



Marie Collins
Foundation

COMPLAINTS POLICY

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1.0 INTRODUCTION

Marie Collins Foundation (MCF) aims to provide organisations and individuals with high quality services at all times. We positively welcome suggestions as to how we can improve our services.

However, we recognise that from time to time there may be occasions when organisations and individuals feel that the quality or level of service provided fell short of what they could reasonably expect. MCF is committed to dealing with all complaints constructively, impartially and effectively. MCF will make every effort to ensure that all complaints receive a complete, accurate and timely response and no complaint is ever disregarded. For the purposes of this policy complaints includes complaints about the performance of services, the suitability of campaigns and the conduct of employees, trustees, volunteers and contractors. MCF is committed to responding to any complaint fairly and ensuring that where necessary the Charity learns from any outcomes and improves its practices. For complaints made by staff please refer to the Grievance Policy.

2.0 COMPLAINTS PROCESS

2.1 Informal Complaint

The complainant should raise their concern initially directly with the member of staff involved in the service. Wherever possible every attempt will be made to resolve the issue satisfactorily. If the complaint involves a specific member of staff then the Chief Executive Officer (CEO) should be contacted. If the complaint involves the CEO the Chair of the Board (referred to as Chair hereafter) should be contacted. If the complaint involves a Trustee the CEO and Chair should be contacted. If the complaint involves the Board of Trustees as a whole the Charity Commission should be contacted <https://www.gov.uk/complain-about-charity>.

2.2 Formal Complaint

If the issue is serious, or the complainant feels that the matter has not been resolved satisfactorily, the complainant should proceed to a formal complaint.

The complaint should be made in writing, marked "Private & Confidential", and sent to the CEO who will acknowledge it in writing (within 7 days of receipt). Again, if the complaint involves the CEO the communication should be made to the Chair.

The CEO will, in consultation with the Chair investigate the complaint. (See Appendix 1 for the Complaints Checklist). If the complaint involves the CEO, the Chair (with a nominated trustee) will conduct the investigation.

The CEO (or Chair as appropriate) will communicate the results of the investigation to the complainant in writing within 21 days of receipt.

3.0 APPEAL PROCESS

If the complainant is dissatisfied with the results of the investigation, they can appeal the outcome by requesting a review by the Complaints Panel. The Panel will comprise of at least three members of the MCF Board of Trustees who have not been involved with the initial investigation.

MCF will arrange a mutually convenient time for the Panel to hear the appeal. This meeting will be scheduled within 21 days of receiving the request for a review. Confirmation of the time, date and venue will be sent in writing to the complainant and panel members.

The complainant, if attending personally, has the right to be accompanied by a friend or advocate. The panel also has the right to have an independent advisor present.

The terms of reference for the Panel are:

"to consider appeals in respect of complaints made pursuant to MCF's complaints policy including full delegated authority to":

- dismiss the appeal in whole or in part;
- uphold the appeal in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to MCF's systems or procedures to ensure that problems of a similar nature do not recur."

At the conclusion of the hearing the Chair of the Panel will inform the complainant and the CEO that the Panel will make its decision in private and they will be notified of the outcome in writing within 5 working days of the meeting.

The decision of the Panel will be final and is the end stage of the internal complaints process. Should the complainant continue to be dissatisfied with the outcome of the process they should contact the Charity Commission and/or the Fundraising Regulator (see below).

All documentation associated with formal complaints will be retained and filed securely by the CEO.

Following conclusion of the process, the Board of Trustees shall be informed by the CEO at the first available meeting, the nature of any formal complaints and their outcome, and consideration will be given to the implications these have for the planning and management of future services, as part of MCF's self-evaluation process.

It is *essential* that the Board of Trustees are not notified of the details of the complaint whilst the process is underway in order that they are not compromised, should they be called upon to be panel members.

4.0 FUNDRAISING COMPLAINTS

The Fundraising Regulator helps to protect the public from poor fundraising practices. By registering with the Fundraising Regulator, MCF has signed up to comply with the [Code of Fundraising Practice](#). The Fundraising Regulator investigates complaints where they cannot be resolved by organisations themselves, or where the issue has caused, or has the potential to cause, significant public harm. The Fundraising Regulator asks that complainants refer to their [complaints process](#) before making a complaint. People wishing to make a complaint about an organisation's charitable fundraising should use the Fundraising Regulator's [online form](#).

5.0 RELATED POLICIES

This policy is to be read in conjunction with the following MCF policies:

- Fundraising Policy
- Grievance Policy
- Whistleblowing Policy

APPENDIX 1 – COMPLAINTS CHECKLIST

Use this checklist when investigating a complaint in conjunction with the Complaints Policy.

Dated: [enter date of document]

Action Item	Response	Comments
Have you conveyed verbally and in writing to the complainant the investigation procedure and timescale?	YES/NO	
Have you conducted an interview to establish background to and detail of the complaint?	YES/NO	
Have you completed a written statement detailing the interview and complaint which you have dated and signed?	YES/NO	
Has the complainant countersigned it as a true record of the discussions?	YES/NO	
Have you given a copy of the complaint to those associated with its contents? (This may not always be appropriate pending investigations)	YES/NO	
Have you asked, in writing, for a statement from those associated with the complaint within an agreed timescale?	YES/NO	
Have you received the statements within the agreed timescale?	YES/NO	
Have you advised those being interviewed that they can have a friend or representative with them?	YES/NO	
Have you interviewed all those associated with the complaint?	YES/NO	
Have you written up, signed, and dated your notes from each of these interviews?	YES/NO	
Have you reviewed all the evidence placed before you?	YES/NO	
Have you assessed whether or not you feel there are grounds for complaint?	YES/NO	

If so, have you considered all the options for action that could/should be taken as a result?	YES/NO	
Are you clear in your own mind what will be the content of the discussion with the Chair about this investigation and its findings?	YES/NO	
Have you discussed fully with the Chair the findings of your investigation and your recommendations for action?	YES/NO	
Have you put these formally in writing to the Chair, together with the statements and notes taken during the course of the investigation?	YES/NO	
Have you reported in writing to the complainant the outcome of the investigation?	YES/NO	