

COMPLAINTS POLICY

POLICY MONITORING	
Person responsible for Policy	Chief Executive
Committee responsible for Review	Board of Trustees
Policy approved	February 2019
Frequency of Review	Three year
Date of next Review	February 2022

A Introduction

The purpose of this document is to set out the complaints policy and procedure for all those who use or support (by fundraising or donating) Lymphoma Action’s services.

B Description of services

Lymphoma Action provides information, support and education/training services to people affected by lymphoma and to the healthcare professionals who care for them. These include the following:

- National telephone helpline – open five days a week, between 10.00 am and 3.00 pm, the helpline staff offer up-to-date information, via phone, email and online chat, on all aspects of lymphoma.
- Local support groups – access to groups providing support and information-sharing.
- Buddy support service – providing one-to-one peer support from a trained buddy.
- *Lymphoma matters* – our magazine and online blog includes news and features on lymphoma, from patient and healthcare professional perspectives.
- Education and training – our programme of face-to-face conferences, seminars and workshops for people affected by lymphoma and for any healthcare professional working in the field of lymphoma
- Information – award-winning information on lymphoma, accredited by the Department of Health’s Information Standard and provided in digital, print and audio-visual formats.
- Lymphoma Action’s Online Forums – www.lymphoma-action.org.uk – an opportunity to engage with others in a similar situation through online discussion.

C Charitable fundraising

As a charity registered in England and Wales and in Scotland, Lymphoma Action is reliant on voluntary donations to enable it to deliver and sustain its vital work of helping people affected by lymphoma. Much of that goodwill and support comes from those who use the charity's services, as well as members of the general public. We take our fundraising responsibilities seriously and as members of the Fundraising Regulator will always try to comply with the highest standards in fundraising practice.

We operate within the fundraising guidelines set out by the Charity Commission, the Office for the Scottish Charity Regulator, and the Fundraising Regulator and we endeavour to ensure that all of our fundraising activity is open and honest and adheres to the Fundraising Promise.

D Lymphoma Action's approach to its service users and supporters

Lymphoma Action always tries to provide a sympathetic, courteous and professional service to the people who use its services and to those who support its work, including through fundraising and donating. While we hope that our services or fundraising activities will not give rise to complaints, we will respond fairly, positively and promptly to any received from service users or supporters when they feel we have not met their expectations or needs. Furthermore, we are always pleased to hear your views on our services or fundraising activities, so that steps can be taken to review and improve how we work, as necessary. These views may be positive, as well as negative, and will be welcomed as constructive feedback on our work.

All complaints will be treated in the strictest confidence. A complaint should be made within six months of the incident that caused the problem or within six months of the complainant discovering that there was a problem.

E How to make a complaint

Lymphoma Action has two internal complaints procedures: an informal one and a formal one, as well as belonging to an independent complaints service called the ADR Group Consumer Complaints scheme.

The internal procedures also differentiate between:

- complaints about our services or fundraising activities; and
- complaints about the conduct or behaviour of Lymphoma Action staff, including any self-employed staff and contractors, and volunteers.

The independent complaints service is to be used when a complaint by a service user or supporter has exhausted all internal complaints handling procedures and the complaint has still not been settled. The ADR Group (www.consumer-dispute.co.uk) will be able to deal with a complaint should the service user or supporter wish to use alternative dispute resolution.

Complaints about services or fundraising activities

If your complaint is about a particular service we provide or about our fundraising activities, then you may use either the informal or formal complaints procedures, as set out below and as appropriate.

Complaints about staff behaviour or conduct

If your complaint is about the conduct or behaviour of staff or volunteers, then your complaint should be made in writing to the Chief Executive (unless the complaint relates to the Chief Executive, in which case it should be made to the Chair of the Board of Trustees). For further details, see Section F below.

Informal complaints procedure

1. The informal procedure is intended to be easy to use, quick and responsive to the complaint. In the first instance, please ask to speak to the relevant manager within Lymphoma Action. This will depend upon the particular Lymphoma Action service you have been using and contact details can be found at the end of this document. If in doubt, then contact the Chief Executive. The manager will make a note of your name, contact details, the nature of your complaint and the outcome that you would like to see. The manager will attempt to resolve the complaint while speaking to you, but may also arrange a time to call you back following further research into the matter. The manager's response will address the following:
 - a. An explanation of the circumstances surrounding the event which is the subject of the complaint.
 - b. The reasons for any unsatisfactory service and, if appropriate, a formal apology,
 - c. What course of action will be taken to remedy any unsatisfactory service.
 - d. What you can do next if you are not satisfied with the response.

The verbal response will be made as soon as practicable, recognising that time is of the essence. Written confirmation of the complaint response will be sent to you by the manager within five working days of the verbal response.

2. If you feel that the informal complaints procedure has not addressed your complaint satisfactorily, then please use the formal complaints procedure below. You can, of course, decide to use the formal complaints procedure at any point during the informal procedure.

