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## **COMPLAINTS POLICY**

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**October 2020**

**TÚSLA**  
An Ghníomhaireacht um  
Leanaí agus an Teaghlach  
Child and Family Agency

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# 1. COMPLAINTS POLICY

## 1.1 Scope

This policy relates to both informal and formal complaints made by stakeholders of BRILL FRC and the steps that should be taken if a complaint is made. It does not cover complaints made by staff, as these are managed through the organisation's Grievance and Disciplinary Policy. Nor does it cover the reporting procedures for complaints relating to child protection and vulnerable adults. Any child protection and vulnerable adult concerns must be raised using 2017 *Children First* guidance and mandatory reporting.

## 1.2 What is a complaint?

A complaint is when you, the stakeholder, tell us you are not happy about the service we provide. It can be about anything and could include:

- When we do not deliver a satisfactory service;
- When we give you the wrong information;
- When you receive a poor-quality service;
- When you have a problem with a member of staff or another service user.

## 1.3 Who might make a complaint?

- Participants of programmes/courses;
- People who come into the organisation looking for information;
- Parents of children availing of childcare services, after school activities or youth projects etc.;
- People who avail of a service operating within the organisation;
- Other agencies who may operate from the same premises;
- People from the local community;
- Organisations and agencies with which the organisation does business.

## 1.4 Principles

BRILL FRC is committed to the principles (below) when a stakeholder wishes to make a complaint.

BRILL FRC will:

- Make sure everyone in BRILL FRC treats a complaint seriously and knows what to do if a complaint is received;

- Provide a fair and easy process for anyone wishing to make a complaint;
- Publicise and raise awareness of its procedures, so that people know how to make a complaint;
- Make sure confidentiality is upheld and that complaints are dealt with and investigated in a timely manner;
- Endeavour to resolve a complaint and restore relations;
- Learn from complaints: gather information, which helps the organisation to review and improve its service.

BRILL FRC will ensure that if a complaint is made:

- The principles of natural justice will be recognised at all stages of the complaint procedure, in relation to all parties;
- Any formal complaint received into BRILL FRC will be logged and, after investigation, will be categorised as either upheld, dismissed or withdrawn;
- The volunteer Directors, the complainant and the individual/group complained against may at all stages of the procedures be advised and/or accompanied by a representative of their choice;
- The Chairperson will keep a written record of each meeting held, including details of the complainant's case and any response made. All parties will be asked to sign records of any meetings and copies will be made available to everyone who attended the meeting;<sup>1</sup>
- The complainant and the person/group complained against will be advised of the next stage at the end of every stage of the procedure;
- The date and time of all meetings will be agreed by all parties;
- All parties will be allowed adequate time to prepare their case;
- Every effort will be made to resolve the complaint at each stage;
- The proceedings will remain confidential to those parties involved;
- Copies of correspondence and written records relating to the complaint will be kept on file by the Chairperson (or alternative person). The information will be destroyed after six months, unless there are important reasons not to do so, in which case the complainant will be informed of the fact.

## **1.5 Responsibility for dealing with complaints**

Overall responsibility for the implementation of this policy lies with the organisation's Manager and the Chairperson of the Board.

### ***Informal Complaint***

If you wish to make an informal complaint regarding an individual or your experience

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<sup>1</sup> Where the Chairperson is the complainant, or the person/member of the group complained against, this role will be filled by an alternative person. The alternative person will be a volunteer Director agreed by the complainant and the person/group complained against.

in the Project, please talk to the person directly or contact the worker responsible for this area of work.

### **Formal Complaint**

If you wish to make a formal complaint, you can contact the Manager or the Chairperson of the Board of Directors as follows:

- If you wish to make a formal complaint about the **your experience in the Project, a member of staff or the Board** please contact the **Manager**;
- If you wish to make a formal complaint about the **Manager** please contact the **Chairperson**.

**Manager:** Glenn Lynch / 051 350100

**Manager's Email:** [glenn@brillfrc.ie](mailto:glenn@brillfrc.ie)

**Chairperson:** Deirdre Collins / 051 350100

**In writing:** Parish Centre, Ballybeg, Waterford.

### **1.6 Confidentiality**

All complaint information will be handled sensitively, with only those who need to know, or who are directly involved, being given information. This is in line with all relevant data protection requirements.

## **2. COMPLAINTS PROCEDURE**

The aim of the Complaints Procedure is to facilitate a fair and quick resolution of any problem or grievance. A complaint may be about the organisation or about an individual in the organisation whose behavior the complainant felt was inappropriate.

