



# Complaints Policy

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Information Governance Policy (inc. Document Retention Schedule)			
4 C's webpage			
Disciplinary and Grievance Policy			
Social Media Policy			
Malpractice and maladministration Policy			
Code of Conduct			

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## 1. Introduction

The Breastfeeding Network is committed to providing the highest quality information and support. This policy aims to ensure that all those who work and volunteer for the Breastfeeding Network (BfN) understand how people using our services can give feedback by giving comments, raising concerns or making a complaint about our services. The policy also outlines how BfN will use feedback provided by members of the public to continually learn and improve the quality of our services, and for which we are widely trusted

A printed copy of this policy and the 4C's webpage [Compliments, comments, concerns or complaints? - The Breastfeeding Network](#) must be included in the centre/drop-in/hospital ward folder and shown to anyone wishing to make a comment or raise concerns or complaints about our service.

We will aim to resolve any concerns as quickly as possible by responding in a clear and accessible manner. The policy forms an essential part of BfN's commitment to the protection of members of the public.

The policy will not apply if there is an allegation of child abuse or abuse of vulnerable adults by a BfN volunteer or member of staff. The matter would, in this instance, be referred to the BfN Safeguarding Policy.

### 1.1 Complaint or grievance?

This complaints policy is for service users, families and health professionals to report matters relating to any member of BfN staff or any BfN volunteer or relating to any of our services.

Any internal issues raised by a BfN volunteer or staff member are addressed under the Disciplinary and Grievance procedure.

### 1.2 Complaints which will not be investigated

The Breastfeeding Network is not responsible for dealing with complaints against:

Individuals who were not training or registered with BfN at the time of the alleged incident

BfN Registered Volunteers and staff who were clearly not working for or representing BfN in any capacity at the time of the alleged incident.

Previous BfN Registered Volunteers and staff who were no longer working for BfN at the time of the alleged incident.

It can be difficult to determine when someone is representing BfN and when they are not. This is especially true in relation to posts on personal social media pages. Our Social Media policy provides guidance on how to avoid any complaints relating to social media activity.

If a complaint cannot be accepted for the reasons outlined above then we would welcome reports of any concerns that may affect our reputation or call into question our quality standards, however they would be treated informally and not be subject to the terms of this policy. Please see our 4Cs page on our website for more information.

If in investigating a complaint BfN reasonably believes that it may not be possible to achieve a relevant outcome through the complaint process on its own, the individual making the complaint will be advised and given information about any other process that may help to address the issues and has the potential to provide the outcomes they seek.

This can happen at any stage in the complaint handling process and may include identifying issues that could or should:

- trigger our safeguarding procedure

- involve a coroner investigation or inquest
  - trigger a relevant regulatory or legal process, that requires specialist advice or guidance
- When another process may be better suited, the person raising the complaint will be given clear information, with the options that are available.

### **1.3 Feedback and complaints**

On occasion, we may be provided with feedback instead of a complaint being made. Feedback can be an expression of dissatisfaction (as well as positive feedback) but it is normally given without requiring a response.

People do not have to use the term ‘complaint’. We will use the language chosen by the individual raising the concern. Investigators will always seek to communicate directly with people to understand the issues they raise and how they would like us to consider them.

If we consider that a complaint (or any part of it) does not fall under this policy, we will explain the reasons for this. We will provide any response in writing to the person who has raised the complaint, and we will provide any relevant explanation and signposting information.

We will consider accessibility and reasonable adjustments and record any reasonable adjustments we make.

We may receive an anonymous or general complaint that would not meet the criteria for who can complain. In this case, we will usually take a closer look into the matter to identify if there is any learning for our organisation, unless there is a specific reason not to.

#### **1.3 Who can make a complaint?**

Anyone can make a complaint in respect of our service.

If the person affected does not wish to deal with the complaint themselves. They will need to provide us with their consent for someone else to raise and discuss the complaint with us on their behalf, and to see their personal information.

If at any time we see that a representative is not acting in the best interests of the person affected, we will assess whether we should stop our consideration of the complaint. If we do this, we will share our reasons with the representative in writing. In such circumstances we will advise that they may submit a formal complaint (which will be investigated by other representatives within BfN), if they are unhappy with our decision.

