

# Making a complaint about our services – complaints policy

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Guidance on raising a complaint about service standards in the Commission



# The Charity Commission for Northern Ireland

The Charity Commission for Northern Ireland is the regulator of charities in Northern Ireland, a non-departmental public body sponsored by the Department for Communities.

## Our vision

To deliver in partnership with other key stakeholders in the charitable sector *"A dynamic and well governed charities sector in which the public has confidence, underpinned by the Charity Commission for Northern Ireland's effective delivery of its regulatory role"*.

Further information about our aims and activities is available on our website [www.charitycommissionni.org.uk](http://www.charitycommissionni.org.uk)

## Equality

The Charity Commission for Northern Ireland is committed to equality and diversity in all that we do.

## Accessibility

If you have any accessibility requirements please contact us.

## Introduction

The Charity Commission for Northern Ireland is committed to ensuring that:

- a) everyone availing of its services will be treated professionally and with courtesy, and
- b) those services will be delivered effectively and efficiently.

Whilst this is our aim we recognise that occasionally service standards can fall short of expectations. Should that happen we want to know about it so we can, as appropriate, rectify the situation and use any lessons learnt to improve our service delivery.

## Raising a complaint about service standards in the Commission

This leaflet sets out the Commission's complaints policy, explaining what to do if you, as a user of our services, believe that the quality of those services was not acceptable or that you were dealt with unprofessionally or discourteously.

The Charity Commission for Northern Ireland defines a complaint as an expression of dissatisfaction about our actions, or lack thereof, and what was expected of us, including staff and Commissioners.

Examples would include:

- failure to provide a service;
- the standard of service extended to you by the Commission in its dealing with you was less than acceptable;
- unnecessary or unexplained delays in responding to calls, letters or emails;
- that you were dealt with unprofessionally or discourteously; or
- our failure to follow proper procedure.

Please note that you can only use this procedure to complain about the quality of service that you have received from the Commission. You cannot use it if you disagree with and want to challenge any decision related to casework, investigations or other action taken by the Commission in exercise of its statutory duties and powers which is covered either by a

right of appeal/review under charity or other law, or by the Commission's own decision review procedures. These include:

- refusal to grant charitable status or consent to changes made to a charity, such as a name change.
- suspending or removing a charity trustee.
- directing a charity to act or not to do something.
- matters related to the Commission's equality scheme.
- our response to a Freedom of Information request.

If however you wish to complain that the Commission has not followed its own processes in the instance of a decision being reached related to casework, investigations or other actions taken in exercise of our statutory powers, you may request a case process review within your complaint. This will only consider whether the process undertaken has been in keeping with the aims and standards of the Commission. The decision itself will not be subject to review as other mechanisms are available.

The Commission also has a 'Raising Concerns about the Commission policy' (formerly known as whistleblowing). This policy relates to concerns about suspected malpractice, risk, abuse or wrongdoing within the Commission.

The Commission has several stages in the complaints procedure. We follow the NI Public Services Ombudsman principles to ensure fair investigations in accordance with law and guidance with impartial and objective complaint handling. We seek to deal with complaints within an agreed timescale and ensure thorough and proportionate investigations with appropriate responses and clear, evidence-based outcomes. We want to make sure complainants and staff complained about are treated fairly and have consistency from case to case, where appropriate.

If you want to make a complaint you should take the following steps:

- 1.** For issues that are straightforward and require no investigation in the first instance you should speak to the member(s) of staff of the Commission with whom you were dealing, or their line manager, to see if the difficulty can be resolved informally with, for example, an on the spot apology, explanation or other action. The Commission aims to resolve these first line complaints quickly, normally within ten working days.

