



User Complaints Policy

Background and Purpose

- Refugee Action welcomes feedback on the services we deliver. This feedback, either positive or negative, allows the organisation to take a reflective approach to designing our services in the best interests of our client group.
- An efficient and accessible complaints procedure is part of this process alerting us when things go wrong and providing a framework to remedy and avoid future mistakes
- This policy sets out the process to be followed when we receive an expression of dissatisfaction in any of our services.

General Complaints Procedure

1 Definition of a Complaint

- 1.1 A complaint is any expression, verbal or in writing, of dissatisfaction about our services by a client. Refugee Action clients can complain whenever they are not happy with any part of the service Refugee Action provides
- 1.2 All complaints received by Refugee Action whether made by phone, verbally, or in writing must be taken seriously.
- 1.3 Appendix 1 – *Complaints Flowchart* – provides an overview of the process to follow for both verbal and written complaints, the sections below provide further details

2 Action on receiving a verbal complaint

- 2.1 Where a verbal complaint is received we should try to resolve the complaint informally. If this is possible then a record of the complaint should be made and passed to the relevant manager. No further action is needed.
- 2.2 Where the staff member has not been able to resolve the client's issue, they should refer the client to talk to the manager. They should make a record of the complaint and pass it to the relevant manager.
- 2.3 If after intervention from the manager the issue has still not been resolved then the client should be provided with a copy of the client complaint leaflet (Appendix 2) and a copy of the complaints form (Appendix 5).
- 2.4 The process and forms should be clearly explained to the client and, if required, the client should be assisted to complete the complaints form. The client's issue will then be dealt with under section 3 – Written complaints.

3. Action on receiving a written complaint

- 3.1 The following process should be followed for any written complaints and verbal complaints which have not been resolved informally.
- 3.2 All such complaints should be forwarded to the service manager. The service manager must consider whether to alert the professional indemnity insurers (see section 5 below) and obtain sign off for this from the Head of Department. Once referred to the insurers, the service manager will ensure the client is advised on how to obtain independent (legal) advice in relation to their claim against RA, if they wish to do so.
- 3.3 We should acknowledge receipt of the complaint as soon as possible and within 10 days of receiving. The acknowledgement should provide details of how their complaint will be dealt with and a timescale for resolution. The template letter at Appendix 3 can be used for this purpose.
- 3.4 The service manager and Head of Department should then decide who will investigate the complaint. This may involve reviewing case records, interviewing members of staff/volunteers and contacting the complainant for further details. It is important to separate hearsay from fact and to remember that the investigation is not a disciplinary process – the aim is to find out the facts and establish what happened.
- 3.5 Where the investigation is likely to take longer than was indicated in the acknowledgement letter the complainant should be contacted again and informed of the new timescale.
- 3.6 Once the investigation is completed the person leading on the complaint should contact the complainant to confirm whether their complaint has been upheld. The reason to uphold or not to uphold the complaint must be clearly explained. Where the complaint is upheld, the letter should also explain what we will do to resolve the issue. The template letter at Appendix 4 may be amended for this purpose.

4. Action on receiving a complaint from a third party

- 4.1 Because RA offers a confidential service, clients' cases can only be discussed with the client themselves, or if the client has given us permission to discuss their case with specific other individuals.
- 4.2 If a third party (family member/ solicitor/ other agency) makes a complaint on behalf of a client, Refugee Action will explain that it is not possible to disclose any information about any client without that person's consent.
- 4.3 Refugee Action will not confirm whether or not that client has sought advice from us. However, Refugee Action will look into the complaint and call the third party back.
- 4.4 Refugee Action will contact the client to ask permission to discuss the complaint with the third party. If the client does not give permission to discuss the case with the third party, if the client is not known to Refugee Action, or if Refugee Action is unable to contact the client to obtain permission, Refugee Action will inform the third party that it is not possible to discuss the case further.
- 4.5 If it is possible to contact the client directly, Refugee Action will seek to resolve the complaint directly with the client if possible, but if the client prefers that the discussion takes place with the third party, Refugee Action will follow their wishes.

