

Complaints Resolution Policy NAS Services

Policy & Procedure

Please note for NAS Schools and Children's Services refer to Complaints Resolution Policy NAS Schools and Children's Services

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The National Autistic Society is committed to providing high quality, transparent and accessible services to everyone we support across adult services and other support networks. To do this we need you to tell us when we do things well and when we get things wrong.

- We want to help resolve all complaints as quickly as possible.
- We will handle any expression of dissatisfaction with our services which calls for a response as a complaint.
- We will listen to your complaints, treat them seriously, and learn from them so that we can continuously improve our service

You can expect to be treated with courtesy, respect and fairness at all times. We expect that you will also treat our staff dealing with your complaint with the same courtesy, respect and fairness.

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Scope

This policy applies to all NAS employees, but not to situations where they themselves have a grievance against another member of staff (please see the Grievance and Whistle-blowing policies for concerns of this nature).

It also covers situations where feedback is received from those not employed by the NAS, for example:

- Someone supported in an NAS Service or Student Support or receiving any service from the NAS
- On behalf of those who are unable to complete the process independently (as defined by the Mental Capacity Act 2005 or the Adults with Incapacity (Scotland) Act 2000 or the Mental Capacity Act 2016 Northern Ireland)
- A person who has been asked to do so by the person affected
- An NAS Member or member of an organisation related to the NAS; a funding organisation / fund raiser.
- A member of the public
- NAS volunteers
- People supported by NAS volunteers

Please note for NAS Schools and Children's Services refer to Complaints Resolution Policy NAS Schools and Children's Services QS-0010.

The Nominated Individual and Safeguarding Lead has oversight of all formal complaints and will review this policy at least annually, but sooner as the need arises.

What is a complaint?

A complaint is an expression of dissatisfaction, whether justified or not.

Our policy covers complaints about:

- the standard of service you should expect from us
- the behaviour of our staff in delivering that service
- any action, or lack of action, by our staff or others engaged on NAS business

Safeguarding

If there is a concern about safeguarding an adult, or there is a belief that someone may be at risk of serious harm, the NAS will immediately refer the case to the appropriate statutory agency for adult protection. If there is a safeguarding concern, we will investigate this under our Safeguarding Policy and not through this complaints policy. Where a complaint is about the manner in which a safeguarding matter has been handled then that complaint

will be addressed through this policy. Please refer to the NAS website for more information on our Safeguarding Adults Policy SO-0189.

Our standards for handling complaints

- We can receive complaints by telephone, letter or email. We can also receive complaints in alternative ways if we need to, because of reasonable adjustments required. We treat all complaints seriously.
- You may wish to have a third party act on your behalf. A third party is any person or organisation acting on behalf of or making enquiries for the complainant.
- You can expect to be treated with courtesy, respect and fairness at all times. We expect that you will also treat our staff dealing with your complaint with the same courtesy, respect and fairness.
- Any information that you give will be shared on a need-to-know basis only, in line with our charity's Data Protection policy (IGP-02).
- You have the right to anonymity but if you wish to remain anonymous, we may not be able to update you on the outcome of your complaint or offer you the opportunity to feedback.
- We will deal with your complaint promptly:
 - We will acknowledge receipt of a written complaint within 5 working days where we have return details and you can expect to have a full reply within 14 working days.
 - In a few cases we will not be able to send a full reply within 14 working days of receipt, for example if your complaint is very complex. If this happens, we will tell you the reason why and let you know when we will be able to reply in full, keeping you fully informed of progress.
- We will not treat you less favourably than anyone else because of your:
 - sex or legal marital or same-sex partnership status: this includes family status, responsibility for dependents, and gender (including gender reassignment, whether proposed, commenced or completed), sexual orientation
 - colour or race: this includes ethnic or national origin or nationality
 - disability
 - religious or political beliefs, or trade union affiliation
 - any other unjustifiable factors, for example language difficulties, age, pregnancy and maternity
- Investigations will be cross referenced with other parties, where relevant, when external organisations are implicated in the concern raised.

How to complain to us

If you wish to make a complaint, you can do so by:

- email
- letter
- telephone
- asking a member of staff to help you in writing out your complaint

Our contact details are in the 'Contacting Us' section below. If you require different adjustments, let us know and we will try and put those arrangements in place where we can

Complaints procedure

We have a two-stage complaints procedure.

