



## Complaints Policy and Procedure

<b>Updated on:</b> March 2021	<b>Next review:</b> March 2022
<b>Owner:</b> Latin American Women's Rights Service (LAWRS)	
<b>Authorised by:</b> LAWRS' Management Committee	

**Principle:** The Latin American Women's Rights Service (LAWRS) is committed to providing high-quality services and to improve such services wherever possible. This Policy is intended to ensure that all complaints are handled fairly, consistently, and wherever possible resolved to the complainant's satisfaction. This Policy seeks to provide LAWRS with the opportunity to learn and improve for the future, as well as a chance to put things right for the person that feels our service could improve.

**Purpose:** The aim of this policy is to provide guidance for beneficiaries, visitors, and staff to handle all complaints in a clear and transparent way.

**Coverage:** all at LAWRS.

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## 1. Introduction

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Complaints are taken extremely seriously by LAWRS and will be given full and fair consideration and dealt with as promptly and as thoroughly as possible, in accordance with this Policy and any other applicable policies.

Our aim to ensure:

- A fair complaints procedure, which is clear and easy to use for anyone wishing to make a complaint.
- LAWRS' Complaints Policy and Procedure to be easily available to all so that people know how to contact us to make a complaint.

- That everyone at LAWRS knows what to do if a complaint is received.
- All complaints are investigated in a fair, consistent and timely manner.
- That complaints are, wherever possible, resolved and relationships repaired.
- That LAWRS collects information to help us to improve what we do.
- That LAWRS maintains the confidence of our users and stakeholders.

#### **a. LAWRS' responsibility**

LAWRS will be responsible for:

- Acknowledging a formal complaint in writing.
- Responding within a stated period of time, or in extraordinary circumstances, to update the complainant on the progress of the complaint and to inform her when a resolution can be expected.
- Dealing, promptly, thoroughly and sensitively with the complaint.
- Taking appropriate action.

#### **b. Complainant's responsibility**

The complainant will be responsible for:

- Bringing their complaint to LAWRS' attention as soon as possible after the issue arises.
- Raising her concerns promptly and directly with a member of staff.
- Explaining the problem as clearly and as fully as possible, including any action taken to date.
- Treating LAWRS' staff with courtesy and respect.
- Allowing LAWRS a reasonable time to deal with the matter.
- Recognising that some circumstances may be beyond LAWRS' control.

## **2. Complaints: definition and who can file complaints**

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A complaint is any expression of dissatisfaction about any aspect of LAWRS' services.

Who can file a complaint:

- Any person who has not received a good service or has not been treated with courtesy and respect throughout her interaction with LAWRS can file a complaint.
- Any person who has witnessed another person who has not received a good service or has not not been treated with courtesy and respect can also file a complaint.
- Any service user can complain to the Office of the Immigration Services Commissioner (OISC) about either a bad service received from an adviser registered with OISC and/or immigration advice received from an unregulated person working at LAWRS.
- LAWRS service users can also ask someone to make a complaint on their behalf, for example a friend, solicitor or voluntary organisation.

This Policy does not cover complaints from staff, as complaints from staff will follow LAWRS' Grievance and Discipline policies.

### **3. How to file a complaint**

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A complaint can be filed:

- **Verbally** - in person or over the phone, or
- **In writing** - via post or email.

**Verbal complaints** may be made in person or over the phone to any member of staff. Our current telephone numbers can be found on **LAWRS' website** - [www.lawrs.org.uk](http://www.lawrs.org.uk).

**Written complaints** may be posted to **Latin American Women's Rights Service, Tindlemanor, 52-54 Featherstone Street, London, EC1Y 8RT** or sent via email to [lawrs@lawrs.org.uk](mailto:lawrs@lawrs.org.uk). A copy of LAWRS' Complaints Policy and Procedure and the **Complaints Record Form - SU version (Appendix 1)** can be downloaded from LAWRS' website on

- <https://espanol.lawrs.org.uk/contact/> (in Spanish);
- <https://portugues.lawrs.org.uk/contact/> (in Portuguese); and
- <https://lawrs.org.uk/contact/> (in English).

