



COMPLAINTS AND PROCEDURES POLICY

Reviewed and Agreed by Board of Trustees

September 2023

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COMPLAINTS AND PROCEDURES POLICY

Orchid views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person or organisation that has made the complaint.

Orchid's policy is to:

- provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint
- publicise (via our website), the existence of our complaints procedure so that people know how to contact us to make a complaint
- make sure everyone at Orchid knows what to do if a complaint is received
- make sure that complaints are investigated fairly and in a timely way
- make sure that complaints are, wherever possible, resolved and that relationships are repaired
- ensure all complainants have the right of reply
- gather information which helps us to improve what we do.

DEFINITION OF A COMPLAINT

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of Orchid's work – administration, a staff member, process, or service – resulting from Orchid's failure to meet the individual's expectations.

This policy does not cover complaints from staff, who should refer to Orchid's Grievance Policy and Procedures.

CONFIDENTIALITY

All complaint information will be handled sensitively, informing only those who need to know and following any relevant data protection requirements. Orchid has appointed a complaints and data officer to ensure full compliance with data protection, GDPR and our complaints policy and procedures.

COMPLAINTS HANDLING PROCEDURE

We want to make it easy for you to contact us and to provide feedback or make a complaint.

These are the ways you can get in touch with us:

1. Face to face: if you are dealing with a member of staff, volunteer or contractor and you wish to complain, then please speak to them directly. It may be possible to resolve the issue immediately. However, if that is not possible, then he/she will record the details of your complaint and will send it through to Orchid's Complaints Officer, who will be responsible for ensuring all deadlines are met.
2. You can call us on 0203 745 7310 and your complaint will be documented.
3. You can email us on admin@orchid-cancer.org.uk
4. You can write to us at our head office Orchid, 60 Gray's Inn Road, London WC1X 8AQ.

In all instances where a complaint is made using the above means, we will contact you within 48 hours of receiving the complaint. If you provide us with a telephone number and/or email address, we will contact you by either of those means to discuss the matter further and to officially record all necessary details. Hopefully we can resolve the matter immediately. However, if the issue is more complex and an investigation is required, we will do the following:

- record full details of your complaint.
- record the complaint in our Complaints Register.
- note down the relationship of the complainant to Orchid, for example a supporter, service user, researcher, or a member of the public
- take all necessary steps to investigate the matter.
- contact you again within 15 working days of receiving the complaint to advise you of our findings or to give you an update on progress.
- continue to keep you informed until the matter is resolved to your satisfaction or until all appropriate steps (in Orchid's reasonable opinion) to resolve the matter have been taken.

Orchid's Complaints Officer will handle all complaints and if necessary, will escalate these to Chief Executive and/or the Board of Trustees depending on the complexity or seriousness of the issue.

TRAINING AND DEVELOPMENT

The Board of Trustees, staff and volunteers need to recognise and fulfil their personal role in making Orchid a genuinely inviting and inclusive organisation and will continue to ensure that it has a high profile within our internal communications and training programme, featuring within our induction process. Appropriate training opportunities to be made available to Trustees and staff.

RESOLVING COMPLAINTS

Our commitment to you is to address each complaint in a sensitive, fair, transparent, equitable, professional and unbiased manner through the complaints handling process.

We will operate at all times from the premise that any person is entitled to express his or her views on our services/fundraising and that those views should be taken seriously where this is warranted. We will not, however, tolerate any abusive or discriminatory language or behaviour towards any of our staff, and may decline to investigate a complaint further in such circumstances.

STAGE I

In many cases a complaint is best resolved by the person responsible for the issue being complained about. If the complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate. Whether or not the complaint has been resolved, the complaint information should be passed to the Complaints Officer and/or Chief Executive within five working days.

On receiving the complaint, if not already resolved, the Complaints Officer will delegate an appropriate person to investigate it and to take appropriate action. If the complaint relates to a specific person, they should be informed and given a fair opportunity to respond.

Complaints should be acknowledged by the person handling the complaint within five working days. The acknowledgement should say who is dealing with the complaint and when the person complaining can expect a reply. A copy of this complaint's procedure should be attached. Ideally complainants should receive a definitive reply within 15 working days. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is justified or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and (subject to the terms of Orchid's Privacy Policy) any action taken because of the complaint.

STAGE 2

If the complainant feels that the problem has not been satisfactorily resolved at Stage 1, they can request that the complaint is reviewed at Board level.

At this stage, the complaint will be passed to the Board of Trustees. The request for Board level review should be acknowledged within five working days of receiving it. The acknowledgement should say who will deal with the case and when the complainant can expect a reply.

The Board of Trustees may investigate the facts of the case themselves or delegate a suitably senior person to do so. This may involve reviewing the paperwork of the case and speaking with the person who dealt with the complaint at Stage 1. The person who dealt with the original complaint at Stage 1 should be kept informed of what is happening.

If the complaint relates to a specific person, they should be informed and given a further opportunity to respond. Ideally complainants should receive a definitive reply within a month. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be

given. Whether the complaint is upheld or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken because of the complaint. The decision taken at this stage is final, unless the Board decides it is appropriate to seek external assistance with resolution.

EXTERNAL STAGE

As Orchid is a registered charity, the complainant can complain to the Charity Commission Regulator at any stage. Information about the kind of complaints the Charity Commission can involve itself in can be found on their website at: <https://www.gov.uk/complain-about-charity>.

Orchid is a member of the Fundraising Regulator (FR). The FR is the body for self-regulation of fundraising in the UK and as a member of the FR, Orchid agrees to adhere to the highest standards of good practice with our fundraising. You are entitled to take your complaint directly to the FR. Their contact details are: Fundraising Regulator, 2nd floor, CAN Mezzanine Building, 49-51 East Road, London, NI 6AH. Telephone: 0300 999 3407. Email: enquiries@fundraisingregulator.org.uk

REVIEW OF THIS POLICY AND COMPLAINTS RECEIVED

This policy will be reviewed by the Board of Trustees every 12 months and all complaints received (and compliments) will be brought before the Board for review at our regular Board meetings. Through this process of regular review, we aim to improve our services to you and to ensure that any lessons learned are implemented within the organisation.

VARIATION OF THE COMPLAINTS PROCEDURE

The Board may vary the procedure for good reason. This may be necessary to avoid a conflict of interest, for example, a complaint about a Chair or trustee should not also have the Chair and/or trustee involved as a person leading a Stage 2 review.

(This policy is reviewed annually)