

## Purpose

MKWA (MK-ACT) is committed to achieving the highest standards in all its activities but acknowledges that from time to time things may go wrong or users of the service may be dissatisfied with us and that any agency or individual using or agency referring to our service may wish to complain.

MKWA (MK-ACT) aims to operate effective and fair procedures ensuring it works within the framework of equal opportunities and in a non discriminatory and non-judgmental way.

MKWA (MK-ACT) is committed to encouraging service users and stakeholders to come forward with any complaints and / or comments about the services delivered, in order to make sure that quality is protected and service users' needs are appropriately met.

We will take complaints seriously so that we can consistently improve the quality of our services and will ensure that complaints are responded to promptly, courteously and effectively.

MKWA (MK-ACT) recognises that the whole process of finding out how to complain and making a complaint may be difficult for some service users/stakeholders. Therefore, this Policy sets out how service users/Stakeholders can make a complaint as straight forward as possible.

**A complainant** cannot be represented by or accompanied at any stage by any person whom they have previously alleged to be a perpetrator of domestic violence or abuse. If the complainant is a perpetrator that has attended Fresh Start programme then this complaints policy is to be followed.

## What is a complaint?

A complaint about MKWA (MK-ACT) staff or volunteers may be because the complainant may feel unhappy about something that has happened or that the complainant feels they have been treated unfairly. It could be any other aspect of the complainants experience whilst being supported or engaging with MKWA (MK-ACT).

## How to complain

We realise that it can be difficult for a service user/stakeholder to make a complaint whilst they are using the service, especially if it is about another service user or a member of staff.

Any complaint should be raised as the concern or issue arises or as soon as possible and should not be outside a reasonable period since the incident happened. The concern or issue should be current and not something that occurred in the past. We believe that a reasonable period is within a maximum of a month so that the incident is fresh and can be addressed promptly.

The complainant may wish a friend, relative or professional representative to help them make the complaint.

Service users in particular will be provided with the support they need in order to make their views known. MKWA (MK-ACT) will also ensure that no service users are disadvantaged or treated less favourably as a result of complaining or making comments.

## Informal Complaint

In most cases it is possible to making a verbal complaint directly to any member of staff. The member of staff will then work with the complainant to try and resolve the situation. This should always be tried in the first instance.

1. To try to resolve this informally the complainant may be invited to attend a meeting with relevant members of staff.
2. If the complaint is made by phone then relevant staff may try to resolve it then and there.
3. The operational manager responsible for managing the complainant's informal complaint will investigate and attempt to resolve it informally within 10 working days of receipt.
4. Should the complainant not feel comfortable discussing their complaint with the operational manager the complainant can complain to the Chief Executive Officer (CEO)
5. If the operational manager within the boundaries of their delegated authority can resolve the complaint, they should attempt to do so. However, if the complaint cannot be resolved like this, the CEO must lead on resolving the complaint.
6. If the complaint is about the operational manager the CEO will lead on resolving the complaint.
7. If the complaint is about the CEO then a Trustee will lead on resolving the complaint.

If the complaint is not resolved satisfactorily, or if the complaint is of a serious nature then a formal complaint should be made.

## Formal Complaint

1. The complaint should be put in writing via letter or email, to P.O.Box 790 Milton Keynes MK2 3YZ or [info@mk-act.org](mailto:info@mk-act.org).
2. MKWA (MK-ACT) has a complaint form that the complainant can complete.
3. The complaint must contain all the facts so that we can see what has led to the complaint being raised.
4. The complaint must include:
  - The nature of the complaint
  - The date and the person the complaint refers to
  - What actions have been taken to resolve the complaint
  - Why the complainant remain dissatisfied
  - What would the complainant consider to be a satisfactory outcome
5. The complaint must be made by the complainant, if the complaint is made by a person acting on behalf of the complainant a letter confirming this from the complainant will be required.

