome they would like and how the complaint might be resolved, but without raising expectations that the customer will get the outcome they want.
- They should record the complaint on the Complaint Form (see Appendix A), explaining to the customer that it is OPAL Services policy to record all complaints.
- If possible, they should try to settle the complaint to the customer's satisfaction there and then (or within a short timescale), but without adversely affecting the nature of the OPAL Service or other customers.
- If this is not possible, the complainant will receive a letter (see Appendix B) confirming that the complaint has not been settled informally and further steps are being taken. They will report progress (even if incomplete) to the customer within two weeks of the complaint being made. Thereafter, the customer should be kept informed of the actions that will/may be taken as a result of their complaint.

6.2 Complaints made directly to an Organiser, (or the OPAL Services Manager– see 6.1 para 1 above), should be investigated by them alone, following the actions above.

6.3 Staff and volunteers should deal only with complaints that they feel comfortable and confident to handle, and that are within their knowledge and experience. If they are in any doubt, they should seek advice.

6.4 If the customer is not satisfied with the outcome of the Informal Stage, the customer can request that the complaint is progressed to the Formal Stage.

## **7. Formal Stage**

7.1 In the Formal Stage, other people become involved in the investigation of the complaint.

7.2 Where the complaint is about the OPAL Service, the customer should make a formal complaint to the OPAL Services Manager. They can make their complaint by telephone, in person, or in writing. The Organiser should make sure that the customer has the contact details for the OPAL Services Manager. The OPAL Services Manager will confirm receipt of the complaint within 5 working days (see Appendix C) and investigate the complaint and will respond to the customer within one month.

7.3 If the customer is not satisfied with the response from the OPAL Services Manager, they can take their complaint further to the Chair of the Board of Trustees. The Organiser should make sure that the customer has the contact details for the Chair of the Board of Trustees.

7.4 Where the complaint is about the OPAL Services charity, the customer should make a formal complaint to the Chair of the OPAL Board of Trustees. They can make their complaint by telephone, in person, or in writing. The Organiser should make sure that the customer has the contact details for the Chair of the Board of Trustees.

Any complaint referred to the Chair of the Board of Trustees will be investigated, and the Chair will respond to the customer within one month.

7.5 If the Organiser feels that the customer is not sufficiently self-confident or able to make a complaint to the Chair of the Board of Trustees by themselves, they should encourage them to accept support from family or friends, or other organisations independent of OPAL Services.

7.6 If a complaint has been previously investigated by the Chair of the Board of Trustees, or the initial complaint concerned the Chair of the Board of Trustees, the Chair of the Board of Trustees cannot take part in the investigation of the complaint. The Board of Trustees will decide which Trustee will investigate the complaint.

7.7 If the customer is not satisfied with the outcome of the Formal Stage, they can request that their complaint is reviewed by the Board of Trustees.

## **8. Board of Trustees Review Stage**

8.1 The customer should contact the Chair of the Board of Trustees to request a review by the Board of Trustees.

8.2 The Chair will make arrangements for the review within one month. The Chair will report back to the customer the outcome of the Board review.

8.3 Should the customer not be satisfied with the outcome of the review by the Board of Trustees, they can appeal to an independent panel.

## **9. Appeals to an Independent Panel**

9.1 The customer should write to the Chair of the Board of Trustees to request a review by an independent panel. The Chair will formally acknowledge this request (Appendix D).

9.2 A panel of 3 people will be convened from Trustees or Chief Executives of independent voluntary organisations not involved with OPAL Services.

The Chair of the Board of Trustees will take action, within ten working days of receipt of the request, to convene the panel. The Chair will aim to convene the panel within two months of the request.

9.3 The panel will meet to assess whether the complaints process has been properly followed and whether the complaint can be upheld. At the discretion of the panel, the complainant (together with any representative) will be invited to make their complaint in person to the panel.

9.4 The panel will complete their investigation and prepare a report, to be sent to both the customer and the Chair of the Board of Trustees within one month of the meeting.

9.5 The report from the panel will be considered by the OPAL Services Board of Trustees at their next Board Meeting. The Board will take all findings into account in arriving at a final decision on the complaint. A Minute of that meeting will be sent to the complainant.

