



Fife Voluntary Action Policies and Procedures

Policy: **Complaints Policy and Procedure**

Applies to: **Service Users of FVA, Partner Organisations and Referrers, and members of the public**

Approved: **December 2025**

Next review: **December 2027**

Complaints Policy and Procedure

Policy Statement

Fife Voluntary Action is committed to delivering high-quality, lawful, ethical and helpful services. We welcome all feedback, both positive and negative, to allow us to continually improve practice, improve the customer experience and maintain public confidence in what we do. If you are not happy with the service you have received from FVA, please let us know. We welcome the opportunity to put matters right for the person or organisation making a complaint, and for others who might use our services in the future.

This policy sets out how we handle complaints from anyone who interacts with our services, including:

- service users, families and carers
- partner organisations and referrers
- members of the public

It also explains how we protect staff, volunteers and trustees from unfounded or malicious allegations, in line with good governance practice for Scottish charities.

Staff employment issues are covered by our HR policies. Whistleblowing concerns are covered by our Whistleblowing Policy. Volunteering issues are covered by our volunteering policies.

What is a complaint?

In line with the Scottish Public Services Ombudsman (SPSO) model, we treat a complaint as: Any expression of dissatisfaction, about our action or lack of action, or about the standard of service we have provided, which requires a response.

Complaints may relate to, for example:

- the quality, standard or timeliness of a service
- the behaviour or attitude of staff or volunteers
- failure to follow our own policies or procedures
- poor communication or incorrect information

We normally expect complaints to be raised **within 3 months** of the issue, so that we can investigate fairly and effectively. In exceptional circumstances we may consider complaints raised later.

Not every disagreement is a complaint

We recognise that people may strongly disagree with advice or decisions we make. However, a complaint will not normally be accepted where:

- our staff have given competent, lawful, and reasonable advice, and the person simply disagrees with that advice or wanted to do something that was not lawful, not permitted, or outside our remit
- the matter relates to a properly-made decision within our powers and relevant law or guidance, even if the individual disagrees with that decision

- the complaint is based solely on opinion or subjective feelings without any supporting facts or evidence of wrongdoing
- the same matter has already been raised and addressed, and no new information is provided

We may decline or close a complaint where we reasonably consider it to be:

- vexatious or malicious
- deliberately exaggerated or distorted
- made mainly to harass, intimidate or seek “revenge” on staff or volunteers rather than to resolve a genuine concern

In these situations, we will:

- record the issue,
- explain our decision to the complainant, and
- take appropriate steps to protect staff, the organisation, and beneficiaries in line with SPSO guidance on balancing user rights with the need to protect staff from harmful behaviour.

Our principles

When handling complaints we will:

- **Be person-centred and fair** – listen carefully, seek to understand what went wrong, and base decisions on evidence, not emotion or pressure
- **Be accessible** – publish this policy and allow complaints to be made in a range of ways, including providing help or adjustments where needed
- **Be timely** – follow clear timescales aligned with Scottish model procedures (early resolution within **10 working days**, investigation responses within **20 working days** where reasonably practicable)
- **Be proportionate and impartial** – investigate appropriately, ensuring no one investigates a complaint about themselves
- **Be confidential** – handle information in line with data protection law
- **Be accountable and learning-focused** – record all complaints and use them to improve our services and governance

Staff and volunteers will **not** be disadvantaged for being the subject of an unsubstantiated complaint that is found to be unfounded or malicious.

Who can complain?

Anybody who has used a Fife Voluntary Action service or who has engaged with Fife Voluntary Action can use this Policy and Procedure to make a complaint about any aspect of the service or conduct of any person acting on behalf of Fife Voluntary Action.

We would encourage complainants to speak to the FVA member of staff in the first instance to see if their complaint can be resolved informally. If the complainant feels this is not possible, or has attempted this and their complaint has not been satisfactorily resolved, we would encourage them to invoke this Policy and Procedure as soon as they reasonably can after an incident whilst circumstances and details are more likely to be remembered by parties involved. This will aid us in our investigation and ensure a timely and comprehensive response.

Whilst there is no formal expiry period for a complaint, the passage of time is likely to cause difficulties in fully investigating and responding to a historical complaint. In these instances, we will ask the complainant to explain why it has taken so long to raise the matter and why they think we should investigate it. If we do determine that it is reasonable and appropriate to investigate a historic complaint, we will endeavour to investigate as fully and thoroughly as possible.

This policy does not apply to staff or volunteers of FVA: there are internal procedures which should be utilised by these individuals.

Respect and confidentiality

Anybody who complains will be treated with respect and all complaint information will be handled sensitively, with details disclosed only to those who need to know. We will follow any relevant data protection requirements.

If you raise a genuine concern, we will always handle it fairly and respectfully — and we ask the same courtesy in return.