#### **1.4 Timescale for making a complaint**

In order for us to provide the best possible response, a complaint should be lodged within three months of the incident. In some instances, and at the discretion of the relevant manager this time may be extended if it is deemed both necessary and possible to investigate the complaint after one month.

#### **1.5 Expenses**

The BfN is not responsible for travel or any other expenses incurred by the Complainant or their representative at any stage of the complaint.

#### **1.6 Dual accountability**

BfN may decide to hear a complaint against a BfN Registered Volunteer or Employee when another organisation is involved in a similar process arising out of the same substantive matters.

## 2 Resolution

Before making a complaint, the Complainant is expected to attempt to resolve the issue with any individuals involved or by contacting the manager of the service they have concerns about. The Complainant must demonstrate that all informal channels have been exhausted. If direct resolution is impossible or inappropriate, BfN may ask the Complainant to explain this.

Any issues that are resolved locally by a Manager or Supervisor should be reported to the 4cs email address and logged, so that the Board is informed both about the themes of any complaints, and action taken to address them.

## 3 Making a complaint

The BfN complaints procedure has three stages:-

- Stage one - Informal Complaints Procedure
- Stage two - Formal Complaints Procedure
- Stage three - Review and Appeals Stage

### 3.1 Stage One - Informal Complaints

#### 3.1.1. Oral complaints

Oral complaints should be made by telephone to the main BfN office by calling **08444 120 995**. Any comments or misgivings voiced will be listened to. Initial details of the complaint and contact details of the complainant will be recorded (using a Complaint Form appendix 1) and passed to the 4Cs email, monitored by the Executive Assistant and Programme Quality Manager.

#### 3.1.2. Written complaints (email or letter)

Emails should be sent to [4cs@breastfeedingnetwork.org.uk](mailto:4cs@breastfeedingnetwork.org.uk) and letters should be posted to The Breastfeeding Network, PO Box 11126, Paisley PA2 8YB. The following information is required:

- Name and address of complainant
- Telephone number
- Email address
- Details of complaint including dates, where applicable

It is also possible to complete a Complaints Form on our website at the bottom of this page

[Compliments, comments, concerns or complaints? - The Breastfeeding Network](#) .

A written acknowledgement will be sent (usually from the CEO email), within three working days of receipt (unless there are exceptional circumstances such as staff absence).

#### 3.1.3 Complaints made via Social Media

We are unable to accept complaints via social media as confidentiality may be compromised. All complaints should be made using one of the methods outlined above. If someone does contact us via social media to make a complaint the response should be to acknowledge receipt of the message, signpost the Complainant to this policy and ask them to use one of the methods outlined above to report the complaint so that the agreed process can be followed.

Any complaints relating to social media activity should also be made in one of the ways outlined above, and not directly on social media. The Social Media policy should be referred to before deciding whether or not to make a complaint or raise a concern.

### 3.1.4 Serious complaints

If the complainant and the appointed investigator consider that the complaint requires it, the issue can be escalated immediately to Stage 2, Formal Complaints procedure. This must be specified in writing with an explanation of the reasons for escalation.

### 3.1.5 Investigation

All complaints will require that an investigation is conducted to establish the facts relating to the issue(s) raised. This will include the following steps:

1. Wherever possible, the investigator will directly speak/ meet with the complainant to fully understand their concerns. The account given by the complainant will be documented and shared with the Complainant to confirm accuracy.
2. If applicable, an anonymised summary of the complaint will then be sent to the line manager (for staff) or supervisor (for volunteers) of individual/s complained against
3. If an individual/ groups of individuals has been complained against they will be asked to provide written statements giving their versions of events
4. A one to one discussion will take place between any individual/s complained against, if applicable, and her/his line manager or supervisor
5. The line manager or supervisor will forward on a copy of a statement of any discussion with the individual/s complained about, if applicable, together with a summary of the discussion, including any points of learning or follow-up actions, to the 4cs email. If the investigator determines that it is appropriate to investigate wider practice, procedures or systems within BfN, they will summarise findings from any meetings and research.
6. Once an initial investigation has taken place and the report is anonymised (where this is possible), the investigator will share learning and recommended actions with key personnel with a clear and relevant remit to act on the recommendations identified.
7. As soon as practical after the investigation has finished, the investigator will co-ordinate a written response and send this to the Complainant and other interested parties. This will include (as appropriate):
  - a reminder of the issues investigated
  - an explanation of how we investigated the complaint
  - relevant evidence considered
  - what the outcome is
  - if something did go wrong, a meaningful apology for any failings
  - an explanation of any wider learning we have acted on or will act on to improve our service for other users
  - an explanation of how we will keep the person who raised the complaint involved until all action has been completed
  - confirmation that we have reached the end of our complaint procedure

