

LDCVS Policy: Third Party Complaints

Date adopted: 13/3/25

Purpose of the Policy

- 1.1 The aim of this policy is to provide a speedy and fair procedure to deal with complaints from third parties.
- 1.2 This policy is intended to assist LDCVS to put the above commitment into practice.
- 1.3 If serious wrongdoing is suspected, it may be appropriate to complain directly to the police, the Charity Commission, or other authorities. The Charity Commission explains when and how to do this at <https://www.gov.uk/complain-about-charity>

Policy Statement

- 2.1 LDCVS aims to provide the best possible advice, support and services to voluntary groups and individuals that use its services.
- 2.2 LDCVS recognises that from time to time, an individual or organisation may feel dissatisfied with the support or service(s) they have received or may wish to raise a matter of concern.
- 2.3 LDCVS takes such concerns seriously and will approach complaints responsibly taking on board any learning and amending policies, practices and approach accordingly.
- 2.4 LDCVS will aim to reach a resolution at the earliest stage possible.
- 2.5 LDCVS holds personal data relating to complaints for five years for complaints resolved at stage one of the process, and for 15 years for complaints escalated beyond stage one. Information about how we receive, store, process and delete personal data related to complaints are contained in the Privacy Notice Relating to Complaints included at Appendix 2.

Applicability

- 3.1 This policy and the following procedure apply to complaints from:
 - Former members of staff.
 - Individuals or organisations that have received, or are receiving, a service from LDCVS.
 - Former volunteers who left for more than three months ago.
 - People who have donated or been asked to donate funds to LDCVS.
- 3.2 This policy does not apply to former volunteers who no longer perform their role and left less than three months ago. In this instance the Volunteer Complaints Policy or Dignity at Work Policy (volunteers) should be used to make a complaint.
- 3.3 This policy does not apply to current employees who should use the LDCVS Grievance policy or Dignity at Work Policy (staff) to make complaints.

Related Policies

- 4.1 Dignity at Work Policy and Procedure Staff
Dignity at Work Policy and Procedure Volunteers
Grievance Policy and Procedure

Volunteer Complaints Policy

Implementation procedures

- 5.1 Overall responsibility for policy implementation and review rests with the Chief Officer.
However, all staff are obliged to adhere to, and support the implementation of this policy.
The policy will be drawn to the attention of all new staff members on recruitment/induction.

Next review date

- 6.1 March 2028

Appendix 1: LDCVS Procedure: Third Party Complaints Procedure

Date adopted:

Overview

- 1.1 Stage One should always be used first so that speedy resolutions to problems can be implemented.
- 1.2 Investigations carried out by LDCVS will be impartial, confidential and transparent.
- 1.3 Stage Two is ordinarily the final stage of this complaints procedure.
- 1.4 If the complainant is not satisfied with the response by LDCVS at Stage Two, they may choose to enter mediation. The costs of mediation will be met by LDCVS.

Stage One

- 2.1 Where service or support is being provided by LDCVS any complaints or concerns should be made directly, where possible, to the member of staff or volunteer concerned or a senior colleague, in a timely manner. This can be by phone, post, email or in person.
- 2.2 Where the complaint is made by an ex-member of staff or a volunteer (who left their role more than three months ago) their complaint should be addressed to the Chief Officer or, if the complaint concerns the Chief Officer, to the Chair of Trustees.
- 2.3 Where complaints are made verbally notes of the complaint should be made as soon as possible. These will serve as a record and to ensure that any agreed actions are followed up in a timely manner.
- 2.4 A reasonable timeframe to respond to a complaint should be agreed by both parties. If it looks like this timeframe will not be met it should be communicated to the complainant by the person handling the complaint, and a new deadline discussed and agreed.
- 2.5 The person receiving the complaint should work swiftly to resolve the issue, considering their role description and delegations, discussing it with colleagues where appropriate. If the complaint relates to a specific person, they should be informed and given a fair opportunity to respond.
- 2.6 Resolution of complaints at this stage will include
 - Communicating with the complainant to acknowledge their complaint
 - A discussion about the complaint/situation with relevant parties
 - A verbal or written response (depending on the form of the original complaint) including a verbal or written apology or both, where appropriate.
 - A explanation of any decisions made as a result of the complaint and the reasons for them.
 - An explanation of any measures that will be put in place as a result of resolving the complaint, where appropriate.