Anyone making a complaint under this policy must not suffer any disadvantage, discrimination or withdrawal of service as a consequence of raising a legitimate complaint and must be treated with respect and dignity at all times. Trauma informed practices should be applied.

FVA reserves the right to make a public statement in response to a complaint, respecting confidentiality at all times.

Responsibility

Overall responsibility for this policy and its implementation lies with Fife Voluntary Action's Board of Trustees.

The Board delegates the day-to-day management of this policy to the CEO who may instruct appropriate staff member(s) to undertake duties as appropriate.

All members of staff have a personal responsibility to understand and take appropriate action under this policy.

Making a Complaint

Anybody who wishes to make a formal complaint can do so by requesting, or accessing on our website (www.fva.org/complaints), a copy of the Complaint Form. The form should be completed, signed and posted to our main office, or completed and attached to an e-mail to the CEO (ceo@fva.org). It is not essential that the official Complaint Form is completed, it can be submitted in the body of an e-mail, but we will still need the information that the form seeks before the complaint can be accepted.

Any other complaint will be regarded as negative feedback and will be noted. It may not necessarily be investigated and/or responded to.

FVA reserves the right to investigate conduct which might be considered grounds for a formal complaint, taking into account any complaints or feedback received, and take whatever action it deems appropriate in the circumstances.

If you choose to make a complaint, please tell us as much as possible about the complaint, including:

- What happened and why you wish to complain
- Who was involved
- When the event/incident occurred
- Where the event/incident occurred
- How did the issue arise
- How has the issue impacted you
- What resolution or outcome you are seeking from the complaint
- Provide evidence to support your complaint

If an anonymous complaint is received, we will consider whether there is sufficient information provided to enable us to investigate further, taking into account the nature and seriousness of the complaint. If insufficient information is provided, we will not be able to progress the matter further. Anyone making an anonymous complaint should be aware that they will be unable to receive feedback or resolution on any actions taken as a result of the complaint.

We will provide support or reasonable adjustments to help you make a complaint, for example if English is not your first language or you have communication needs.

Incidents with more than one complainant i.e. multiple complainants shall be registered as a single complaint with multiple complainants. Each complainant will be treated in the same way under this policy. However, dependent upon the number of complainants, it may be the case that timescales for the process should be revised and communicated to all complainants.

When a completed Complaint Form has been received, the Complaints Resolution Process (detailed below) will then be followed.

Safeguarding and serious concerns

If a complaint reveals or alleges:

- abuse, neglect or harm to a child or adult at risk, or
- other serious risk or misconduct affecting the charity or its beneficiaries

we will:

- prioritise safety and follow our Safeguarding Policy,
- report matters to the relevant statutory agencies where required (e.g. social work, Police Scotland), and
- consider whether to report the issue to the Office of the Scottish Charity Regulator (OSCR) under its current guidance on reporting significant issues.

We may not be able to share full details of safeguarding actions, but we will explain as much as we appropriately can.

Confidentiality, data protection and fairness

We handle all complaint information in line with data protection law and our Privacy Policy:

- information is shared only with those who need it for the purposes of handling the complaint or fulfilling legal/regulatory duties
- records are kept securely and only for as long as necessary
- where complaints are found to be unsubstantiated or malicious, this will be clearly recorded.

Those complained about will be informed of the substance of the complaint, given a fair opportunity to respond and will receive a copy of any output from the Complaints process, if requested.

Where the complaint is raised by a third party (on behalf of a service user), reasonable efforts should be made to establish if the third party has authority to raise such a complaint on the complainant's behalf. This includes confirming whether the service user is aware of the complaint, whether those acting on their behalf have the right or consent to do so and whether the complaint made is in keeping with the service user's wishes and instructions.

Complaints about the Chief Executive (CEO)

If your complaint is about the Chief Executive Officer:

- it will be passed directly to the Chair of the Board of Charity Trustees, or a nominated Trustee if the Chair is unavailable or conflicted
- the Chair (or nominee) will decide whether the matter should be addressed informally or through a formal trustee-led investigation
- an external independent investigator may be appointed where appropriate – this will always be at the sole discretion of the Trustees
- the CEO will have the right to respond, but will not have any role in deciding the outcome

You will receive a written response from the Chair of Trustees (or their delegate) once the investigation is complete.

This approach reflects OSCR's emphasis on charity trustees' accountability for how the charity is run.

Recording, reporting and learning

In line with Scottish governance good practice, we will:

- keep a central log of all complaints (including Stage 1) and their outcomes
- regularly review complaint data at management level to identify patterns, risks and learning
- report at least annually to the Board of Trustees on:
 - the number and nature of complaints
 - timescales and outcomes
 - key themes and resulting actions.

We will use this information, alongside other feedback, to improve services, staff training, policies and governance.