If the complaint involves the Director then the complainant will address the complaint to the Chair of Board of Trustees at Latin American Women's Rights Service, Tindlemanor, 52-54 Featherstone Street, London, EC1Y 8RT.

If the complaint involves the Chair of the Board then the complainant may address their complaint to any other member of the Board of Trustees at Latin American Women's Rights Service, Tindlemanor, 52-54 Featherstone Street, London, EC1Y 8RT. A full list of all members of the Board of Trustees can be found at LAWRS' website.

To complain about an adviser regulated by OISC, the service user can:

- **Complaint by form:** Service users should complete the relevant form, include any relevant documents and send them to [complaints@oisc.gov.uk](mailto:complaints@oisc.gov.uk) or by post to the address on the form. The form is available in different languages and the complaint can be translated if needed. Service users can get help from OISC staff to fill in the complaints form, but they cannot write the complaint for the service user. The form can be downloaded from <https://www.gov.uk/find-an-immigration-adviser/complain-about-an-adviser>
- **Complaint by letter/email:** Service users can also make a complaint by sending a letter or email providing as much detail as possible about who the service user is making the complaint against and what the complaint is about.

**Office of the Immigration Services Commissioner**

**Email: [complaints@oisc.gov.uk](mailto:complaints@oisc.gov.uk)**

**Telephone: 0207 211 1500**

**Telephone: 0345 000 0046**

**Please find out about call charges before calling.**

**Office of the Immigration Services Commissioner**

**Complaints Team**

**5th Floor**

**21 Bloomsbury Street**

**London**

**WC1B 3HF**

To complain about an unregulated adviser, service users can email the **OISC** ([info@oisc.gov.uk](mailto:info@oisc.gov.uk)) to report someone giving immigration advice who is not regulated by either the OSIC or another approved body.

#### **4. Confidentiality**

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All complaints will be handled confidentially in accordance with this Policy as well as LAWRS' Confidentiality and Data Storage Policy.

Except in exceptional circumstances, every attempt will be made to ensure that both the complainant and LAWRS maintain confidentiality. However the circumstances giving rise to the complaint may be such that it may not be possible to maintain confidentiality (with each complaint judged on its own merit). Should this be the case, the situation will be explained to the complainant.

If as a result of a complaint, disciplinary proceedings are taken against a member of staff, an internal procedure will apply. The complainant will be informed that disciplinary proceedings have taken place, but as these proceedings are confidential, the complainant will only be informed of the details or outcome of matters outside of this procedure.

All complaints will be logged in the Complaints' Tracker and all relevant documentation will be filed in an electronic folder in LAWRS' organisational Google Drive in accordance with LAWRS' Confidentiality and Data Protection Policy.

#### **5. Implementation and Monitoring**

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This Policy will be implemented and monitored by the Director and the Board of Trustees. Complaints will be reviewed annually by the Director to identify any trends which may indicate a need to take further action.

#### **6. Complaints Procedure**

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##### **a. Receiving a Complaint**

Upon receiving a complaint the procedure established in this Policy will be triggered.

**When a complaint is received verbally** - in person or by telephone - the staff who receives the complaint will:

- Inform the complainant of LAWRS' Complaint Policy and Procedure and make a copy available to them in their preferred language (English, Portuguese or Spanish);
- Briefly explain LAWRS' Complaints Policy and Procedure;
- Complete the **Complaint Record Form (Appendix 2)** in order to record:
  - Date of submission of the complaint;
  - Complainant's contact details
  - The facts of the complaint;
- Read back to the Complainant the information collected on the **Complaint Record Form** and carry out any amendments requested by them;
- Read back to the Complainant the **Complainant's Declaration** at the end of the **Complaint Record Form** and ask for their signature or verbal confirmation (in case the complaint is being filed over the phone);
- Tell the complainant what will happen next and estimated time for resolution. Explain that although LAWRS' aim is to resolve complaints as promptly as possible, in some cases, there may be extraordinary circumstances that may delay the resolution of the complaints, in which case LAWRS will keep the complainant updated throughout the process;
- Where appropriate, ask the complainant to write down her account of events or to send a written account by post or by email so that the complaint is recorded in the complainant's own words (this document should be attached to the completed Complaint Record Form);
- Send the completed **Complaint Record Form** and any other relevant documentation by email to the Admin Team. The Admin Team will record the complaint in the Complaints' Tracker and pass it to the relevant member of the Senior Management Team (SMT) for investigation.

