

## CHILD LAW ADVICE SERVICE

### COMPLAINTS POLICY AND PROCEDURE

#### Introduction

The Child Law Advice Service (CLAS) understands that everyone has the right to be treated with respect and to be listened to.

CLAS is committed to providing a quality service and achieving the highest standards of professional conduct. One of the ways we continue to improve our service is by regularly seeking feedback from users of our service and by listening and responding to the views of those that we work with.

CLAS aims to provide an efficient and informative service to all users of our service via our website, email and advice lines. If we fall below the high standards that we set ourselves, we would ask users of our service to notify us of their dissatisfaction.

Our complaints procedure process is to show:

- what we can register as a complaint,
- the procedure we follow once a complaint is made,
- the timescales,
- other steps that can be taken once our complaint procedure has been completed.

The aim of our complaints procedure is to ensure we:

- resolve all complaints as quickly as possible, particularly those from children and young people;
- be clear and open;
- deal with complaints effectively and fairly; and,
- keep the complainant and the person complained about informed of the procedure and what is happening.

All staff in CLAS are aware of the complaints policy and are aware of the importance of notifying users of the service of the policy should an expression of dissatisfaction be made. If a user of the service wishes to make a complaint, the policy must be sent out immediately.

## Definition

For the purposes of this policy, a complaint is defined as "**any expression of dissatisfaction that requires a response**".

Examples may include:

- If someone thinks they have not been treated in accordance with the Coram Children's Legal Centre's values.
- The behaviour of our staff. We expect all our staff, (paid and volunteers) to be polite and professional.
- If someone feels we have made an error in our work.
- If someone feels that they have not been treated fairly either by a member of staff or the procedures.
- Or any other expression of dissatisfaction.

There are complaints that we will not accept and these are:

- Malicious, threatening or offensive
- We will not accept a complaint if it is in relation to CLAS's inability to assist you if the advice you seek is outside of the scope of our service and we have advised you of this. This includes:
  - Matters outside of family, child or education law
  - Matters outside our legal expertise
  - Matters that are too complex for us
  - Matters relating to outside the jurisdiction of England
  - Matters where we have needed to refer you to our legal advice line from our email advice service due to the complexity of the case
- We will not accept a complaint if it is in relation to CLAS seeking consent take your name, address and telephone number before providing advice as this is in line with General Data Protection Regulations and our safeguarding responsibilities. We will not accept a complaint in relation to refunds for our book a call back service if it is in relation to your failure to read our terms and conditions.

There are times when users of the service may wish to make a suggestion, comment or compliment of the service. This can be done via contacting CLAS@coramclc.org.uk . There are no timescales for receiving these types of feedback and this feedback will be reviewed and responded to by the CLAS manager who will respond if deemed necessary.

### Who can I complain about

If you are a child or young person who has received a service from the Child Law Advice Service or if you are another service user, you can complain about any of our staff, or about the organisation as a whole.

The word “staff” means all our:

- employees, and
- volunteers, and
- student placements.

If your complaint is about a member of staff, we will tell that member of staff what the complaint is.

If you are still being provided with a service from the Centre and you make a complaint, this will not affect how we treat you in the future.

### Who can make a complaint?

Any person who comes into contact with us can make a complaint. This includes:

- people using our advice lines
- people using our website
- people using our bookable call back service
- people using our email advice service
- people who have purchased how to guides through our website

### How to make a complaint

In order to make a complaint, please email CLAS@coramclc.org.uk with the subject title “complaint” This will be dealt with by the CLAS Manager and a copy of the complaints policy is available online.

### Timescales for making a complaint

Our aim is to deal with all complaints and to reach a solution to the complaint as fairly and quickly as possible.

A complaint by an adult must be registered with CLAS no later than **12 months** after the event that is the subject of the complaint. If somebody wishes to make a complaint after the 12 month period, CLAS management has discretion of whether to register this.

If a child or young person (aged under 18) wishes to make a complaint, there is no timescale for when their complaint needs to be registered. It must be noted that all efforts will be made to investigate historical complaints but records may have been destroyed in line with CLAS retention policy and GDPR. A child or young person may wish to seek the assistance of an advocate when making a complaint. An advocate is someone who helps another person express their views and may also help in making a complaint. Details of an independent advocacy team can be provided if requested. If a child or young person makes a complaint via an advocate or through a parent, friend, relative or carer, the complaint will be treated as though the young person has made the complaint themselves.