The complainant will be informed of the outcome of the investigation and any subsequent actions that are to be taken. We aim to provide this response within 30 working days of receipt of the complaint. If this is not possible and a longer period of investigation is required, the complainant and any person complained against will be notified of the reasons and expected date of a decision.

If the complainant is satisfied with the response, or if no further communication is received from the complainant within 10 working days of the response being sent, the issue will be closed. An anonymised written record may be kept to allow for future development and training of the organisation / individuals.

### **3.2 Stage Two: Formal Complaints Procedure**

If a complaint is made and this is unresolved following completion of the above Complaints procedure, or if a complaint is deemed serious enough to warrant immediate escalation, then the formal complaints procedure will apply. Formal complaints must be received in writing or by email and will be investigated using the process above, if this has not been done already. The complaint, details of the investigation and all available evidence will then be referred to the Compliments, Comments, Concerns or Complaints Panel.

If preparing and sending a formal complaint in writing is a barrier to submitting a complaint, in exceptional circumstances BfN can arrange an appointment to interview a complainant requesting this as a reasonable adjustment by calling **08444 120 995**.

#### **3.2.1 The Compliments, Comments, Concerns or Complaints Panel**

Hereafter referred to as “the Panel”. The Panel will be made up of members of BfN’s management team and/or members of BfN’s Board of Directors and will not be fewer than three people to hear the complaint. The Panel should be entirely neutral and should not have any connection to the person complained against or the complainant. Specific staff roles may include for example:

- NBH Manager
- Programme Manager
- Social Media Officer
- Tutor and Supervisor Coordinator
- Local Supervisor
- Programme Quality Manager
- Funding Manager
- Finance Manager
- Training Team and Supervision Manager

The Panel reserve the right to remain anonymous. Minutes should be taken at all panel meetings by someone experienced in minute-taking and agreed by all panel members before being shared with others involved in the investigation.

HR will take a neutral role, providing support and guidance to the panel and anyone else involved in the complaints process, where concerns have been raised about the conduct or performance of an individual staff / volunteer member/s.

#### **3.2.2 Responding to a formal complaint**

Once the Formal Complaints Procedure has commenced, the Complainant and, where applicable, any BfN staff member or Registered Volunteer complained against, will be notified in writing that the Formal Complaint Procedure is being implemented. The BfN Registered Volunteer’s Supervisor or staff line manager will also be informed in writing.

All parties will receive copies of the Complaints Policy. The complainant will receive an acknowledgement, usually within 3 working days, if this has not already been provided as part of the informal process.

A full copy of the formal complaint will be submitted to any staff member and her line manager or BfN Registered Volunteer and her Supervisor, where applicable, who will have 20 working days to

respond to the complaint. Any response to the complaint will be sent via the complaints panel. This may include additional written evidence and/ or submission of witness statements.

### **3.2.3 Suspension of duties as a BfN staff member or volunteer**

At the discretion of the panel it may be necessary to suspend some or all of the BfN Registered Volunteer's or staff member's work while a complaint is resolved. If a BfN Registered Volunteer or staff member has been complained against, she will be written to and given details of her suspension.

Suspension is not a disciplinary action and will not be taken as an indication of guilt or to pre-empt the decision of the Panel, but to safeguard the public, the person complained against and/or the BfN.

No liability for any loss suffered, or expenses incurred, will attach to the BfN for the suspension of her practice even where a complaint is not upheld.

### **3.2.4 Response**

The Complaints Panel will advise the Complainant and any BfN Registered Volunteer or staff member complained against, where applicable, and her Supervisor/Line Manager of any decision made in writing.

The Panel will aim to provide this decision within 15 working days of receipt of any final accounts from individuals involved in the complaint . If it is not possible to meet this timescale, any parties complaint against, will be notified of the expected date for a decision.