BRILL FRC's Complaints Procedure offers a facility to members of the public who wish to make a complaint to the organisation regarding its services or the way it conducts its business. It is the policy of the organisation to deal with all complaints in a fair manner and in accordance with the principles of natural fairness and equality.

Anyone who wishes to make a complaint about the services or the conduct of an employee of the organisation should follow the steps outlined in **STAGES 1-3**.

### **STAGE 1 – Informal Complaint**

In the case of an informal complaint **about your experience of the organisation**, a

complainant should first raise the complaint informally with the Line Manager for the relevant area of work within the organisation, who may be able to resolve the issue(s) immediately.

Staff with key responsibilities for areas of work are:

- Leona Basquill
- Ray Power
- Hugh Delahunty
- Asst LTI Coordinator

If the informal complaint is **about an individual within the organisation** / BRILL FRC encourages complainants to first raise the matter with the individual concerned and seek resolution.

Staff who receive informal complaints from a service user / client will always inform their Line Manager. In the case of an external tutor or service provider, any informal complaint will also be referred to the organisation's over all Manager.

All relevant staff will make every effort to resolve the issues as swiftly as possible, where appropriate.

The informal complaint and outcomes will be written into the Record Sheet for Informal Complaints in **APPENDIX 1**.

Should the issue not be resolved by informal means, the complainant can then make their complaint formally in writing to the Manager / Chairperson of BRILL FRC See **STAGE 2**.

## **STAGE 2 – Formal Complaint**

The complainant should detail the complaint and provide any relevant documentation to support the complaint.

The Manager / Chairperson will use the Complaints Record Sheet attached in **APPENDIX 2** to further document the issues, and will:

- Write down the facts;
- Take complainant's name, address and telephone number;
- Note down the relationship of the complainant to the organisation;
- Explain to the complainant the formal complaints procedure;
- As part of any discussion or investigation of the complaint, explain that the written record of the complaint must be sent to a Complaints Sub-group /

relevant member of staff (if it is about a member of staff), who will be given a fair opportunity to respond;

- A copy of the Complaints Record Sheet will be forwarded to the complainant who will be requested to sign it as a true representation of the complaint.

The complaint submitted will be acknowledged, in writing, within five working days. The VBOD will establish a “**Complaints Sub-group**” who will do their best to resolve the matter as soon as possible and, in any event, within 15 working days. The Complaints Sub-group will:

- Decide how the complaint should be handled;
- Meet the complainant if required;
- Seek support and advice to address the complaint, if necessary;
- Make sure the complaint is dealt with in confidence;
- Ensure the complaint is investigated thoroughly;
- Make sure a decision following the complaint is issued to the complainant within the time frame specified;
- Where required, make relevant recommendation for actions to the Board to be discussed and implemented.

If it is not possible to issue a reply within the specified timeframe due, for example, to an investigation not being fully completed, a progress report will be sent to the complainant with an indication of when a full reply will be given.

Whether the complaint is justified or not, the reply to the complainant will describe:

- The action taken to investigate the complaint;
- The conclusions from the investigation;
- Any action taken because of the complaint;
- How the complainant can appeal the findings / outcomes of the Complaints Sub-group.

If the complaint has not been resolved to the satisfaction of the complainant through the efforts of the Complaints Sub-group and the Manager / Chairperson in **STAGE 2**, the complainant has the right to appeal - **STAGE 3**.

## **STAGE 3 – Appeal**

If the matter is not resolved at **STAGE 2**, and the complainant wishes to appeal, they must send a request in writing to the Complaints Sub-group within five working days.

If a complainant formally requests an appeal, this will be acknowledged in writing within 5 working days. This acknowledgement includes receipt of the request, along with notice that an appeals will be undertaken.

The VBOD's will establish an "**Appeals Sub-group**" (which does not involve anybody involved in the initial investigation) to review the complaint, actions taken in response, and any decisions made in relation to the complaint.

The Appeals Sub-group will:

- Decide how the appeal should be handled;
- Meet the complainant if required;
- Seek support and advice to address the appeal, if necessary;
- Make sure the appeal is dealt with in confidence;
- Make sure a decision following a review of the complaint is issued to the complainant within 28 working days of the letter of acknowledgement.

The finding of the Appeals Sub-group will be final.

Recommendations may also be made to the organisation from the findings of the Appeals Sub-group and these will be discussed at Board level and implemented.