### Complaints procedure

As stated above, it is our aim to deal with all complaints and to reach a solution to the complaint as fairly and quickly as possible.

You can raise a concern to CLAS

#### 1. Stage 1

If you are unhappy with the service you have received, you should speak to a member of staff on the CLAS service to express your dissatisfaction. They will try and help resolve your concerns in the first instance where this is not possible, you can raise a complaint.

If you wish to make a complaint, you should contact CLAS via your preferred method of communication e.g. email. If you make your complaint verbally, the person who receives the complaint will make a written note of your complaint, the CLAS Manager will check the contents and confirm this with you.

Once your complaint is received, it will be acknowledged within 2 working days. The CLAS manager will then try to resolve the complaint **within 10 working days**. If this is not possible, the manager will advise you of this.

If, once the complaint has been investigated by the CLAS manager, you still do not feel the complaint has been resolved you then have **20 working days** from the receipt of the decision and escalate to the next stage of the complaints procedure.

## 2. Stage 2

If, after making a Stage 1 complaint to the CLAS manager you are not happy with the outcome, you can complain to the Head of National Programmes for Coram Children's Legal Centre. You have **20 working days** to do this.

Once the Head of National Programmes has received a complaint at this stage, they have **2 working days** to acknowledge the complaint in writing.

The Head of National Programmes then has **28 working days** to investigate the complaint and respond.

It is possible that the investigation stage may take longer than 28 days due to the complexity of the complaint. There may be a number of people that need to be contacted. Therefore it may not be possible to investigate within **28 working days**. If the investigation takes longer than **28 working days** you should still receive communication from the Head of Service informing you of the progress.

If you are not satisfied with the outcome of the complaint, or the Head of National Programmes has taken an unreasonable amount of time in the investigation of the complaint, then you may wish to appeal to the Trustees of Coram Children's Legal Centre.

You have **20 working days** to do this from the date in which the Head of National Programmes sent their response.

### Appeal to the Chair of Trustees of Coram Children's Legal Centre

To appeal to the Chair of Trustees of Coram Children's Legal Centre, you must have exhausted the CLAS complaints procedure.

A complaint to the Chair must be made in writing. Once the Chair receives a complaint they have **5 working days** to acknowledge the complaint.

The Chair will review the complaint and how it has been handled and provide a response. This is the final stage of CLAS complaints procedure.

## 3. External Appeals Stage

Once you have followed your complaint through to the appeals stage and if you are still not satisfied, then you can appeal to the Charity Commission.

### Charity Commission

<https://forms.charitycommission.gov.uk/raising-concerns/>

### Central Record and Annual Review

All complaints made against the Child Law Advice Service will be stored in a secure complaints file in the office for six years before they are destroyed. A regular review of the complaints data is conducted annually to help improve our service.

Any lessons learned from a complaint will be discussed at meetings held by the CLAS Manager and any action points will be noted and reviewed to ensure all relevant changes have taken place.

### Useful Contacts

To contact the CLAS Manager:

Gemma Smith,

CLAS Manager

Coram Children's Legal Centre

Riverside Office Centre

Century House North

North Station Road

Colchester

Essex

CO1 1RE

Telephone 01206 714650

[CLAS@coramclc.org.uk](mailto:CLAS@coramclc.org.uk)

To contact the Head of National Programmes

Gemma Gordon-Johnson

Head of National Programmes

### **Making a complaint about the Child Law Advice Service and/ or its Staff**

#### **Stage 1 Complaint**

Must be acknowledged by the CLAS Manager within 2 working days

The CLAS Manager then has 10 working days to investigate

If the service user is unsatisfied they have 20 working days to make a complaint to the Head of National Programmes

#### **Stage 2 complaint**

The Head of National Programmes must acknowledge the complaint within 5 working days

The Head of National Programmes has 28 working days to resolve the problem, this may take longer but the service user will be regularly informed of progress

If the service user is unsatisfied they have 20 working days to make a complaint to the Chair of Trustees

#### **Appeal to Trustees**

An acknowledgement will be sent within 5 working days

The Chair will provide a written response within 28 days

**If the service user is still not satisfied, then they may take their complaint to the Charity Commission**