Formal complaints procedure

3. If you have already used the informal complaints procedure, but are not satisfied with the outcome, then you should write directly to the Senior Management Team (SMT) member (contact details below) responsible for that team, unless they were involved at the informal stage in which case write directly to the Chief Executive. In writing to the SMT member you should explain why you feel your complaint has not been satisfactorily resolved at the informal stage and stating what outcome you would like to see. You should write with full details of your complaint, including the outcome you would like to see. Please also include your name and contact details.
4. The SMT member (who may assign the responsibility of the investigation to another senior manager within their team) will acknowledge receipt of your complaint within three working days and respond to your complaint in full within 10 working days. During this time, we will research and investigate all the issues raised in your letter. It may also be necessary to contact you during this time to clarify any information in your letter. The manager's response will address the following:

- a. An explanation of the circumstances surrounding the event which is the subject of the complaint.
 - b. The reasons for any unsatisfactory service and, if appropriate, a formal apology.
 - c. What course of action will be taken to remedy any unsatisfactory service.
 - d. What you can do next if you are not satisfied with the response.
5. If the SMT member is absent from the office for any reason, eg. annual leave or sick leave, and unable either to acknowledge, or respond to, the complaint, the matter will be taken up by another member of SMT or the Chief Executive.
 6. If you are not satisfied with the response, you should write to the Chief Executive, stating the reasons why you are dissatisfied with the response from the SMT member. The Chief Executive will acknowledge receipt of your complaint within three working days and respond to your complaint within 10 working days. The Chief Executive's response will address only the reasons why you were dissatisfied with the SMT manager's response. The Chief Executive will not re-investigate the issues surrounding the complaint, unless there are clear points of disagreement or dispute. It is important that you highlight any such points.
 7. Where the Chief Executive responded to the initial complaint, due to the SMT manager's absence or for any other reason, then you may refer your complaint directly to the Chair of Lymphoma Action's Board of Trustees (see para 9).
 8. If the Chief Executive is absent from the office for any reason, eg. annual leave or sick leave, and unable either to acknowledge, or respond to, the complaint, the matter will be dealt with by the Chair of the Board of Trustees.
 9. If you are dissatisfied with the Chief Executive's response, please state this in writing to the Chief Executive. The Chief Executive will then forward all the correspondence to the Chair of the Board of Trustees. The Chief Executive will acknowledge that this has been done within five working days and the Chair of the Board of Trustees will respond within 20 working days.
 10. The Chair's response will address only the reasons why you were dissatisfied with the manager's and/or Chief Executive's response. The Chair will not re-investigate the issues surrounding the complaint, unless there are clear points of disagreement or dispute. It is important that you highlight any such points.
 11. The Chair's response is final and there is no further recourse under this policy.
 12. You may stop the procedure at any point during any of the above stages. If you choose to do so, however, you must confirm this in writing.

F Complaints relating to the conduct or behaviour of the staff

Where your complaint relates directly to the conduct or behaviour of Lymphoma Action staff or volunteers, the complaint should be made in writing to the Chief Executive (see below for contact details). Where your complaint relates directly to the conduct or behaviour of the Chief

Executive, the complaint should be made in writing to the Chair of the Board of Trustees (see below in Section K for contact details).

The complaint will then be dealt with in line with the procedures laid out above for the making of a formal complaint, except that it will be dealt with by the Chief Executive or Chair of the Board of Trustees, as relevant. Where the complaint relates to a volunteer, a self-employed member of staff or a contractor, the Chief Executive may ask the initial investigation to be carried out by the relevant line manager responsible for that person.

G Complaints relating to our fundraising activities

In addition to the above procedures, any complaints relating to our fundraising activities will be subject to further scrutiny and review as part of our commitment to charitable regulation and good practice, as overseen by the Charity Commission, the Office of the Scottish Charity Regulator, and the Fundraising Regulator.

We subscribe to and follow the Fundraising Regulator's Code of Practice and the Fundraising Promise (see <https://www.fundraisingregulator.org.uk/code/fundraising-promise>) both of which set the professional standards expected of all charitable fundraisers. Where we have breached any aspect of the code or promise, we will report and refer that complaint to the Fundraising Regulator.

For all fundraising complaints, whether informal or formal, the Director of Fundraising and Communications (or in his/her absence, the Chief Executive) will have oversight of how they are handled and we will also do the following:

