

Complaints and Disputes Policy and Procedure



PURPOSE OF THE POLICY

- To provide guidance to service users and other agencies on how to make a complaint
- To provide guidance to members of staff on how to deal with complaints and disputes
- To ensure transparency, accountability and continuous improvement in line with Ashiana Network's values

RELATED POLICIES AND PROCEDURES:

- Whistleblowing Policy
- Data Protection Policy
- Equality & Diversity Policy

POLICY STATEMENT

- Ashiana Network welcomes all complaints as a way of improving services and ensuring the organisation is accountable to service users and other agencies
- Ashiana Network is committed to a trauma-informed, survivor-centred approach to complaints handling, ensuring safety, dignity, choice and empowerment throughout the process
- We will listen to and respond to all complaints made by service users and external agencies.
- Complainants will be kept informed throughout the process and provided with regular updates, particularly where delays occur
- Ashiana Network considers all complaints to be an expression of dissatisfaction in the service whether justified or not and will respond by seeking to improve the service and resolve the dissatisfaction
- Ashiana Network welcomes feedback on all our services and treats all complaints seriously and positively as an opportunity for learning and developing our services
- Ashiana Network expects high standards of professional conduct from our staff, as outlined in our Code of Conduct policy. Any complaint received which indicates that these standards have not been adhered to will be taken seriously. Such complaints will be referred immediately to Senior Management to investigate and appropriate action will be taken in accordance with our policies and procedures
- Ashiana Network is committed to providing an open environment where all service users feel that they can raise their concerns or suggestions about any aspect of the services that they receive without recrimination or discrimination. We believe that they have the right to have their complaints properly investigated, fair and proper resolutions found and also for their comments and suggestions to be given proper consideration
- Copies of this Complaints Policy will be provided to all service users, including advice service, legal service and counselling clients, at the point of engagement. The policy will be available on Ashiana Network's website and provided in large print or translated formats upon request

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- Ashiana will record and monitor all disputes between service users and where appropriate, use this information to continue to improve services
- Ashiana is committed to handling all complaints in a transparent and timely manner. All complaints will be recorded using the Standard Complaints Form (Appendix 1) and logged. Complaints will be acknowledged within 2 working days, investigated within 10 working days, and an outcome provided within 5 working days unless there are exceptional circumstances. Where delays occur, the complainant will be informed in writing
- This Complaints Policy is published and publicly available on Ashiana Network's website and can be provided in alternative formats or languages upon request. All service users will be informed how to access the policy when they first engage with the service

PROCEDURE

- Complaints may be made in person, by telephone, by mail, by email/internet. Contact details are attached to this policy
- Those who make complaints will not be victimised – Ashiana encourages people (both service users and others outside of the organisation) to discuss any concerns with staff as early as possible
- Making a complaint will not affect the services the complainant receives
- Ashiana will provide interpreting/translating facilities for any complainant needing language support. Ashiana will refer a complainant to another organisation to assist in making their complaint where requested
- The person making the complaint (complainant) may at any stage be accompanied by a friend/advocate or support worker
- Due to the nature of the services that we offer (specifically refuge and group work) we make a distinction between "disputes" and "complaints". A dispute is: usually between 2 or more service users, where there has been a disagreement or argument, which can be resolved informally at service level
- Staff will still be expected to complete the Standard Complaints Form (Appendix 1) which will be kept securely on file and reviewed annually through the internal audit process and periodically by a Senior Manager to identify any themes or learning
- A complaint is defined as a concern or issue raised by a service user or external person/agency that it would not be appropriate to resolve informally
- Anonymous complaints will be accepted and investigated where possible, although this may limit the ability to provide feedback or fully investigate the matter. The timescales outlined in this policy (2, 10 and 5 working days) will be followed wherever possible
- We strongly discourage anonymous complaints because it makes it very difficult to investigate or resolve the complaint. Where we receive an anonymous complaint, we will investigate to the best of our ability but cannot feedback to the complainant All complaints will be dealt with in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and the Freedom of Information Act 2000

COMPLAINTS

- People who wish to make a complaint are encouraged to raise a complaint early and as soon as possible. All complaints at this stage will be recorded by the staff member receiving the

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complaint and they must begin with confirming that the complainant wishes their complaint to be considered as part of this procedure

- Service users should raise a complaint with their case worker; external agencies are asked to raise a complaint with the staff member involved or the Senior Worker or the Director of Services

