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Introduction

This policy demonstrates how Civil Rights First responds to complaints and other customer feedback.

Scope

The policy sets out how we will handle complaints and positive client feedback.

Principles

The following principles govern the operation of this policy:

- Client feedback about the services we provide is welcomed, noted, acknowledged and reviewed.
- Feedback received regarding policies and procedures is considered at the next relevant review.
- Front line employees are encouraged to offer and implement immediate responses to complaints where appropriate and meet the reasonable expectations of the client.

Objectives

The objectives of the policy is to ensure that:

- Wherever practical and possible, complaints are resolved informally by front line employees.
- People providing feedback know that their comments will be used to evaluate the quality of our service and to influence reviews of policies and procedures.
- Records of feedback will be organised for ease of retrieval and analysis.
- Should complaints be referred to external agencies, we shall be able to provide records of each case to assist further investigation.
- People making complaints are advised clearly about the process and their opportunities to escalate the case to independent authorities.

Approach and Method

CRF, in its formal approval of the policy, accepts full responsibility for the policy and ensuring its implementation. Day to day responsibility for the operation and monitoring of this policy lies with the operations director and service managers. All relevant employees have a responsibility to ensure that the policy is applied as instructed.

The policy will be implemented using the following approaches:

- We shall devise systems and procedures for compliance with the policy.
- We shall record positive feedback, constructive criticism and complaints impartially.
- We shall review procedures at least every 3 years and implement measures to improve efficiency and customer satisfaction.

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- Complaints will be handled in accordance with CRF's Handling Procedure, this is a 2-stage process.
- We will provide training and support for staff to build confidence and skill in responding to customer feedback, resolving complaints at the earliest opportunity, and investigating complaints where this is required.

Monitoring, Performance Measurement and Reporting

We will monitor, evaluate and report on customer feedback as follows:

- Provision of training and/or information to staff.
- The need for review of policy, procedure or practice.
- Feedback will be analysed for trends in the nature and frequency of subjects which are cause for complaint or positive feedback.
- Numbers of complaints, numbers resolved at each stage, numbers referred to external agencies, and any unresolved at the time of reporting.
- Assessment of the extent to which complaints are resolved at each stage to the satisfaction of the complainer.

Service Managers will hold this responsibility, reporting the Operations Director. The Managing Director will deal with any significant issues of concern should these arise, reporting these to the Board of Directors if appropriate.

Appeals

If after making a complaint to CRF, the complainant remains dissatisfied they may be able to refer the matter to OSCR. CRF will advise complainants on conclusion of a stage 2 investigation that this is their right. CRF will also advise the complainant if a service and or if any service other than that of CRF would be more appropriate to consider the case.

Repeated Complaints and Unacceptable Actions

A small minority of complaints may not be accepted. This will be the case when the same complaint has been addressed and we have given a final decision at the end of the stage 2 investigation. We may also decline to consider complaints in which no clearly identifiable issue can be determined, or where the complainant continually raises new issues following completion of our investigations. This type of complaint places a strain on time and resources to the disadvantage of other clients. CRF's unacceptable actions policy sets out actions which we consider to be unacceptable in pursuing a complaint, and its policy for managing such actions.

Equality and Diversity

Equality Impact has been considered in developing this policy and resulting actions shall be developed to ensure the policy and procedures are available to clients with diverse needs.

Policy Review

The policy will be reviewed regularly.

CRF Unacceptable Actions Policy

We believe that complainants have a right to be heard, understood and respected. We work hard to be open and accessible.

Occasionally, the behavior or actions of individuals using our service make it very challenging to deal with their complaint. In a small number of cases these actions become unacceptable because they involve abuse of our staff or our process.

When this happens we have to take action to protect our staff. We must consider the impact of this behavior on our ability to do our work and provide a service to others.

This policy explains how we will approach these situations.

What Actions do CRF Consider to be Unacceptable?

People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint coming to our office. We do not view behavior as unacceptable just because a complainant is forceful or determined. While we accept that being persistent can be an advantage when pursuing a complaint, we consider actions that result in unreasonable demands on our office or unreasonable behavior towards our staff to be unacceptable. It is these actions that we aim to manage under this policy.

Aggressive or Abusive Behavior

We understand that many complainants are angry about the issues they have raised in their complaint. If this anger escalated into aggression towards CRF staff, we consider that unacceptable. CRF employees and Board members understand the difference between aggression and anger. Naturally, the anger felt by many complainants or people who use our service involves the subject matter of their complaint or need. However, it is not acceptable when anger escalates into aggression directed towards our employees and/or Board members. Any violence or abuse towards staff of Board members will not be accepted.

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behavior or language (either verbal or written) that may cause staff to feel afraid, threatened or abused, and may include threats, personal verbal abuse, derogatory remarks and rudeness.

We also consider inflammatory statements and unsubstantiated allegations to be abusive behavior.

Unacceptable Demands

A demand becomes unacceptable when it starts to impact substantially on the work of the office. What amounts to unreasonable demands will always depend on the circumstances surrounding the behavior and the seriousness of the issue raised by the complainant.

Examples of demands that would be considered unacceptable:

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- Repeatedly demands responses within an unreasonable timescale.
- Insisting on seeing or speaking to a particular member of staff when this is not possible.
- Repeatedly changing the substance of a complaint or raising unrelated concerns.