5 When to alert professional indemnity insurers

- 5.1 The Head of Department and Head of Finance must assess whether or not to recommend a referral to the professional indemnity insurers. Referral to insurers should happen when advice has been wrong or negligent, and has resulted in financial loss, or in rare cases loss of documents or opportunity for the client. This could occur, for example, if our actions or lack of actions have resulted in the client losing asylum support, benefits or documents.
- 5.3 The decision of whether to refer should always be signed off by the Head of Department in consultation with the Head of Finance as a referral brings with it certain restrictions in how we can respond to a complaint (we will have to follow the steps outlined by the insurers including in some cases not being able to admit liability).
- 5.4 If the complaint needs to be referred, it should be referred at the earliest possible opportunity. For example as soon as the complaint is referred to the relevant manager for investigation or as soon as a caseworker tells their Manager that they may have misadvised a client resulting in loss of money, documents or opportunities for the client. If it is not referred quickly (within 24 hours of becoming aware of the misadvice), the insurance may be invalidated.
- 5.5 The case should be referred before contacting the client with any outcomes of the complaint. After a referral to the insurers is made, clients should be advised how to seek legal advice on their claim against RA, if they wish to do access legal assistance.
- 5.6 Once the insurers are alerted, they will identify a series of steps to establish whether RA has liability, what the extent of that liability is, and what we must do to limit the liability. The steps that the insurers identify must be followed, or the insurance will be invalidated.
- 5.7 To refer to the insurers, liaise with the Head of Finance who holds the contact details.

6 Appeal Process

- 6.1 Where any party to a complaint is dissatisfied with the outcome then an appeal may be made within 28 days of the date of the initial decision.
- 6.2 Following notification of an appeal we will contact the appellant within 10 days of the date of appeal being lodged to acknowledge the appeal and advise them of the process.
- 6.3 Any appeal must be investigated and the outcome communicated to the client within 28 days of the appeal being lodged. Where more time is required to investigate, the complainant should be notified by letter of the revised timetable
- 6.4 The appeal must be heard by a more senior post than that which heard the original complaint. For example if the original complaint is investigated by the service manager, the appeal would normally be heard by the Head of Department.
- 6.5 In addition to 4.4 the person who hears the appeal must not have
 - a) Investigated the initial complaint
 - b) Been consulted on the original complaint

6.6 The outcome of any appeal conducted via this procedure is final.

7 Monitoring Complaints

7.1 The investigating manager is responsible for ensuring that the complaints procedure is adhered to and the following is in place.

7.2 Where clients are advised by telephone, they should be directed to access the complaints procedure and complaint form on the Refugee Action website, and asked if they would like a copy sent to them by post.

7.3 A complaints box is made available to clients in an appropriate position, and that clients accessing our service via telephone are able to submit complaints.

7.4 That all complaints, complaints form, and all correspondence and information relating to them are stored in a complaints file in a management restricted folder on the Shared Drive.

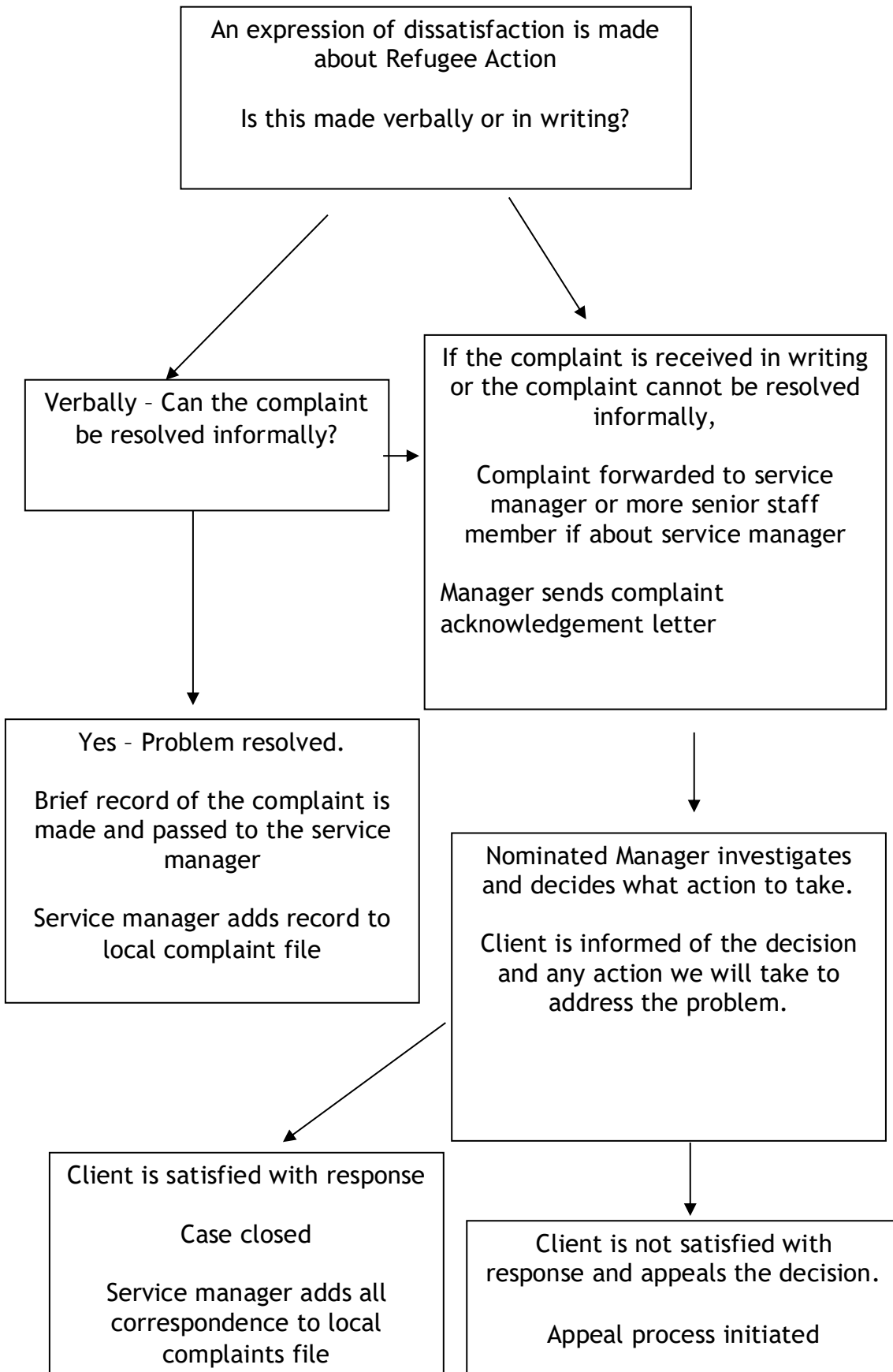
7.5 That the complaints box is kept locked and secure at all times.