COMPLAINTS INVOLVING PROTECTED CHARACTERISTICS

- Ashiana adopts a zero-tolerance approach to racism. Any complaint that includes allegations of racism will be prioritised and automatically escalated to a Senior Manager
- Complaints involving any protected characteristics such as racism will be logged as discrimination incidents under protected characteristics (e.g. race/ethnicity) and will be investigated by a manager independent of the service or staff involved
- Where discrimination is substantiated, corrective and disciplinary action will be taken in line with Ashiana's HR policies, and organisational learning will be implemented to address structural issues
- Support, including advocacy or referral to specialist organisations, will be offered to the complainant

COMPLAINTS AGAINST A MEMBER OF STAFF

- All complaints about a member of staff should be made to the line manager of the member of staff concerned and should not be taken by colleagues at the same level

COMPLAINTS AGAINST SENIOR WORKER, SENIOR MANAGEMENT, CEO OR TRUSTEES

- Complaints about any Senior Worker, Senior Manager, CEO or Trustee must be submitted directly to the Chair of the Board of Trustees using the contact information in Appendix 3
- These complaints will not be investigated by the Senior Management Team to avoid conflicts of interest. Instead, the Board may:
 - Appoint an independent HR consultant
 - Form a Trustee sub-group to conduct the investigation
 - Refer the matter to an external regulatory or safeguarding body where appropriate
 - All findings will be communicated in writing to the complainant

PROCEDURE

- As soon as a staff member has been notified of a complaint the relevant senior worker or Director of Services should be informed within 2 working days
- They will either investigate the complaint themselves or appoint another staff member who is not involved in the complaint to investigate
- If the complaint involves any child or adult safeguarding issues or concerns, the relevant internal DSL must be informed immediately and the relevant internal safeguarding alert form completed.
- Where a complainant requests assistance to make a complaint in writing an appointment to do this will be made within 2 working days of the request. During this meeting the complaint will be written down by the person making the complaint or the staff member on the standard Complaint Form (Appendix 1)
- The complainant will be asked to sign the form to confirm they agree with the details

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- If the complainant refuses to sign the form their reason for not wishing to sign the form must be noted. However, the complaint will follow the usual process, regardless of this

The member of staff will forward the complaint to the relevant manager who will ensure that:

- Receipt of the complaint is acknowledged in writing within 2 working days

The manager (or appropriate investigating officer) will investigate the complaint by:

- Interviewing the person making the complaint within 5 working days. During this meeting the complaint will be discussed in greater depth – written notes will be kept of this meeting and signed by both parties at the end of the meeting
- Interview other people involved (the staff member concerned, witnesses to the 'incident' etc.) within an additional 5 working days and take written statements from them. Both parties will be invited to sign the statements
- Examining any other relevant material
- The investigating manager will make findings based on the evidence she has been able to collect
- A written 'outcome' will be sent to the person making the complaint and to the member of staff involved within 5 working days
- The completed Standard Complaints Form (Appendix 1) must be e-mailed to the Director of Services within 2 working days of the outcome being reported to the person making the complaint
- The Director of Services is responsible for updating the organisational Complaints Tracker (Appendix 2) and reporting to SMT on a quarterly basis
- If the person who made the complaint wishes to appeal the outcome of their complaint, they must follow the procedure as set out below

APPEALING THE OUTCOME OF A COMPLAINT

- If the person making the complaint is not satisfied with the outcome of their complaint, they may appeal to the relevant Senior Manager together with reasons for the appeal. All appeals should be made within 10 working days of receipt of the outcome of their original complaint
- Appeals should be in writing. A different staff member will assist, if required, in writing down the reasons for the appeal
- The Senior Manager will review the original findings and consider any further evidence in order to reach a conclusion based on the evidence before her. They will write to the person making the complaint detailing her decision within 10 working days of receiving the appeal
- If the Senior Manager is unable to resolve the complaint, she will advise the person making the complaint that it must be passed to the Board of Trustees

The Board may decide to: -

- Instruct the CEO to investigate and report directly to them
- Organise a panel of its members to investigate the complaint
- The final decision will be made by the Board at its next meeting. The complainant will be informed of the outcome in writing within 5 working days of the meeting
- If the complainant is still unhappy about the way in which the complaint has been dealt with, they have the option to complain to another relevant agency. A list of relevant agencies can be found in