- On receiving a complaint, we will keep a record of the following items:
 - a copy of the complaint, including the date on which it was received;
 - details of the part of the Code of Fundraising Practice or Fundraising Promise it is alleged has been breached, if applicable;
 - a copy of all communications with the complainant in connection with the complaint;
 - details of the investigation undertaken into the complaint;
 - the outcome of the complaint.
- Following the investigation, the Director of Fundraising and Communications will present the complaint to the Chief Executive and agree the appropriate response / action.
- When responding about the outcome of the investigation, we will inform the complainant of their right to refer the complaint to the Fundraising Regulator within three months of the date of the original complaint.
- If Lymphoma Action cannot reach a satisfactory resolution with the complainant, the complaint will be referred to the Fundraising Regulator.
- The Fundraising Regulator's executive staff will investigate the complaint and seek a resolution with all parties concerned within 30 days. If the complainant is still not satisfied, s/he can seek adjudication by having the complaint referred to the Board of the Fundraising Regulator (see <https://www.fundraisingregulator.org.uk/complaints> for contact details and

further information) or they can refer the complaint to the ADR Group who are an independent consumer dispute body to whom Lymphoma Action are members (www.consumer-dispute.co.uk)

H Finding help to make a complaint

You may wish to ask a friend, relative or supporter to help you with your complaint. Lymphoma Action will do all that it can to facilitate this and will be happy to deal with that supporter. However, all information and responses involved with the complaints procedure will be sent directly to you, unless you expressly instruct us otherwise.

I Publicising our Complaints Policy

A line about our Complaints Policy will be incorporated into our promotional material and put on our website:

“Contact us for details of our Complaints Policy.”

J Monitoring complaints

We will keep a record of the number and type of complaints received in order to improve our services and provide relevant training to staff, as appropriate. Statistics concerning these will be regularly reviewed by the Chief Executive and brought to the attention of the Board of Trustees on an annual basis. All complaints will be logged centrally along with a ‘low’, ‘medium’ or ‘high’ rating according to the risk that the complaint presents to the charity. A low rating signifies that there is limited risk to the reputation of the charity. Medium signifies that there is some risk and high signifies that there could be a major risk to the charity’s services or reputation.

Complaints received in relation to staff conduct or behaviour will be brought to the attention of the Board of Trustees (for the purposes of review) within three months of the complaint being received.

In relation to fundraising complaints, a summary of all our investigations and outcomes will be provided to the Fundraising Regulator each year, as part of our annual complaints return.

K Related policies

Employment issues, including harassment, bullying, whistleblowing, will be handled through the relevant employment policies and procedure, rather than through this policy.

L Vexatious or habitual complaints

Staff may have contact with a small number of complainants who absorb a disproportionate amount of resources in dealing with their complaints. A habitual or vexatious complainant may persist in pursuing a complaint when the complaints procedure has been fully exhausted; or may change their complaint or continually raises new issues to prolong contact. They may not clearly identify issues or may focus on trivial matters to an extent that it is out of proportion to its significance. They may have an excessive number of contacts with Lymphoma Action, placing unreasonable demands on staff or they may become aggressive and unreasonable in their demands and expectations. Such complaints should be flagged to SMT, who with the Chief

Executive and/or Chairman will determine if a complaint is vexatious/habitual and thereafter notify the complainant in writing of the reasons why they have been classified as habitual or vexatious complainants and the action to be taken.

The Chief Executive and Chairman (or deputies) will decide how best to deal with such complainants. This may include drawing up a signed 'agreement' with the complainant (which sets out a code of behaviour for the parties involved, if Lymphoma Action is to continue to process the complaint) or declining all further contact which should be preceded by a letter stating that we have done all that we can to resolve the complaint.

M Contact details

Lymphoma Action's Senior Management Team is made up of:

- Ropinder Gill, Chief Executive
- Stephen Scowcroft, Head of Business Development
- Karen Rabjohn, Director of Fundraising & Communications
- Jim Howson, Head of Finance

For complaints relating to Lymphoma Action's written information and publishing services, including *Lymphoma matters*, contact:

Anne Hook, Publications Manager
Lymphoma Action, 3 Cromwell Court, New Street, Aylesbury, Buckinghamshire HP20 2PB
Tel: 01296 619400 Email: a.hook@lymphoma-action.org.uk

For complaints relating to Lymphoma Action's support services, including the helpline, support groups, buddy scheme, education and training events (including conferences, seminars and workshops), contact:

Stephen Scowcroft, Head of Business Development
Lymphoma Action, 3 Cromwell Court, New Street, Aylesbury, Buckinghamshire HP20 2PB
Tel: 01296 619400 Email: s.scowcroft@lymphoma-action.org.uk

For complaints in relation to Lymphoma Action's fundraising, website, marketing, email, digital communications, contact:

Karen Rabjohn, Director of Fundraising and Communications
Lymphoma Action, 3 Cromwell Court, New Street, Aylesbury, Buckinghamshire HP20 2PB
Tel: 01296 619400 Email: k.rabjohn@lymphoma-action.org.uk

For all other complaints in relation to Lymphoma Action services, or where you are unsure whom to approach, contact:

Ropinder Gill, Chief Executive
Lymphoma Action, 3 Cromwell Court, New Street, Aylesbury, Buckinghamshire HP20 2PB

Please note that all complaints may be initiated by contacting the Chief Executive or Chair of the Board of Trustees directly, however, dependent upon the nature of the complaint they may then progress through the appropriate complaints procedure above.