For further guidelines for handling verbal complaints, see **Appendix 3**

**When a complaint is received in writing** - by post or email:

If the the complaint was submitted using the **Complaints Record Form - SU version**, LAWRS will:

- record the complaint in the Complaints' Tracker and pass it to the relevant member of the SMT for investigation;
- Get in touch with the complainant within a week to acknowledge the receipt of the complaint and:

- Provide a copy of LAWRS' Complaints Policy and Procedure (in English, Portuguese or Spanish as applicable);
- Briefly explain LAWRS' Complaints Procedure;
- Inform the complainant who is dealing with the complaint, what will happen next and estimated time for resolution. Explain that although LAWRS' aim is to resolve complaints as promptly as possible, in some cases, there may be extraordinary circumstances that may delay the resolution of the complaints, in which case LAWRS will keep the complainant updated throughout the process.

If the **Complaints Record Form - SU version** was NOT used to submit the complaint, LAWRS will:

- Get in touch with the complainant within a week to:
  - Provide a copy of LAWRS' Complaints Policy and Procedure and the **Complaints Record Form - SU version** (in English, Portuguese or Spanish as applicable);
  - Briefly explain LAWRS' Complaints Procedure and ask the complainant to complete the **Complaints Record Form - SU version** and send it back at their earliest convenience;
- Once the complainant sends back the completed **Complaints Record Form - SU version**, record the complaint in the Complaints' Tracker and pass it to the relevant member of the SMT for investigation;
- Get in touch with the complainant within a week to acknowledge the receipt of the complaint and inform the complainant who is dealing with the complaint, what will happen next and estimated time for resolution. Explain that although LAWRS' aim is to resolve complaints as promptly as possible, in some cases, there may be extraordinary circumstances that may delay the resolution of the complaints, in which case LAWRS will keep the complainant updated throughout the process.

Complaints to OISC regarding immigration and advice services will be acknowledged with a letter within five days of making the complaint telling service user how it is going to be dealt with. Service users will get a letter with a decision on the case within five months of making the complaint. The OISC may decide to take action against the adviser or refer the complaint.

## **b. Resolving a Complaint**

In many cases, a complaint is best resolved informally 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 on to the Admin Team (that will inform the relevant member of the SMT) as soon as possible.

On receiving the complaint, if it has not already been resolved, the relevant member of the SMT should open an investigation.

If the complaint relates to a specific person, the person in question should be informed and given a fair opportunity to respond (see **Appendix 4 - Complaint's Investigation Meeting Form**).

LAWRS will seek to resolve complaints within four weeks. If this is not possible, because, for example, an investigation has not been fully completed, a progress update should be sent with an indication of when a full reply can be expected.

The reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

### **c. Appeal**

If the complainant feels that the problem has not been satisfactorily resolved, they can request the Board to review the complaint. The Chair will receive the complaint on behalf of the Board and distribute to the rest of the Trustees. The Board should acknowledge the receipt of the complaint within a week. The acknowledgement should say who will deal with the case and when the complainant can expect a reply.

The Chair may investigate the facts of the case herself or delegate to another Trustee to do so. This may involve reviewing the paperwork of the case and speaking with the person who dealt originally with the complaint.

If the complaint relates to a specific person, they should be informed and given a further opportunity to respond.

The person who dealt originally with the complaint should also be updated on the process.

LAWRS will seek to resolve complaint Appeals within four weeks. If this is not possible a progress update should be sent to the complainant with an indication of when a full reply can be expected.

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 as a result of the complaint.

The decision taken at this stage is final, unless the Board decides it is appropriate to seek external assistance with resolution.

### **d. Variation of the Complaints Procedure**

The Board may vary the procedure for good reason, for example to avoid a conflict of interest.