If you have a concern about an NAS service or team, the easiest way to get your concern resolved will be to raise it directly with the appropriate service manager (if your complaint is connected with an adult service). If your complaint is about a different part of our charity the easiest way to get your concern resolved will be to raise it directly with the appropriate team manager.

At each stage it will help us to resolve your complaint quickly if you can give us as much clarity and detail as possible. This includes clearly stating that you are making a complaint and providing any documents and records of correspondence. If we do not have all the details needed to deal with the complaint, we may contact you and ask you for further information.

We will not respond to anonymous complaints but may review the contents of any anonymous complaint under another relevant policy and procedure.

We reserve the right to use our discretion to appoint external investigators at any point in the process for particularly serious or sensitive complaints

Stage 1 (Informal stage of complaint)

- This is the first opportunity for us to resolve your dissatisfaction. We expect the majority of complaints to be resolved at this stage.
- Contact the appropriate service or NAS team directly.
- On receipt of your complaint the service or appropriate team will respond to your complaint.

Stage 2 (Formal Stage of Complaint)

- If you are dissatisfied with the response at Stage 1, you may request a review in writing and this will move the complaint into a formal stage. This will be carried out by a nominated senior manager or the manager of another service or department.

- Your request for a review should be sent to the relevant service or team or to the Nominated Individual and Safeguarding Lead
- The service or department will keep a written record of all complaints that are made and the outcome of the complaint.

If you are still dissatisfied

If having followed the two internal stages of our complaints procedure you remain dissatisfied, you can ask to have your complaint reviewed by one of the following external bodies

The Local Government Ombudsman (England)
PO Box 4771, Coventry CV4 0EH
Tel: 0300 061 0614
Email: advice@lgo.org.uk
Website: www.lgo.org.uk

The Scottish Public Services Ombudsman (Scotland)
FREEPOST EH641 Edinburgh EH3 0BR
Tel: 0800 377 7330
Website: www.spsso.org.uk

Public Services Ombudsman for Wales (Wales)
1 Ffordd yr Hen Gae Pencoed CF35 5LJ
Tel: 0845 601 0987
Website: www.ombudsman-wales.org.uk

Northern Ireland Ombudsman (Northern Ireland)
FREEPOST BEL1478 Belfast BT1 6BR
Tel: 0800 343 424
Email: ombudsman@ni-ombudsman.org.uk
Website: www.ni-ombudsman.org.uk

The Charity Commission
Online complaint form at the Charity Commission
www.charitycommission.gov.uk

The Charity Commission NI
Online complaint form at the Charity Commission
www.charitycommissionni.org.uk

For Adult and Community Services:

Care Quality Commission (CQC)
CQC National Correspondence Citygate
Gallowgate Newcastle upon Tyne NE1 4PA
Tel: 03000 616161
Email: enquiries@cqc.org.uk
Website: www.cqc.org.uk

Care Inspectorate – Scotland
Compass House 11 Riverside Drive Dundee DD1 4NY
Tel: 0345 600 9527
Email: enquiries@careinspectorate.com
Website: www.careinspectorate.com

Care and Social Services Inspectorate for Wales
Tel: 01443 848450

The Regulation and Quality Improvement Authority (Northern Ireland)
Tel: 02890 517500

For Fundraising

Fundraising Regulator
CAN Mezzanine
2nd Floor, 49 - 51 East Road
London N1 6AH
Tel: 0300 999 3413
W: www.fundraisingregulator.org.uk

For Data Breaches

Information Commissioners Office
ICO helpline on 0303 123 1113
<https://ico.org.uk/make-a-complaint/your-personal-information-concerns>

Timescales

Stage 1

- We will acknowledge complaints within 5 working days of receiving each complaint.
- We will send a full response within 14 working days of receiving each complaint.

Stage 2

- We will acknowledge complaints within 5 working days of receiving each complaint.
- We will send a full response within 20 working days of receiving each complaint.

Extending time limits

- We aim to complete our investigation into all complaints received within the timescales set out above.
- In a limited number of cases - for example, if a complaint is very complex or requires further breakdown, it may be necessary to extend the time limit to ensure we have all the information necessary to deal with it.
- If this is the case we will keep you informed of progress with the investigation, the reasons for the delay, and inform you of next steps.

