



## Complaints Policy

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<b>Service</b>	Sight Scotland, Sight Scotland Veterans
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01/03/19	1.2	Kate Clement	Policy review, minor updates
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## Document references

Document name
Complaints Procedure
Grievance Policy
Duty of Candour Policy
Safeguarding Policy

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## **1. Introduction**

This combined complaints policy applies to both Sight Scotland and Sight Scotland Veterans. Although the charities are separate entities, they share board members and corporate services and where it makes sense to do so, the charities also share policies and procedures. Therefore, any references to “we” or “us” should be interpreted as meaning the charity that provides the service you wish to raise a complaint about.

We take a positive approach to complaints, they are valued and used to improve our services so if something goes wrong or you are not satisfied with our level of service, please tell us. We undertake to answer any complaint promptly, thoroughly, efficiently, and courteously.

## **2. Purpose**

The purpose of this policy is to provide a framework within which service users, clients, or members of the public, can contact us to convey any dissatisfaction with the services offered and/or received, and how we will respond to complaints raised.

## **3. Scope**

This complaints policy covers all complaints made to us by service users, clients, and members of the public.

We will ensure that complaints are acknowledged and responded to, and that we learn lessons to support improvements in our services or where we might communicate more clearly about what we do and the standards you should expect from us.

Staff or volunteers who wish to make a complaint, should refer to the Sight Scotland and Sight Scotland Veterans Grievance Procedure.

## **4. Aims**

This complaints policy aims:

- to give individuals an accessible and acceptable means of logging a complaint with us
- to maintain a record of complaints
- to ensure that we record and report complaints in a consistent way and to a uniformly high standard compliant with the requirements of our regulators,

external organisations that commission services from us, and those we deliver services for

- to support staff and volunteers by preventing an ad hoc approach to dealing with complaints
- to enable effective reporting and review of complaints.

## **5. What is a complaint?**

We regard a complaint as an expression of dissatisfaction by a service user, client, or a member of the public, about actions taken, actions not taken, or the standard of service provided by any aspect of Sight Scotland and/or Sight Scotland Veterans.

In this context 'service(s)' includes all aspects of Sight Scotland or Sight Scotland Veterans' work including all direct service provision (children, adult, older people, transcription services, veterans, and community services) and corporate services (fundraising, human resources, marketing, communications, etc.).

### **5.1. What can you make a complaint about?**

Examples of complaints that can be made are listed below. please note that a complaint could cover several of these examples.

- Failure or refusal of a service
- Poor quality or standard of service, or an excessive delay in the provision of said service
- Displeasure with one of our policies or its impact on an individual
- A failure to apply law, procedure, or guidance when delivering a service
- Administrative procedures not followed
- The conduct, treatment by, or attitude of a member of staff or volunteer
- Disagreement with a decision we have made

### **5.2. What can you not register a complaint about?**

The following is a list of potential grievances that are not covered by our complaints policy. Issues of this type will not be investigated according to our complaints procedure, but staff will do their best to remedy the issue or direct the person to the appropriate organisation.

- A regular first-time request for a service
- An initial report of a fault e.g. faulty lighting

- A request only in relation to compensation
- An issue that has been followed by legal action
- Issues that are in court or have already been heard by a court or tribunal
- Disagreement with decisions or conditions that we must follow as determined by a court or statutory body
- A concern about a child or an adult's safety
- A previously concluded complaint unless there is substantial new information that has come to light which would affect the original finding
- Abuse or an unsubstantiated allegation against our organisation or staff

## **6. Who can make a complaint?**

Service users, clients, or members of the public can make a complaint to us.

If the complainant is not comfortable with raising a complaint, a 3<sup>rd</sup> party (family member, friend, carer etc.) can make a complaint on their behalf if they have their explicit consent to do so. We will make sure that any 3<sup>rd</sup> party who raises a complaint on behalf of somebody else has the authority to act on their behalf and we may insist on documentary proof before proceeding with an investigation.

Complaints can be made anonymously and will be reviewed should enough detail of the incident be provided. However, in such instances we will be unable to communicate the findings of the investigation and the actions we have taken to resolve the complaint.