The decision taken by the Board of Trustees will be final, and may or may not uphold the customer's complaint.

## **10. Improvement and Corrective Actions Arising**

10.1 As a result of a complaint, every opportunity should be taken to apply corrective actions (where an established activity has been carried out incorrectly) or Improvement actions (where a better way to carry out an activity has been identified), in order to improve the quality of OPAL Services and its services.



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10.2 In such cases, policies, procedures and forms, as appropriate, should be amended and re-issued. Appropriate training or re-training should be provided.

## **11. Reporting of Complaints and Retention of Records**

11.1 The number of complaints and a brief outline of their nature anonymised and without breaching confidentiality, should be reported by the OPAL Manager to the next Board of Trustees meeting, either in person or by writing to the Chair of the Board of Trustees.

11.2 Once all the tasks relating to a complaint have been completed, the records of the complaint shall be kept confidentially by the OPAL Services Administrator.

A complainant may complain to the Charity Commission at any stage. Information about the kind of complaints that the Commission can involve itself in may be found at: <https://www.gov.uk/government/publications/complaints-about-charities/complaints-aboutcharities>

## Appendix A

### **CONFIDENTIAL                      COMPLAINT FORM**

This page to be completed by the Organiser (or the Service Committee Chair if the complaint is about the Organiser) or the Chair of Board of Trustees (if the complaint is about a Trustee), attaching any additional paperwork to this form, as necessary. (For information about this procedure, please refer to the OPAL Complaints Procedure document)

<b>Name of OPAL Service</b>	
<b>Name of Complainant</b>	
<b>Contact Address</b>  <b>Telephone</b>  <b>Email</b>	
<b>Relationship to Organisation</b>	
<b>Description of Complaint</b>	
<b>Details Taken By</b>  <b>Position</b>  <b>Date</b>	
<b>Informal Stage Outcome</b>	
<b>Further Action Recommended</b>	



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<b>Signed</b>	
<b>Position</b>	
<b>Date</b>	

<b>Formal Stage Outcome</b>	
<b>Further Action Recommended</b>	
<b>Signed</b>	
<b>Position</b>	
<b>Date</b>	

<b>Board Review Formal Stage Outcome</b>	
<b>Further Action Recommended</b>	
<b>Signed</b>	
<b>Position</b>	
<b>Date</b>	

Once this complaint process is completed, this form and all relevant paperwork, should be stored securely according to the current Complaints procedure.



## Appendix B

RE: Acknowledgement of Your Complaint

Dear [Name],

I am writing with regards to the complaint you raised with (name of  
Organiser/Volunteer/Trustee) on (date).

As the matter has not been resolved informally OPAL will take further steps and I will  
report progress to you within two weeks as per OPAL's Complaints Policy.

Yours sincerely,

*Geoff Hope-Terry*

Geoff Hope-Terry  
Chair  
OPAL Services



## Appendix C

RE: Acknowledgement of your complaint about an OPAL Service

Dear [Name],

I am writing with regards to the complaint you have raised with regards to OPAL's (name of service) Service dated (state date complaint was made).

I will investigate the complaint and respond back to you within one month of (date complaint was made) as per OPAL's Complaints Policy.

Yours sincerely,

*Steve Bridge*

Steve Bridge  
OPAL Services Manager



## Appendix D

RE: Acknowledgement of Request for Independent Panel Review

Dear [Name],

Thank you for your letter dated [date], in which you request that your complaint be reviewed by an independent panel.

I am writing to confirm receipt of your request on [date of receipt]. In accordance with our Complaints Policy, I will now take steps to convene an independent panel to review the matter.

Action to convene the panel will be taken within ten working days of receipt of your request. The panel will be convened as soon as practicable, and we aim for this to take place within two months of the date of your request.

You will be contacted again with further information once arrangements for the independent panel have been confirmed. In the meantime, should you require any clarification regarding the process, please contact [contact name / role] at [contact details].

Yours sincerely,

*Geoff Hope-Terry*

Geoff Hope-Terry  
Chair  
OPAL Services