## **3.3 Stage 3 - Review and Appeals**

### **3.3.1 Formal appeals procedure and Appeals Panel**

If the Complainant wishes to appeal, this must be notified in writing to The 4Cs Panel (outlined in 3.2) within 10 working days of receipt of the original outcome. They will nominate a secondary group to meet (either face to face or by video conference/telephone) and reconsider the submission within 20 working days. This group (The Appeal Panel), will include a member of BfN's Board and where possible and relevant, a neutral third party.

An appeal will be considered on any of the following grounds:

1. That the sanction is disproportionate to the finding of the original 4Cs Panel and is unjust in all the circumstances.
2. An error was made during the complaints process which may have had a significant effect on the finding and decision of the 4Cs Panel.
3. A significant piece of new evidence has become available

### **3.3.2 Response**

If there is insufficient evidence to satisfy any of the grounds for appeal, the appellant will be notified in writing by the complaints team. This decision will be final.

If there are sufficient grounds for the appeal, The Appeal Panel will advise the Complainant and any BfN Registered Volunteer or staff member complained against, if applicable, and her Supervisor/Line Manager of any decision made in writing.

The Appeal Panel will aim to provide this decision within 10 working days of their meeting. If this is not possible, the person complained against and the Complainant will be notified of the reasons and expected date for a decision.



#### **4 Timescales**

The timescales given above will be adhered to as closely as possible. However, BfN and members of the Panel cannot be held responsible for any delays beyond control, for example, when awaiting information from a complainant or difficulties in forming a panel during peak holiday times. Every effort shall be made to keep all relevant parties updated on the progress of the complaint.

#### **5 Communication**

Any conversations relating to a complaint, with the complainant, the person complained against, any member of staff or volunteer should be followed up with an email to confirm and agree the key points of what was said. This can form part of the evidence reviewed by the panel.

#### **5 Publication and Lessons Learnt**

BfN reserves the right to publish such details of complaints in relation to lessons learnt as it considers appropriate. This will be done in line with our Information Governance policy.

All complaints will be recorded and stored in line with BfN's Information Governance Policy and monitored to allow lessons to be learned. Where appropriate, changes to procedures or systems will be put in place to minimise the risk of similar complaints occurring. Training needs will also be recorded. The Complainant will be informed of any such outcomes.

#### **6 Monitoring Complaints**

BfN will monitor the number and the type of complaints made about our services across the organisation. The Complaints Log is maintained by the Executive Assistant and a report will be provided to the Board on a six-monthly basis and will inform the review of practices, policies, procedures and training.

As part of contracts we may be required to submit information in relation to complaints. These are monitored and collated by the relevant Programme Manager. Concerns will also be discussed at formal contract monitoring meetings.

All records will be kept for a period of seven years from completion of any action, in accordance with our Document Retention schedule.



## Complaint Monitoring Form

### Complainant Information

<b>Name of Complainant:</b>	
<b>Tel. no.:</b>	
<b>Email address:</b>	
<b>Capacity of Complainant:</b>	

### Informal Complaint Details

<b>Complaint Date:</b>	
<b>Complaint received by:</b>	
<b>Complaint Details:</b>	
<b>Line Manager/Supervisor:</b>	
<b>Programme Manager:</b>	
<b>Details of first response:</b>	
<b>Details of Investigation:</b>	
<b>Details of corrective actions and persons responsible:</b>	
<b>Details of second response:</b>	
<b>Complainant satisfied:</b>	Yes/No

### Formal Complaints Procedure

<b>Date formal complaint received:</b>	
<b>Complainant and Volunteer/Staff member notified:</b>	
<b>Names of complaints panel:</b>	
<b>Date of panel meeting:</b>	
<b>Outcome:</b>	
<b>Follow-up actions and persons responsible:</b>	
<b>Actions completed:</b>	
<b>All parties notified:</b>	
<b>Complainant satisfied:</b>	Yes/No

### Appeal Procedure

<b>Date appeal received:</b>	
<b>Complainant and Volunteer/Staff member notified:</b>	
<b>Names of appeal panel:</b>	
<b>Date of panel meeting:</b>	
<b>Outcome:</b>	
<b>Follow-up actions and persons responsible:</b>	
<b>Actions completed:</b>	
<b>All parties notified:</b>	
<b>Complainant satisfied:</b>	Yes/No