7.6 An annual report of complaints and trends is submitted Refugee Action's Senior Management Team, who will report this to RA's trustees.

7.7 That they consider all complaints that come to them carefully, and keep their manager informed of any written complaint received by their team.

Appendix 1

Complaints Flowchart



Appendix 2



How to complain about **Refugee Action's*** services

Who is **Refugee Action**?

Refugee Action* is an independent charity. We provide a range of services to refugees and asylum seekers. All Refugee Action's* services are confidential.

What if I am not happy with the service **Refugee Action*** gave me?

- If you are not happy with our services please tell us.
- We take complaints very seriously.
- We will improve our services where possible.
- Making a complaint will not stop you getting a service from **Refugee Action***.

How to Complain:

- Speak to a member of staff or phone us. We might be able to resolve the issue immediately, or
- Fill in the complaint form and hand it in to one of our offices or
- Write a letter and send it to: **The Chief Executive, 179 Royce Road, Manchester, M15 5TJ** or
- Email it to us at: Complaints@refugee-action.org.uk

Please ask us for an envelope – then you will not need to pay for the cost of posting the letter.

What language can I write in?

You can write in your own language. We will have it translated.

If I complain in writing, what happens next?

- We will respond to you within 10 working days.
- We will tell you how we will deal with the matter.
- We will tell you how long it will take.
- If you write to us in your own language we will reply in it.

Who will investigate my complaint?

- If you complain about a member of staff a more senior staff member will investigate.
- If you complain about one of our services one of our managers will investigate.
- The person who is investigating will collect evidence and may ask you for more information.
- You can ask a friend, a colleague or someone from another organisation to help you.
- If you need an interpreter we will provide one.

What happens after you have looked into my complaint?

When the information has been collected a senior member of staff will decide what action to take. We will then write to you and tell you what we will do.

If [Refugee Action](#)* is responsible for the fault we will send you a full apology. We will tell you how we will put things right.

What happens if I am not satisfied?

You will have 28 days to appeal. We will tell you how to do this when we write to you.

Do I have to give my name?

No, but if you do not we will not be able to contact you to ask you for more information or tell you what we are doing about your complaint. We will still take the complaint seriously and investigate it.

Appendix 5



Refugee Action* Complaints Form
Refugee Action* Office:
Refugee Action* Reference No (if known)

Date:
Name :
Address:
Telephone:
Email:

Nature of complaint or comment: Please write your complaint here, stating clearly what happened in the order that it happened. Please give as many dates, times and names as possible.

If you need to, please continue over the page.

Please place this form in the box provided, send it to us (via post to: 179 Royce Road, Manchester, M15 5TJ or via email to: complaints@refugee-action.org.uk) or hand it to a member of staff. If you have given your contact details we will respond to you within 10 days.

***These words are English names of organisations or other words that cannot be translated. Please ask an advice worker to explain what they mean**