Resolution

If you the outcome of your complaints shows that have got things wrong we will:

- accept responsibility and apologise
- explain what went wrong and why
- put things right by making any changes required
- learn lessons from mistakes and change policies and practices where proportionate and sensible to do so

The general principle we follow is that complainants should, so far as possible, be put in the position they would have been in, had things not gone wrong.

The remedy applied needs to be proportionate and appropriate to the failure in service, and, take into account what redress people seek when they complain. An apology is generally the most appropriate action, but other action may also be necessary in some circumstances.

Unreasonable complaints

We are committed to dealing with all complaints equitably, comprehensively, and in a timely manner and we will not normally limit the contact which complainants have with staff. Sometimes, however, people pursuing complaints or other issues may treat staff and others in a way that is unacceptable and or behave in an unacceptable manner. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening, inappropriate or harassing behaviour.

An unreasonable complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include people who pursue complaints in an unreasonable manner and those who do not act in an appropriate manner towards our staff.

This includes:

- Actions which are:
 - Out of proportion to the nature of the complaint, or
 - Persistent – even when the complaints procedure has been exhausted, or
 - Personally harassing, or
 - Unjustifiably repetitious or
 - Obsessive, harassing, or prolific
- Prolific correspondence or excessive email or telephone contact about a concern or complaint.
- Making inflammatory statements and unsubstantiated allegations
- Repeatedly demanding disciplinary action be taken against staff
- Recording meetings or telephone conversations without consent.
- Repetitious complaints where the complainant has no view about what would satisfy him/her and/or no intention to resolve the complaint.
- Acting in a way not in line with the Charity's aim of reaching a resolution and working with the Charity
- An insistence on
 - Pursuing unjustified or unmeritorious complaints and/or
 - Unrealistic outcomes to unjustified complaints
- An insistence on
 - Pursuing justifiable complaints in an unreasonable manner e.g. using abusive or threatening language;
 - Making complaints in public; or
 - Refusing to attend appointments to discuss the complaint.

The complainant will first be told that we consider their language offensive or their behaviour unacceptable, and will be asked to stop using such language or behaviour.

Where complaints are deemed vexatious or the unacceptable behaviour does not stop, the complainant will be notified in writing that no further correspondence will be entered into on the matter in question.

If further contact is necessary, the complainant will be informed that it will be made through a Director or their nominated officer/s. A decision to restrict contact will be reconsidered if the complainant subsequently demonstrates more reasonable behaviour.

If you disagree with a decision made by the Charity to regard your behaviour as unreasonable, you can challenge it.

All incidents of harassment or aggression will be documented and referred to senior staff. In appropriate circumstances these matters may be referred to the police and the Charity may consider taking appropriate legal action against the complainant, if necessary, without prior warning.

Recording complaints

Complaint details, outcomes and actions taken are recorded by us and used for service improvement. We record all complaints we receive and collate data from them to help us understand what types of problems are most prevalent, and how well we are doing to resolve them.

We value your feedback and will use it to help us to:

- get things right in the future if we have not done so already
- be more open and accountable
- act fairly and proportionately
- seek continuous improvement

We will handle your information so that it is processed and retained appropriately and legally, in line with data protection legislation.

Contacting us

There are a variety of ways that people can make complaints:

- Telephone to your local service / team
- In writing to your local service/ team
- Email: yourview@nas.org.uk
- Website: www.autism.org.uk
- Writing to:
The Nominated Individual and Safeguarding Lead/Champion
The National Autistic Society
393 City Road
London
EC1V 1NG

Comments and Compliments

Quality of service is an important measure of our effectiveness. Learning from complaints, comments and compliments is a powerful way of helping continuous improvement at our charity and enable us to better deliver to our values and standards.

As well as learning from your complaints we would like to hear about:

- ideas you have on how we might do things better
- when we do things well.

Your comments and compliments will be passed on to the relevant team and we will use them to help improve the way we do things. A response, if required, will be sent to you directly within 20 working days where possible.

You can make your comments and compliments by contacting any members of our staff, or you can e-mail - yourview@nas.org.uk

References

CQC
Care Inspectorate – Scotland
Care Inspectorate - Wales
RQIA
HSC Trust
Health and Personal Social Services Day Care Regulations 2007
NISCC
DHSSPS
Access NI
Data Protection Policy IGP-02
Whistleblowing Policy HR-0002
Grievance Management Policy HR-001