Review

This policy will be reviewed by the Board of Trustees at least every two years, or sooner if:

- there are significant changes in law or Scottish good practice on complaints handling, or
- our services or structure change in a way that affects how complaints should be managed, or
- learning from the handling of a complaint identifies an opportunity to improve the policy and procedure.

Complaint Resolution process

Fife Voluntary Action will record all complaints in the Complaints Log held securely and confidentially.

Individuals are encouraged to raise complaints informally in the first instance by speaking to the staff involved to determine if the matter can be resolved. If you are not satisfied with the response or don't feel able to raise the matter informally with staff, a formal complaint can be made.

We follow the Scottish Public Services Ombudsman (SPSO) model for handling complaints.

Stage One – Early resolution

We'll try to resolve your complaint quickly — within **10 working days** — through discussion or by putting things right straight away.

Stage Two – Investigation

If your complaint is complex or you're not happy with our Stage 1 reply, we'll carry out a full investigation.

We aim to respond within **20 working days** and will keep you informed if it takes longer.

If you're still not satisfied after Stage 2, you can ask for a **final review**.

Stage 1 – Early / frontline resolution

If the complaint has not already been resolved, it will be delegated to a Manager(s) who is considered to be sufficiently objective to investigate it and take appropriate action.

If the complaint relates to the Chief Executive, then the complaint will be passed to the Chair of the Board of Trustees. They will then appoint an appropriate person to deal with the matter.

If the complaint relates to a specific person, they should be informed at the earliest opportunity and given an opportunity to respond to the person appointed to investigate or to the complainant if deemed appropriate.

Fife Voluntary Action will normally acknowledge receipt of the complaint within **5 working days**. The acknowledgement will state who is dealing with the complaint and when the complainant can expect a reply. A copy of this **Complaints Procedure** should be attached / enclosed.

Wherever reasonably possible, we will try to resolve complaints **quickly and informally**, as close as possible to the point at which the issue arose. This might involve:

- an explanation or clarification
- an apology where appropriate
- immediate corrective action if something practical can be put right.

If:

- you are not satisfied with our Stage 1 response, or
- the issue is too complex or serious for early resolution

we will move your complaint to **Stage 2 – Investigation**, either at your request or because we consider it necessary.

Stage 2 – Investigation

Acknowledgement

We will normally acknowledge your Stage 2 complaint within **5 working days** of it being accepted at this stage, confirm our understanding of the issues, and explain the investigation process.

Investigation

A manager not directly involved in the events will:

- review the information you have provided
- speak with relevant staff, volunteers and others as needed
- consider relevant policies, procedures and legal or regulatory requirements.

We aim to respond in full within **20 working days** of acknowledging a Stage 2 complaint. If we cannot meet this timescale (for example due to complexity or availability of key people), we will explain why and agree a revised timescale with you.

Outcome

Our Stage 2 response will:

- summarise your complaint and what we have looked at
- set out what evidence we considered
- explain our findings and decision
- outline any remedial action or learning for the organisation
- explain how to request a review if you remain dissatisfied

Stage 3 - Review / Appeal (final internal stage)

If you are not satisfied with the Stage 2 outcome, you may request a **review** within **4 weeks** of receiving it.

A Review will only be considered where the complainant believes an error has been made in the process, or where significant new evidence has become available. We are unable to consider an appeal where no further detail has been provided, or which is simply a restatement of the original complaint.

The CEO, or if the CEO has been directly involved prior to this stage a Trustee who has had no direct involvement, will:

- review whether the complaint was handled fairly and in line with this policy,
- consider whether the decision reached was reasonable in light of the evidence, and
- decide whether any further action or change of outcome is required.

We will aim to complete the review and write to you within **20 working days** of acknowledging your request.

This review is the **final stage** of our internal complaints procedure.

Complaints that cannot be investigated

We will not be able to follow the above process for any complaint which has been submitted:

- directly to Board Member/s (i.e. not in line with the process outlined in this document);
- which is based on previous complaints that have not been upheld and are not substantively different to the previous complaint;
- where legal action is intimated;
- which is about matters that do not directly relate to the products, services or people of Fife Voluntary Action.

Escalation Beyond Fife Voluntary Action

Once our internal process is complete, if you still have concerns, you may be able to raise them with an external body, depending on the nature of the issue:

- **Office of the Scottish Charity Regulator (OSCR)** – for serious concerns about how FVA is run as a charity, such as possible misuse of charitable funds, serious governance failures, or significant risk of harm to beneficiaries or reputation.
- **Scottish Public Services Ombudsman (SPSO)** – if we deliver a service that falls within the SPSO's remit (for example, a public function on behalf of a Scottish public body), you may be able to complain to the SPSO after completing our process.
- **Information Commissioner's Office (ICO)** – for concerns about how we handle personal data.
- **Police Scotland or local authority social work**, for some safeguarding or criminal matters.

We will signpost you to the appropriate body and provide contact details if you ask.