



CARE

In East Grinstead
and Lingfield

REGISTERED CHARITY No. 800348

COMPLAINTS POLICY

We recognise that our clients may be vulnerable, and we take care to protect their safety and well-being (see Vulnerable Adults Policy).

CARE Trustees also have a duty of care towards volunteers, and we will ensure that as far as reasonably possible that they can carry out their duties safely and confidently.

It is possible for a conflict to arise between the rights of clients and the rights of volunteers. We want to have clear procedures in place for this eventuality.

1) A client may bring a complaint against a volunteer which does not require investigation by the police or social services (see Vulnerable Adults policy) but which should be a matter of record. Such a complaint might be about the competence or behaviour of a volunteer.

In this case, the interests of both parties must be protected, and fairness must be shown. If the volunteer contests the version of events presented by the client, further investigation may be required.

A potentially adversarial hearing, pitting the testimony of a client against that of a volunteer, is not desirable. It might be regarded as fair to let each party make an oral statement to CARE trustees and/or officers and to be questioned by them, but this would put vulnerable clients under undue pressure.

Further investigation by CARE officers will be conducted as follows:

- a) A written summary of the complaint, including names and dates, will be made and lodged with the chairman.
- b) The volunteer will be informed of the complaint, and will receive a copy of the written summary.
- c) The volunteer will be invited to make a written response, or to have an oral response recorded in writing and given to her/him, if she/he so wishes.
- d) Written records of complaints and responses, with any action taken (see below), will be laid before CARE committee at the earliest opportunity and recorded in the minutes.
- e) Where the committee is required to make or endorse a decision or finding in respect of a complaint, that decision will be final. In all cases, the committee will

strive to be fair to all parties, bearing the wider interests of CARE and all its clients and volunteers in mind.

- f) Where a complaint and any subsequent actions are not upheld by the committee, the volunteer who is the subject of the complaint will receive an apology as appropriate, and any records connected with the complaint will be destroyed.

2) There may be concern about the competence or behaviour of a volunteer, because of observable physical or mental issues, or repeated errors which give rise to complaint.

Normally a volunteer will recognise the nature of any issues affecting her/his ability to carry out her/his duties and will act accordingly.

Where a volunteer does not acknowledge such issues of her/his own accord, the following steps will be taken:

- a) The chairman or a delegated CARE officer, with a member of the CARE committee present, will speak to the volunteer in person and raise any issues of concern. The volunteer will be entitled to have a friend or relative present.
- b) The volunteer will have the opportunity to respond to the issues raised, and a written record will be made of the meeting, given to the volunteer and lodged with the chairman.

3) Actions open to CARE in the case of complaints under the above procedure (with the approval of the CARE committee):

- a) Keeping relevant records on file (recorded as “keep on file”).
- b) Relieving a volunteer of all or some of her/his duties, temporarily (e.g. pending the result of a driving assessment) or permanently.
- c) Asking a volunteer to assume duties for which she/he is better suited.

Volunteers do not enter into a contractual relationship with CARE and are not protected by UK employment law (e.g. in relation to unfair dismissal).

However, CARE fully recognises its obligation to treat clients and volunteers fairly and reasonably. The above procedures are intended to enshrine this obligation.

Policy review

The policy will be reviewed at the first meeting of the incoming Executive Committee after the Annual General Meeting each year. It will also be reviewed in response to changes in relevant legislation, contractual arrangements, good practice or in response to an identified failing in its effectiveness.

August 2016