



Complaints Procedure

Framework

THPOL54 Complaints Policy outlines the framework within which Tŷ Hafan operates to resolve complaints and ensure its charitable activities and its complaints process fully comply with the law, relevant regulations and best practice guidelines. Tŷ Hafan is accountable to its Regulators: the Charity Commission, Companies House, Healthcare Inspectorate Wales (care services), the Fundraising Regulator (fundraising) and the Gambling Commission (lottery).

The procedure for making suggestions, raising concerns and complaints is detailed below and outlined in a leaflet available in the hospice and the offices. The Complaints Policy and Procedure are available to view on Tŷ Hafan's website <https://www.tyhafan.org/contact-us/> and summarised in the Charity's Statement of Purpose and Patients' Guide.

Tŷ Hafan values feedback and offers opportunities to gather opinions as widely as possible. Concerns and complaints enable us to consider what went wrong so that we can improve. When a concern or complaint is received Tŷ Hafan will apologise for any distress caused, investigate and try to put things right and will ensure we learn lessons to improve our services as an organisation.

Complaints Officers

Tŷ Hafan has appointed three designated Complaints Officers: the Director of Care, the Director of Finance and Corporate Services and the Director of Income Generation. They will ensure all complaints are taken seriously and processed in compliance with THPOL54 Complaints Policy and THPRO54 Complaints Procedure.

Fundraising

To support the role and responsibilities of the Complaints Officers, the General Manager Trading is the designated Complaints Co-ordinator for complaints about fundraising. The Complaints Co-ordinator acts as the main point of contact for the Fundraising Regulator and is responsible for making sure that Tŷ Hafan complies with the reporting requirements in the Fundraising Regulator's Code of Practice and abides by the Regulator's complaints process. The Head of Fundraising and the Head of Events are also authorised to deal with fundraising complaints.

Lottery

The Lottery Operations Manager and the General Manager Trading are authorised to deal with complaints about Tŷ Hafan's lottery operation, Crackerjackpot. The

THPOL54 Complaints Procedure	Date of approval: July 2012	Review due: May 2021
Page 1 of 5	Revision approved: May 2018	Revision no: 5

General Manager Trading is also responsible for making sure that Tŷ Hafan complies with reporting requirements to the Gambling Commission.

Procedure

Timescales

Concerns and complaints will be dealt with as close to the incident as possible. In the case of care services this will ideally be dealt with by the person providing care at the time of receiving the concern. Receipt of a concern will be acknowledged within two working days, unless a full reply can be sent within five working days.

Recording, Reporting and Monitoring

The purpose of monitoring feedback is to ensure that lessons are learned and that Tŷ Hafan can improve its charitable activities and care services for its beneficiaries, donors and supporters, both now and in the future.

The General Data Protection Regulations (GDPR), which come into force in May 2018, requires Tŷ Hafan to produce a clear privacy notice stating how we will use personal and sensitive data and also requires that we have a version that is easily understood. Further guidance on protecting data will be issued by the ICO.

All concerns and complaints will be recorded for monitoring and reporting purposes and updated throughout the investigation process. The designated Complaints Officer will report suggestions, concerns and complaints monthly to the Executive Team and significant issues reported to the relevant committee and the Board of Directors. Reports contain a summary of any service issues and any remedial action taken. They will also consider whether the outcomes of complaints require any changes in Tŷ Hafan's policies, procedures or working practices.

The Complaints Officer will determine in consultation with the Chief Executive and the Chairman whether any significant matters require reporting to the Charity's regulators and/or the police. Trustees of the Board of Directors must report any significant events annually to Companies House and, as they occur, to the Charity Commission. In all communications confidentiality and respect for individual's privacy will be paramount within the confines of the law.

Tŷ Hafan is aware that sometimes individuals wish to make complaints anonymously. Whilst Tŷ Hafan will undertake the same process of investigation, it does mean that the individual concerned and the organisation are unable to resolve the issues 'face-to-face'.

Stages of managing concerns/complaints

The process of managing concerns and complaints is outlined below at stage one and stage two. Normally, concerns are dealt with at stage one. However, if the concern is deemed to be of a serious enough nature it is automatically escalated to stage two. To help deal with complaints about care services quickly a flow chart is included at Appendix 1.

THPOL54 Complaints Procedure	Date of approval: July 2012	Review due: May 2021
Page 2 of 5	Revision approved: May 2018	Revision no: 5

Stage One

The person receiving the concern will review and try to resolve the issue at an early stage (see Appendix 1). If resolved satisfactorily, the concern and the outcome will be reported to the Complaints Officer and the relevant Senior Manager.