Stage Two

- 3.1 In cases where Stage 1 of the procedure does not lead to a satisfactory outcome for the complainant they may refer the matter to the Chief Officer, in writing. The complaint should be sent to the LDCVS office at Lancaster District Community & Voluntary Solutions, The Cornerstone, Sulyard Street, Lancaster LA1 1PX

- 3.2 Where the complaint involves the Chief Officer the complainant should refer the matter to the Chair of the Trustee Board (addressed to the LDCVS Office as above)
- 3.3 The letter of complaint should state the nature and circumstances of the complaint, why the complainant(s) is/are dissatisfied with the outcome of stage 1 and the redress/resolution sought.
- 3.4 The complaint will be acknowledged in writing normally within 7 days of receipt.
- 3.5 Except where the complaint involves a trustee, the Chief Officer (or Chair of the Trustee Board) will investigate the circumstances which have led to the complaint and will also consider the resolutions sought by the Complainant(s).
- 3.6 Where the complaint involves a Trustee, the Chair (or another Trustee if the complaint involves the Chair) will convene a sub-committee of Trustees excluding the subject of the complaint. Lancaster City Council's appointed observer will be invited to take part in the sub-committee to provide independent oversight. The sub-committee will investigate the circumstances which have led to the complaint and will also consider the resolutions sought by the Complainant(s).
- 3.7 If a formal meeting is necessary, (or is requested by the Complainant) between the complainant(s) and those investigating the complaint, the Complainant(s) may be accompanied by a friend/colleague or represented by a third party.
- 3.8 The results of this investigation, and possible resolutions, will be communicated to the complainant(s) in writing within 21 days. If this is not possible (e.g. where further investigation is needed) the Complainant will be provided with an explanation of the reason for the delay and an expected response date.
- 3.9 The response will include:
- A summary of the complaint.
 - The findings of the investigation
 - The decision(s) reached and the reasons for it (them).
 - Action that has been taken including redress
 - An apology where appropriate.

Mediation

- 4.1 If the complainant is not satisfied with the outcome of the complaint at Stage Two of this process, LDCVS will agree to take part in mediation.
- 4.2 The intention of mediation is to help the complainant and LDCVS communicate about the issues of concern to them, and to help each party find solutions that are acceptable to everybody involved.
- 4.3 The complainant may suggest any independent mediator of their choice. LDCVS will meet the costs of up to eight hours of preparation and mediation by any member of the Civil Mediation Council (www.civilmediation.org) or the Society of Mediators (www.societyofmediators.com), provided that the proposed mediator is appropriately qualified and does not have a conflict of interest.
- 4.4 LDCVS undertakes to implement any mutually agreed outcome from mediation.

Appendix 2: Privacy Notice Relating to Complaints



Lancaster District Community & Voluntary Solutions

Privacy Notice

Relating to: Complaints

What information do we process?

When you contact us with a complaint, we collect, process, hold and share

- Personal information – names, addresses, phone numbers and email addresses
- The specific details of your complaint.

How do we collect this information?

We collect this information via the method you use to complain. We accept complaints at stage one of our complaints procedure in person, by post, by telephone, or by email. At stage two of the procedure, we accept complaints in writing by post.

Why do we need this information?

We need this information to enable us to carry out investigations into your complaint, provide a response and agree appropriate actions, to facilitate mediation, and to learn from the experience to inform change in policy or procedure.

Our lawful basis for processing your information is legitimate interest. Processing your data is necessary to secure our, and your legitimate interest by properly resolving the complaint.

In addition, depending on the nature of your complaint, LDCVS may also have a lawful basis to process your data in relation to an obligation to comply with the law.

How do we store, process and dispose of this information?

We store this information within emails stored on a system provided by Microsoft and process it using their software. We accept Microsoft's terms of service which state how

their systems comply with data protection legislation and GDPR. Further information can be found at <https://docs.microsoft.com/en-gb/legal/gdpr>

We hold personal data for complaints resolved at stage one of the complaints process for five years. Data relating to complaints that are escalated beyond stage one will be held for 15 years.

Who do we share this information with?

For complaints at stage one and stage two of the process, we do not share your information outside of LDCVS unless we have a legal obligation to do so. When a complaint is escalated to the mediation stage, we may need to share your information with the mediator.

What are your rights over personal information we hold for this purpose?

You have certain rights under UK law (see <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>).

You have the right to a copy of all the information that we hold about you (apart from a very few things which we may be obliged to withhold because they concern other people as well as you). You also have the right to have any inaccurate information changed. To ask for changes, or obtain a copy of the information we hold, telephone or e-mail us. We will first need to verify your identity and then will aim to reply within 20 working days and, in any case, within the legal maximum of 30 days.

If you have any concerns about the data we hold on you, you can raise these by writing to us at hello@lancastercvcs.org.uk, or telephoning 01524 555900. You also have the right to lodge a complaint with the Information Commissioner's Office (<https://ico.org.uk/concerns/>)

You can find further information in our Data Protection Policy, published on our website or available through the contact details above.

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Review due by: 21/01/27