



The PDA Society: External Complaints Policy

General statement

We are committed to providing high-quality information, support and training about PDA for individuals, families and professionals. We will ensure that anyone who engages with the charity can seek advice, provide feedback or make a complaint about any aspect of our services. This policy describes how we receive, manage, respond to and learn from complaints made about our services. This policy aims to ensure all complaints are handled as efficiently and effectively as possible. All members of the PDA Society team are expected to understand and follow this policy when dealing with a complaint. This policy will be reviewed by Trustees and updated as necessary every two years.

The key aspects of this policy are that:

- People who engage with the charity know how to complain and are confident that we will take their complaint seriously
- We will investigate all complaints and will keep the person making the complaint informed of the findings of our investigation
- We will learn from any complaints, concerns and feedback that we receive and use these lessons to improve our services.

1. How a complaint can be made

In the first instance a complaint should be directed to the Chief Executive, using the contact details below, who will aim to resolve the matter informally, where appropriate, with the person raising the concern (complainant) and make Trustees aware of the complaint.

- **By email:** info@pdasociety.org.uk
- **By post:** PO Box 6080, Sheffield, S12 9EW

Serious allegations, including safeguarding and fraud, will always be treated as a formal complaint in the first instance. In such cases the charity will seek advice on whether or not it is appropriate for the complaint to be handled internally, or whether it should be referred to a statutory agency in the first instance. The complainant will always be made aware of the decision to refer on to a statutory agency in the first instance unless to do so would put themselves or another person at serious risk of harm.

If, after liaising with the Chief Executive, the complainant remains dissatisfied, they will be made aware of their right to make a formal complaint in writing using the contact details above and will be asked to provide the information outlined in section 2, below. The complaint should be addressed to 'Trustee, HR & Admin Lead' who will decide on the most appropriate person to consider the formal complaint. If the Trustee, HR and Admin Lead is the subject of the complaint then it should be addressed to the Chair of Trustees.

The complainant may call upon a representative to act on their behalf. A representative can be a friend, relative, carer or an advocate. Any individual who is unable, or may struggle, to make a complaint themselves will be encouraged to call upon a representative to ensure that their complaint is dealt with. If someone completes a complaint on behalf of another, they will be asked to confirm that they have the right or permission to do so before we can proceed with the complaint. This is to ensure we are processing a complaint in line with data protection legislation and regulation.

2. The Information we need

Anyone wishing to make a complaint either on behalf of themselves or another person will be asked to include the following information so that the complaint can be thoroughly investigated:

- The name of the person who is making the complaint, their contact details and/or their representative
- If applicable, the name of the PDA team member they have been corresponding with about the matter to date
- The nature of the complaint, including who the complaint is against, a description of the incident(s) that have caused concern and any other pertinent information
- Details of any steps already taken to resolve the complaint
- Details of conversations that may be relevant to the complaint
- Copies of any documentation which supports the complaint
- If using a representative, consent of the individual who the complaint is on behalf of

3. Our responsibilities

We aim to provide an efficient, fair and structured mechanism for handling complaints, to provide people with access to the complaints handling process, including people with additional needs or who require reasonable adjustments to be made to the process. All complaints will be handled in line with this procedure and treated fairly and without discrimination.

4. Formal complaint procedure

(i) Acknowledgement

The Trustee, HR and Admin Lead will acknowledge receipt of the formal complaint normally within 5 working days. If a delay in acknowledging the complaint is anticipated, the reason for the delay will be explained to the individual.

They will review the complaint and determine if any additional information is required and contact the complainant to request additional information, or consent if necessary. The charity will be open and transparent to ensure that all those involved understand the process and know what to expect. The complainant, or their representative, are welcome to make enquiries about the current status of the complaint at any time by contacting us if they have any concerns.

The complaint will be allocated to a designated Trustee who, in conjunction with another Trustee, will consider the complaint impartially and objectively using the information supplied. The charity reserves the right at its discretion to appoint external investigators at any point in the process for particularly serious or sensitive complaints.