6. The complaint will be acknowledged within 5 working days confirming that the complaint will be dealt with within a further 10 working days.
8. The complainant will then be invited to attend a meeting and may include a relevant member of staff or the person acting on the complainant's behalf, with the CEO.
9. If the CEO has been involved previously, a Trustee will review the complaint.
7. The complainant can be accompanied to the meeting by a professional representative (please let us know if you wish to do this as we will need to arrange a neutral venue for the meeting).
8. Once the full facts have been discussed with the complainant an assessment of the complaint will be made to determine what action may need to be taken.
9. In some cases we may need further time to investigate the complaint and we will inform the complainant of this.
10. As a result of the assessment:
  - If the complaint is justified we will write to apologise and let the complainant know what action has been taken to improve our activities and action taken to prevent any reoccurrence of the problem
  - If the complaint is not justified we will write to complainant to explain that complaints are taken very seriously but that in this case nothing needs to be changed and a reason will be given.
11. If the complainant is not happy with the response then the complainant must appeal in writing within 10 working days of the outcome being notified to the complainant to the Chair of the Board of Trustees.

## Appeal

1. Any appeal must contain the full grounds on which the complainant wishes to appeal.
2. The appeal will be acknowledged in writing within 5 working days of receipt
3. If the acknowledgement did not include an invite to a hearing, the complainant may be invited to a meeting within 10 working days of receipt of the written appeal.
4. The complainant may be informed that the Board of Trustees do not wish to meet with complainant as they may have provided the full facts and they can review the facts from the previous meeting
5. If the complainant is invited to a meeting this will be with 2 members of the Board of Trustees.
6. The complainant can be accompanied to the meeting by a professional representative (please let us know if complainant wish to do this as we will need to arrange a neutral venue for the meeting).
7. The complainant can bring any witnesses to the meeting, and must provide any additional relevant documents or evidence. The witnesses and the documents will then be examined, together with any circumstantial evidence and the other supporting evidence from the previous meeting. A complainant cannot be accompanied at any stage by any person whom they have previously alleged to be a perpetrator of domestic violence or abuse.
8. The aim of the appeal will be to:
  - To find out what happened and what went wrong, in the complainants view.

- To make it possible for the complainant to discuss the issues with those concerned (if complainant wishes to)
  - To ensure an apology is given, where appropriate
  - To identify measures to prevent the problem happening again.
9. The complainant will receive a written response within 15 days of the appeal hearing and the outcome:
- If it is found that the complaint is justified we will write to apologise and let the complainant know what action has been taken to improve our activities and actions taken to prevent any reoccurrence of the problem
  - If it is found that the complaint is not justified we will write to the complainant to explain that complaints are taken very seriously but that in this case nothing needs to be changed and a reason will be given.
10. The decision of the Board of Trustees will be a final decision on the complaint.

### **Third Party Complaints**

Matters relating to individual clients remain confidential. In dealing with any complaint concerning the service provided to an individual client, confidentiality and the safety of the client will be paramount. This principle also applies to former clients.

Neither managers nor the Board will enter into any discussion with any third party concerning the details of the service provided to any individual client, or former client, unless the complainant is acting on behalf of and with the explicit and recorded permission of the client. However neither managers nor the Board will enter into any discussion with any third party whom the client/former client has previously alleged to be a perpetrator of domestic violence or abuse, even if the client has given that person permission to act on their behalf.

At no stage of any Third Party complaint under consideration may the complainant be accompanied by any person whom the client/former client has previously alleged to be a perpetrator of domestic violence or abuse.

Any complaint made by a third party acting on behalf of and with the permission of a client, concerning the service provided to that client, must be reported immediately to the Board. In the first instance senior managers may be asked to seek to resolve the matter, depending on the nature of the complaint, and to inform the Board of the outcome.

If a complaint by a third party representing a former client, with that client's permission, which is under consideration, cannot be resolved by managers, the matter will be referred to the Board. The complainant will be invited to put their complaint in writing and managers will be asked to submit a report on the actions taken to try to resolve the matter. A holding response will be sent as soon as is reasonably possible and an investigation conducted. When this has been completed the Board will respond to the complainant.

### **Monitoring Complaints and Comments**

Each time a formal complaint or comment is made in writing, MKWA (MK-ACT) will ensure that it is logged on a record sheet by the member of staff who receives it and is dealing with it.

The results of this record will then be fed into the following systems and processes:

- Annual business planning, particularly in terms of:
  - Identifying and prioritising changes and improvements to existing services.
  - Identifying gaps in service provision
  - Service reviews (timing will be dependent on the cycle of review)
  - Reviews of policies and procedures
  - The results of the complaints record will also be presented at least annually to:
    - The Board of Trustees
    - Service user participation groups (anonimised for confidentiality reasons).

Policy Owner: CEO

Date Policy Review: June 2022

Date of next review: June 2023