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- Appendix 3. These include the list of Registered Providers of Social Housing and the Housing Ombudsman
- If a complaint concerns a Senior Manager, CEO or Trustee, the appeal must be reviewed by an external independent reviewer appointed by the Board of Trustees. This ensures the process remains impartial and free from conflicts of interest
- As Ashiana Network works within the Women's Aid National Quality Standards (NQS) framework, complainants have the right to escalate their complaint to Women's Aid Federation England where Ashiana Network is an NQS accredited service, if they are dissatisfied with the outcome or handling of their complaint
- Women's Aid may review concerns relating to NQS compliance, service quality, or how a complaint has been handled
- Contact details for Women's Aid will be included in Appendix 3

COMPLAINT AGAINST A SOLICITOR

- All complaints against a solicitor should in the first instance be made to the Director of Services for Legal Services. If the complainant is not satisfied, or there are any further problems, they should contact Ashiana Network's CEO who can be contacted on 020 8539 0427
- Ashiana has a legal service's complaint handling procedure, and all complainants are entitled to a copy of this upon request. The Legal Ombudsman will assist anyone who is unhappy with the outcome of Ashiana's complaints investigation. Complainants need to do this within six months of the date they are informed of the result of Ashiana's investigation

Office of the Immigration Service Commissioner (OISC) can be contacted on:

Email: info@oisc.gov.uk

General and Public Enquiries: 0345 000 0046

The Legal Ombudsman can be contacted on:

Web: www.legalombudsman.org.uk

Phone number: 03005550333.

enquiries@legalombudsman.org.uk

MONITORING COMPLAINTS AND COMMENTS AND USING FEEDBACK TO IMPROVE SERVICES

Feedback from complaints will be used to inform service development, staff training, and anti-racist organisational practice. SMT will be responsible for reviewing any trends and considering actions to improve services where appropriate using 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
- Identifying staff training & development needs
- Service reviews (timing will be dependent on the cycle of review)
- Reviews of policies and procedures

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Appendix 1

ASHIANA NETWORK STANDARD COMPLAINTS FORM

Date:
Service:
Staff members name:
Service User/Complainant:
Is this a: Dispute? Complaint?
Does this involve: Adult safeguarding? Child safeguarding? Discrimination relating to one of the following protected characteristics? Age, race, sex, disability, religion, gender reassignment, pregnancy and maternity, sexual orientation?
Details of the incident/complaint:
Details of any witnesses to the incident/complaint:
What action and outcome does the person making the complaint want?
Complainant signature (where possible)
Outcome
Senior Worker/Director of Services/CEO name & signature:

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Appendix 2

RECORD OF COMPLAINTS

Year:

Quarter:

No. of complaints received in the period	
No. of complaints resolved in the period	
No. of these which were resolved to the satisfaction of the complainant	
Of the complaints received, how many related to each of the following? ☐ Services provided by Ashiana Network: ☐ Gaps in services provided by Ashiana Network: ☐ A member of Ashiana Network's staff: ☐ The services related to the Landlord: ☐ Other (state):	
The following policies, procedures or working practices have been amended as a result of the complaint/comment (give brief details).	
Date: Name & Designation: Signed:	

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Appendix 3

CONTACT DETAILS:

Organisation	Address	Email	Telephone Number
CEO of Ashiana	750 - 760 High Road Leytonstone London E11 3AW	shaminder@ashiana.org.uk	020 8539 0427
Ashiana Network	750 - 760 High Road Leytonstone London E11 3AW	complaints@ashiana.org.uk	020 8539 0427
Ashiana Board of Trustees	750 - 760 High Road Leytonstone London E11 3AW	info@ashiana.org.uk	020 8539 0427
L&Q – London & Quadrant Housing (for refuge clients only)	29-35 West Ham Lane London E15 4PH	lqdirect@lqgroup.org.uk	0300 456 9996
Housing Association Ombudsman	Independent Housing Ombudsman, Norman House, 105-109 The Strand, London WC2R 0AA Consumer Complaints Service (Office for Supervision of Solicitors) Victoria Court 8 Dormer Place Leamington Spa Warwickshire CV32 5AE		0300 111 3000
Women's Aid Federation of England	Women's Aid Federation of England PO BOX 3245 Bristol BS2 2EH	info@womensaid.org.uk	0808 2000 247