(ii) Investigation

In some circumstances, the Trustee handling the formal complaint may deem that an investigation is necessary before a complaint can be resolved. The purpose of any investigation is to:

- Understand what the complaint is about
- Establish what would be considered a satisfactory resolution
- Where appropriate, seek the views of other people and seek suggestions on how to resolve the matter
- Identify other useful sources of information – for example, Charity Commission guidance

We aim for the investigation to be completed and a report produced promptly within 1 month or, if the issue is complex, within 2 months. Where we anticipate a delay, we will explain this and provide an update on progress at least every 10 working days.

(iii) Response

We will aim to respond in writing within 10 working days if there is no investigation required or between 1 to 2 months if an investigation is required, depending on the complexity of the matter.

Our written response will:

- Address all the issues raised and demonstrate that each has been fully and fairly investigated
- Include an apology where something has gone wrong
- Explain our conclusions and any action that we have taken as a result or explain why no further action is needed
- Include details of how to escalate the complaint if the complainant remains dissatisfied

(iv) Right to appeal

The complainant or their representative has the right, if dissatisfied with the results of the initial response to their written complaint, to appeal the decision in writing to the Chair of Trustees. If the Chair of Trustees is the subject of a complaint, then another Trustee will be identified as the point of appeal, and this will be communicated to the complainant or their representative. The complainant or their representative will have 15 working days from the date of the complaint response letter to appeal the outcome.

The person handling the appeal will review the grounds for appeal. A final decision will be communicated in writing within 15 working days of the appeal being received. This decision is final and will include the contact details for the Charity Commission in their capacity as the regulator of charities.

(v) Learning from complaints

We adopt a no-blame approach to complaints that we receive and recognise that all feedback provides an opportunity for us to develop and improve our service.

As soon as possible after a complaint has been dealt with, we will ensure that those involved are given individual feedback. Where our investigations identify a need to improve or review our systems, these identified needs will be presented to the Board Trustees for consideration and remedy at the next Trustee meeting. Any agreed changes will be kept under review.

We will undertake ongoing monitoring of all complaints to identify trends and assess training requirements.

We will record the lessons learned and review all complaints quarterly in order to offer the best service and continuous improvement.

Where a serious incident has occurred, we will report the matter to the Charity Commission and, if appropriate, any other relevant appropriate external bodies. We will always adhere to our statutory obligations and seek advice in respect of these if they are unclear.

Further action, including disciplinary action, the cessation of a person's contract with the charity, withdrawal of the offer to volunteer or other such consequence may be instigated where necessary.

5. Unreasonable complainants

The charity understands that bringing a complaint can be stressful for the complainant. The charity also has a duty of care to the team handling the complaint.

If a complaint is brought in an unreasonable manner with unreasonable behaviours, then the complainant will be made aware that the charity considers this unacceptable, and they will be asked to cease. Examples of unreasonable behaviours include, but are not limited to, actions which are out of proportion to the nature of the complaint, personally harassing, unjustifiably repetitious or obsessive, harassing or prolific.

Where complaints are deemed vexatious or the unreasonable behaviours do not stop, the complainant will be notified in writing that no further correspondence will be entered into on the matter in question. A decision to restrict contact may be reconsidered if the complainant goes on to demonstrate changed behaviour. The decision to restrict contact can be appealed in writing to the Chair of Trustees using the contact details noted above to make a complaint. The Chair of Trustees' decision is final.

In particularly serious cases of vexatious or unreasonable behaviours, these matters may be referred to the police and the charity may consider taking appropriate legal action against the complainant to safeguard the charity and its team members from harm.

6. Records

The charity keeps full records of all complaints, investigations and responses in keeping with its obligations under data protection legislation and regulation. These records are kept securely. These records include:

- The date a complaint was received, by who and how (verbally or in writing)
- Details of the complaint and the results of the investigation
- Copies of any communications and records of telephone conversations and meetings
- The outcome of the complaint and any action that we took as a result
- Correspondence between the individual and the organisation.

Policy next due for review in March 2023