## **7. How to make a complaint**

Complaints can be made in-person, by phone, in writing which includes letters and electronic communications media.

A complaint can also be made verbally directly to any member of staff, or via telephone using the number below.

Telephone: 0131 229 1456

Complaints can be made in writing by email to

[Hello@sightscotland.org.uk](mailto:Hello@sightscotland.org.uk) or [Hello@sightscotlandveterans.org.uk](mailto:Hello@sightscotlandveterans.org.uk),

or by letter to

Head Office

2a Robertson Avenue

Edinburgh

EH11 1PZ

We will also accept complaints made to us directly via direct messaging on social media channels although we reserve the right to not respond to complaints made in generalised open chat forums and threads.

## **8. What details will we request?**

When making a complaint the staff member who is receiving this will request the following details.

- name
- contact details
- the situation that led to the complaint
- what occurred to necessitate the raising of a complaint
- what the desired outcome is from making this complaint

## **9. Complaint timescales**

To ensure access to all relevant information is available and to aid in conducting a robust investigation, should it be required, complaints will only be considered where they relate to matters within six months from the date on which the matter of the complaint comes to the person's notice, provided that this is also no later than 12 months after the date on which the matter of the complaint occurred. In exceptional circumstances, and at our sole discretion, we may accept a complaint outside this period.

## **10. Unreasonable or Unreasonably Persistent Complaints**

A very small number of complainants may be categorised as unreasonable or unreasonably persistent. This is not because they raise uncomfortable or searching issues but because the complaint is pursued in a way which can either impede an ongoing investigation, have significant and disproportionate resource issues relative to the nature of the complaint, or be communicated in an inappropriate manner. In these instances, prior to a complainant being categorised as unreasonable or unreasonably persistent, this will be reviewed internally and discussed with the complainant prior to a decision being made.

## **11. Applicability**

Where a complaint contains an allegation of abuse by a member of staff, or a volunteer, the Police will be informed, and any safeguarding measures considered as per our safeguarding policy. The welfare of any service user is always paramount, where an allegation of abuse is made against a staff member or volunteer, the matter will always be referred to the Local Authority Adult Support/Child Protection Team and the Police. The complainant, or those acting on their behalf with their explicit consent, can also report the incident to both or either of the above

In such situations, the complaints procedure will be superseded by the investigation from the Local Authority and/or the Police. Once the investigation is reconciled, we will review whether to reinstate the complaints procedure and investigate the matter further.

Should the complaint be in regard to a serious incident that occurred within the provision of health and care services we provide, if deemed applicable, this policy will be superseded by the duty of candour Policy.

## **12. Complaints Procedure**

Our complaints procedure has two stages.

### **12.1. Stage 1: Frontline Response**

We will respond to complaints as promptly as possible, ideally as soon as we are informed of the issue in question. This could be comprised of an apology at the time of notification, acknowledgement that something has gone wrong, and immediate action taken to resolve the issue.

At stage 1, please allow five working days for us to resolve the issue, if this is not possible due to exceptional circumstances, we will update the complainant about the situation.

If the complainant is not happy with the response during the stage 1 phase, the complaint will be progressed to stage 2 of our complaints procedure.

Should the complainant wish to progress the complaint to stage 2, this must be within 2 months of receiving the stage 1 response.

### **12.2. Stage 2: Investigation**

Stage 2 involves complaints that have:

- not been resolved by the stage 1: frontline response

- clearly require investigation and have immediately progressed to this stage
- or the complaint relates to serious or high-risk issue.

Upon receipt of a complaint at stage 2, we will confirm receipt within 3 working days, where we will confirm our understanding of the complaint and the outcome the complainant is looking to achieve. After which, we will begin an investigation into the matter, and resolve any issues found.

An investigating officer, not involved in the complaint but with the necessary knowledge to conduct the investigation, will be appointed. They will be the main point of contact for the complainant during the investigation process. The complainant may be contacted by the investigating officer during their investigation to clarify and/or seek further information about the event(s) that occurred.

Any contact between the investigating officer and the complainant will be via the method requested by the complainant, if this is not known, then it will be communicated via the method that the complaint was received.