An example of such impact would be that the demand takes up an excessive number of staff and amount of time in so doing disadvantage other complainants.

Unreasonable Levels of Contact

Sometimes the volume and duration of contact made to our office by an individual causes problems.

This can occur over a short period of time, for example, several calls in one day or one hour. It may occur over the lifespan of a complaint when a complainant repeatedly makes long telephone calls to us or inundates us with copies of information that has been sent already or that is irrelevant to the complaint.

We consider that the level of contact has become unacceptable when the amount of time spent talking to a complainant on the phone, or responding to, reviewing and filing emails or written correspondence impacts on our ability to deal with that complaint, or with other people's complaints.

Unreasonable Persistence

We recognise that some people will not or cannot accept that we are unable to assist them further or provide a level of service other than that provided already. Complainants may persist in disagreeing with action or decision taken in relation to their complaint or contact CRF persistently about the same issue.

Examples of actions grouped under this heading include persistent refusal to accept a decision made in relation to a complaint; persistent refusal to accept explanations relating to what CRF can/cannot do; and continuing to pursue a complaint without presenting any new information. The way in which these complainants' approach CRF may be entirely reasonable, but it is their persistent behavior which is not.

Unreasonable Use of the Complaints Process

Individuals with complaints about CRF have the right to pursue their concerns through a range of means.

They also have the right to complain more than once about an organisation with which they have a continuing relationship, if subsequent incidents occur. However, this contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent an organisation from pursuing a legitimate aim or implementing a legitimate decision. We consider access to a complaints system to be important and it will only be in exceptional circumstances that we would consider repeated use as unacceptable – but we do reserve the right to do so in those exceptional cases.

Examples of how we Manage Aggressive or Abusive Behavior

The threat or use of physical violence, verbal abuse or harassment towards staff and Board members or other working on our behalf, is likely to result in a termination of all direct contact with the complainant. Incidents may be reported to the Police. This will always be the case if physical violence is used or threatened.

We will not accept any correspondence (letter or electronic) that is abusive to staff or contains allegations that lack substantive evidence. We will tell the complainant that we consider their language offensive, unnecessary and unhelpful and ask them to stop using such language. We will state that we will not respond to their correspondence if the action or behavior continues.

Staff will end phone calls if they consider the caller aggressive, abusive or offensive. Staff have the right to make the decision, to tell the caller that their behavior is unacceptable, and end the call if the behavior persists.

In extreme situations we tell the complainant in writing that their name is on a 'no personal contact' list. This means we will limit contact with them to either written communication or through a third party.

Examples of how we Deal with Other Categories of Unreasonable Behavior

We must act when unreasonable behavior impairs the functioning of our office.

We aim to do this in a way that allows a complaint to progress through our process. We will try to ensure that any action we take is the minimum required to solve the problem, taking into account relevant personal circumstances including the seriousness of the complaint and the needs of the individual.

Actions we may take

Where a complainant repeatedly phones/visits the office/raises repeated issues or sends large numbers of documents where their relevance is unclear, we may decide to:

- Limit contact to phone calls from the complainant to set times on set days.
- Restrict contact to a nominated staff member who will deal with future calls or correspondence from the complainant.
- See the complainant by appointment only.
- Restrict contact from the complainant to writing only.
- Return any documents to the complainant or, in extreme cases, advise the complainant that further relevant documentation will be destroyed.
- Take any other action that we consider appropriate.

Where we consider continued correspondence on a wide range of issues to be excessive, we may tell the complainant that only a certain number of issues will be considered in a given period and we ask them to limit or focus their requests accordingly.

In exceptional cases, we reserve the right to refuse to consider a complaint or future complaints from an individual. We will consider the impact on the individual and if there would be a broader public interest in considering the complaint further.

The process we follow to make decisions about unreasonable behavior

Any member of staff who directly experience aggressive or abusive behavior from a complainant has the authority to deal immediately with that behavior in a manner they consider appropriate to the situation and in line with this Policy.

Excluding immediate decisions taken at the time of the incident, decisions to restrict contact with CRF are only taken after careful consideration of the situation by the Operative Director. Wherever possible, we will give a complainant the opportunity to change their behavior or action before a decision is final.

How we let people know we have made this decision

When an employee makes an immediate decision in response to aggressive or abusive behavior, the complainant is advised at the time of the incident.

When a decision has been made by senior management, a complainant will always be told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place. This ensures that the complainant has a record of the decision.

The process for appealing a decision to restrict contact

It is important that a decision can be reconsidered. A complainant can appeal a decision to restrict contact. If they do this, we will only consider arguments that relate to the restriction and not to either the complaint made to or decision to close a complaint.

An appeal could include, for example, a complainant saying that, their action were wrongly identified as unacceptable, the restrictions were disproportionate, or that they will adversely impact on the individual because of personal circumstances.

The Managing Director or Board will consider the appeal. They have discretion to quash or vary the restriction as they think best. They will make this decision based on the evidence available to them. They must advise the complainant in writing that either the restricted contact arrangements still apply or a different course of action has been agreed.

How we record and review a decision to restrict contact

We record all incidents of unacceptable actions by complainants. Where it is decided to restrict complainant contact, an entry noting this is made in the relevant file and on appropriate computer

records. A decision to restrict complainant contact as described above may be reconsidered if the complainant demonstrates a more acceptable approach. The Operative Director will review the status of all complainants with restricted contact arrangements.