If the concern is not resolved:

- the matter will be escalated to the Senior Manager as an informal complaint. The Senior Manager, or another employee, acting as the Investigating Officer, will aim to resolve any issues within five working days of receipt.
- if it is likely that an investigation will require more time, the complainant will be notified within two working days, explaining the reasons for the delay and indicating the timescale for investigation
- the outcome of the investigation will be reported to the complainant within agreed timescales, informing the Complaints Officer.

If the matter cannot be resolved satisfactorily, the complainant will be asked to document their concerns in writing to the Chief Executive within five working days. Stage two may automatically apply if the complaint is of a serious nature.

If the complainant seeks guidance for writing a letter of complaint, the following information may be of assistance. A complaint letter need not be long, or detailed, but it should include:

- the nature and subject of the complaint, identifying who the allegation is against
- where and when the events occurred
- what, if anything, has already been done to resolve the matter
- the desired outcome from the complaint eg an apology or an explanation, or any suggested changes to service delivery

Stage Two

A complaint is escalated to stage two if a complainant remains unsatisfied with the outcome of stage one. Stage two addresses formal written complaints and also addresses concerns of a serious nature, which may relate to a senior member of staff, officer, or trustee, or an incident where significant harm may have occurred.

The designated Complaints Officer will appoint a Reviewing Officer, who will be independent of any previous investigation, to:

- review the complaint to ensure that Tŷ Hafan's response was reasonable and took account of all available evidence
- ensure that the complainant was treated fairly and respectfully
- ensure that Tŷ Hafan's policies and procedures have been applied correctly
- write to the complainant, setting out the findings of the review, or explaining any delay, indicating timescales for a revised response date
- report to the Complaints Officer, relevant Executive Director and Chief Executive

THPOL54 Complaints Procedure	Date of approval: July 2012	Review due: May 2021
Page 3 of 5	Revision approved: May 2018	Revision no: 5

If the complaint involves any of the following individuals, the matter will be addressed by a higher authority, who will become the 'Managing Officer'. Nomination will be determined in consultation with the Chief Executive and/or Chairman.

Complaints Officer:	referred to the Chief Executive
Executive Directors:	referred to the Chief Executive
Chief Executive:	referred to the Chair of the Board of Directors
Trustees and Officers of the Board:	referred to the Chair of the Board
Chair of the Board:	referred to the Board of Directors

The Managing Officer will appoint an independent investigation team. Should the position of Managing Officer escalate to the Chair of the Board or higher, the Board of Directors will nominate an investigating team, comprising two trustees and an appropriately qualified independent investigator.

The investigation team will:

- write to the complainant within 20 working days of receipt of the written complaint, explaining the anticipated timescale and process for undertaking the investigation
- inform the complainant in writing on a weekly basis should the investigation take longer than 20 days, explaining the reason for the delay and indicating timescales for a revised response
- write to the complainant with a full response within five working days of a conclusion being reached.

Further information

We will always try our best to resolve complaints satisfactorily, but where this is not possible through Tŷ Hafan's complaints process, complainants may wish to contact the appropriate independent authority.

Care Services

For complaints relating to care service provision, service users may wish to refer the matter to the [Public Services Ombudsman for Wales](#), who has legal powers to look into complaints about public services and independent care providers in Wales.

Service users can contact Tŷ Hafan's regulator directly at any time, [Healthcare Inspectorate for Wales](#). Their Chief Officer is based at the following address:

Healthcare Inspectorate Wales, Government Buildings
Rhydycar Business Park
Merthyr Tydfil
CF48 1UZ
Telephone: 0300 062 8163
Email hiw@gov.wales
www.hiw.org.uk

THPOL54 Complaints Procedure	Date of approval: July 2012	Review due: May 2021
Page 4 of 5	Revision approved: May 2018	Revision no: 5

Fundraising

For complaints about fundraising activities (excluding Lottery), the complainant may wish to refer the matter to the [Fundraising Regulator](#), who sets and maintains the standards for charitable fundraising in England, Wales and Northern Ireland.

Lottery

Under the Licence Conditions Code of Practice, if a complaint relates to the outcome of a gambling transaction, it is to be considered a dispute. If the complainant and the company cannot agree a solution the matter can be referred to the [Alternative Dispute Resolution Service](#) in accordance with Gambling Commission rules.

THPOL54 Complaints Procedure	Date of approval: July 2012	Review due: May 2021
Page 5 of 5	Revision approved: May 2018	Revision no: 5