The investigating officer will aim to complete the investigation as quickly as possible, but no later than 20 working days from the date that the investigation commenced. Occasionally, it may not be possible to meet this timescale. For example, some complaints are so complex that the level of consideration and investigation required can take longer than the 20-day limit. If there are clear and justifiable reasons for extending this timescale, the complainant will be informed of the reason for the delay and be provided with a revised date for the investigation's completion.

Where clarification or consent is required for the investigating officer to progress a complaint, the applicable timescales for responding will begin from the day of receipt of this additional information.

### **12.3. Completion**

Upon the completion of the investigation, the complainant will be contacted in writing, and through their preferred communication method if this is different, by the lead investigator, unless they have requested not to be contacted. In their response to the complainant the lead investigator will provide:

- a summary of the complaint
- the actions taken to investigate the complaint
- an outline of their findings
- if the complaint has been upheld
- what has been agreed/done to resolve the complaint (where it is appropriate to share this information)

- referral details to external regulatory bodies should the complainant be unhappy with the response.

After our final decision has been reached and provided, if the complainant is unhappy with the decision or the way we dealt with the complaint, this can be referred to the appropriate external body for investigation.

## **13. Referral to external bodies**

Complainants can at any time during the process independently raise their concerns with the appropriate regulatory body or local authority, and/or seek assistance from independent advocacy services. Details of which can be found below.

### **13.1. Registered Care Services**

Please contact the Care Inspectorate via the details below.

Online Form: <https://www.careinspectorate.com/index.php/online-complaint-form>)

Telephone: 0345 600 9527 between 9am and 4pm, Monday to Friday

Email: [concerns@careinspectorate.gov.scot](mailto:concerns@careinspectorate.gov.scot)

### **13.2. Contracted Services**

Please contact the appropriate Local Authority. You can find contact information for Scotland's 32 local authorities on the COSLA website (<https://www.cosla.gov.uk/councils>).

### **13.3. The Royal Blind School**

If the complainant feels that their complaint has not been handled adequately, as per Section 70 of the Education (Scotland) Act 1980, a complaint can be made to the Scottish Government directly.

The Scottish Ministers

Learning Directorate

Victoria Quay

Edinburgh

EH6 6QQ

E: [EdSSection70@gov.scot](mailto:EdSSection70@gov.scot)

Upon receipt of the complaint, an investigation may be conducted by HM Inspectors of Education (HMIE). For further information on this process, please refer to The role of HM Inspectors of Education in the process - Section 70 of the Education (Scotland) Act 1980: guidance on making a complaint - gov.scot ([www.gov.scot](http://www.gov.scot))

### **13.4. Advocacy and Support**

If the complainant wishes to receive independent support or advocacy to help progress their complaint, the following organisation should be able to assist.

- Citizens Advice Bureau ([Citizens Advice Scotland](http://Citizens Advice Scotland))
- Scottish Independent Advocacy Alliance (<https://www.siaa.org.uk/>)

## **14. Confidentiality**

Throughout every stage of the complaints process, confidentiality will be respected and maintained, with information only shared where necessary to address the complaint(s) raised. Details of individual complaints are shared only with those involved in their investigation and/or resolution. Identifiable details and outcomes of complaints are circulated only to staff and volunteers involved in the complaint, it's investigation and/or resolution.

Please note, details may be amended, and complaints anonymised to share internally with those not involved in the complaint to ensure lessons are learned and further good practice.

If the complaint needs to be referred to the police or an external regulator or body by us, full details will need to be provided to ensure an adequate investigation is conducted, you will be informed of this should it be required.

Reasonable steps will be taken to protect personal information from loss, unauthorised access, use, disclosure, or any other misuse during the complaint handling process. However, Sight Scotland and Sight Scotland Veterans cannot give an assurance of absolute confidentiality, given statutory obligations and principles of natural justice. We will comply with relevant legislation in particular the Data Protection Act 2018 and Regulation (EU) 2016/679 (the General Data Protection Regulation) as it forms part of the law of England and Wales, Scotland, and Northern Ireland.

Records pertaining to complaints will be retained and destroyed in accordance with our policies on the retention, storage, and destruction of files.