# APPENDIX 1: BRILL FRC Informal Complaints Record Sheet

| <b>INFORMAL COMPLAINTS RECORD FORM</b>  |  |
|---|--|
| <b>NATURE OF INFORMAL COMPLAINT MADE:</b>   |  |
| <b>RELATIONSHIP OF COMPLAINANT WITH THE ORGANISATION:</b>   |  |
| <b>DATE INFORMAL COMPLAINT MADE:</b>  |  |
| <b>Describe the nature of the informal complaint – be as accurate as possible:</b>                                  |  |
|   |  |
| <b>Describe actions taken to address the informal complaint:</b>  |  |
|   |  |
| <b>Is there anything that needs to change in the organisation as a result of the informal complaint being made:</b> |  |
|   |  |
| <b>SIGNATURE OF STAFF MEMBER WHO TOOK THE COMPLAINT:</b>  |  |
| <b>DATE:</b>  |  |
| <b>SIGNATURE OF LINE MANAGER:</b>   |  |
| <b>DATE:</b>  |  |

# APPENDIX 2: BRILL FRC Formal

## Complaints Record Sheet

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| <b>FORMAL COMPLAINTS RECORD FORM</b>  |  |
|---|--|
| <b>NAME OF PERSON COMPLAINING:</b>  |  |
| <b>RELATIONSHIP WITH THE ORGANISATION:</b>  |  |
| <b>ADDRESS:</b>   |  |
| <b>TELEPHONE:</b>   |  |
| <b>MOBILE No:</b>   |  |
| <b>EMAIL:</b>   |  |
| <b>DATE OF COMPLAINT:</b>   |  |
| <p><b>Describe in detail the nature and facts of the complaint – be as accurate as possible</b></p><br><br><br><br> |  |
| <b>SIGNATURE OF COMPLAINANT:</b>  |  |
| <b>DATE:</b>  |  |
| <b>COMPLAINT RECORDED BY:</b>   |  |
| <b>DATE:</b>  |  |

**PLEASE NOTE:** All Complaint Record Sheets holding personal details of complainant will be kept for six months after the issues have been resolved. They will then be shredded, in line with the organisation’s Data Protection Policy. A short record of complaint and outcome will be written into the organisation’s Record of Complaints file but will not include personal details of any person involved. Do you give BRILL FRC permission to store and process personal information in the above form:

YES [ ] NO [ ]

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## APPENDIX 3: Tips for handling verbal complaints

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When handling complaints, relevant parties should make every effort to:

- Remain calm and respectful throughout the conversation;
- Listen, allowing the person to talk about the complaint in their own words;
- Refrain from debating the facts in the first instance, especially if the person is angry or upset;
- Ask for clarification, wherever necessary;
- Show that they have understood the complaint by reading back to the complainant what they have noted down;
- Always seek explicit consent, if recording any necessary details that are personal or sensitive information, that the information is “freely given, specific, informed and an unambiguous indication of the data subject's wishes by which they, by statement or by a clear affirmative action, signify agreement to the processing of personal data relating to themselves” (GDPR)
- Acknowledge the person's feelings. For example, saying: “I understand that this situation is frustrating for you”;
- Ask the person what they would like done to resolve the issue;
- Be clear about what can be done, how long it will take, and what it will involve;
- Give clear and valid reasons if requests cannot be met;
- Refrain from promising things that cannot be delivered;
- Make sure that the person understands what they have been told;
- Wherever appropriate, inform the person about the available avenues of review or appeal.

## **APPENDIX 4: Overview of organisation's policies and procedures for handling grievances, complaints and concerns.**

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|--|--|
| Employees/<br>Hosted Employees             | <ul style="list-style-type: none"><li>• Grievance procedures</li><li>• Employees/students/scheme Participants hosted by the organisation</li></ul>   |
| Volunteers and Groups                      | <ul style="list-style-type: none"><li>• Complaints Policy</li><li>• Protected Disclosures Policy</li><li>• Volunteer Policy</li><li>• Code of Conduct and Conflicts of Interest Policy for the Board.</li></ul>  |
| Organisation's Service Users               | <ul style="list-style-type: none"><li>• Complaints Policy</li><li>• Groups Using the Organisation Policy</li><li>• Children First and Vulnerable Adults Policy</li><li>• Data Protection Policy (including data breach and Subject Access Request)</li></ul> |
| Childcare Facility                         | <ul style="list-style-type: none"><li>• No Childcare Service</li><li>• <i>Children First</i> and mandatory reporting</li></ul>   |
| Child Protection/Vulnerable Adult Concerns | <ul style="list-style-type: none"><li>• Child Protection Policy (<i>Children First guidelines and mandatory reporting</i>)</li><li>• Designated liasion person/Tusla social work</li></ul>   |

**Review History:**

**Ratified 30/9/2020**

**Review Date: October 2023\***

**(\* unless more urgent review need identified)**