2. If, having spoken to the member(s) of staff concerned, you remain dissatisfied or the issue is complex or serious, then the matter requires investigation and you should fill out a *Complaints about our Services* form and return it to the Commission's Complaints Co-ordinator using the contact details at the end of this leaflet.
3. You **must** submit your complaint for investigation **within six months** of the incident you are dissatisfied with taking place or finding out you have a reason to complain.
4. Your complaint will be investigated by a senior member of staff who has not had significant direct involvement with the issue being complained about and a response will be signed off by a senior officer. The person who will investigate your complaint will contact you directly, to find out what you want to happen and how we can fix the issue you have raised. The Commission aims to respond to you within 20 working days or as soon as reasonably practicable. The decision will be communicated to you in writing.
5. If, having received the response you remain dissatisfied then you may make further representation in writing to the Chief Executive. You should do so within 20 working days of receiving the written response.
6. The Chief Executive will aim to respond to you within 20 working days or as soon as reasonably practicable. This appeal stage will be a fresh consideration of your complaint. The decision will be communicated to you in writing and represents the final stage of consideration within the Commission. However, please note that if your complaint relates to the Chief Executive of the Charity Commission for Northern Ireland, the matter will be considered in the first instance by two Charity Commissioners who may decide to engage an independent investigator, who will report their findings to them for decision. This will represent the final and only stage of consideration within the Commission

## Outcomes

The outcomes from a complaint could take the form of:

- No further action – the complainant could receive a letter to indicate that having conducted an investigation into their complaint the decision is that the Charity Commission acted appropriately.
- Explanation – details of what happened and/or what went wrong.
- Apology – where we find that our standards have not been met we will apologise to you and explain what we have done to ensure there is no repetition.
- Remedial action – this may include for example a revision of an existing procedure, revising published material, providing training or enhanced supervision of staff, disciplinary proceedings.
- or any combination of the above.

## External

Should you remain dissatisfied with the outcome you can consider making a complaint to the Northern Ireland Public Services Ombudsman, although the Ombudsman cannot normally look at: a complaint before CCNI has completed its complaints procedures, events that happened more than six months ago, or a matter that could or has been considered by a Tribunal or court. The Ombudsman may be contacted at:

**Telephone:** 028 9023 3821

**Text phone:** 028 9089 7789

**Email:** [nipso@nipso.org.uk](mailto:nipso@nipso.org.uk)

**Freephone:** 0800 34 34 24

**Via Post:**

Freepost NIPSO  
The Northern Ireland Public Services Ombudsman  
Freepost BEL 1478  
33 Wellington Place  
Belfast  
BT1 6HN

If you wish to complain about government policy or its implementation you can write to the Department for Communities.

## Our commitment to you

Any service user can make a complaint. We will accept complaints from a representative if they have got your consent in writing and can provide this to the Commission.

The Commission will tell you who is dealing with your complaint and we will keep all complaints confidential.

We treat all our complainants fairly and equally, regardless of religious belief, gender, disability, race, political opinion, age, marital status or sexual orientation.

If you have submitted a complaint to us, we will use the information you have provided during consideration and assessment of your complaint. We may give copies of all or some of this information to individuals and organisations we consult when assessing complaints, for example legal counsel or independent investigators. We may contact you to seek further information from you to inform our consideration of the complaint.

The Commission keeps a record of each complaint it receives, which supports our ongoing evaluation and learning processes. These are kept securely, in line with data protection legislation.

The number of complaints received is also reported in the Commission's quarterly Corporate Performance Reports. However, we recognise the need to maintain the confidentiality of complainants and their details will not be made public in any way, except as required by law, or if you have given us permission.

## **Managing unacceptable behaviour**

The Commission is committed to dealing with all complaints impartially and in a timely manner. It does not expect staff to tolerate unreasonable behaviour by individuals (for example, abusive, offensive or threatening) or to deal with individuals whose behaviour is unreasonably persistent in contacting the Commission regarding the same set of circumstances/complaint and thereby hindering the carrying out of regulatory work. In such circumstances a member of senior management may decide to declare a person's behaviour 'unreasonable' and/or 'unreasonably persistent'. Where a complainant's behaviour is deemed unreasonable and/or unreasonably persistent they will be advised of this in writing and, if necessary, steps may be taken to restrict contact with the Commission including:

- Limiting phone calls taken;

- Restriction to one channel of communication e.g. letters;
- Formally stating that the Commission will no longer respond to the person or their representative.

Whatever action is taken it will be reviewed periodically.



# Overview of Complaints Procedure

## First line resolution

The Commission will try to resolve your complaint quickly within 10 working days if the issue is straightforward and requires no investigation. If you are dissatisfied with our response you can ask us to consider your complaint at stage one.

## Stage 1: Investigation

The Commission will investigate your complaint if you were not satisfied with our 'first line resolution' response, or the issue is complex or serious. We will acknowledge your complaint within 10 working days and give you a decision normally within 20 working days or as soon as reasonably practicable. The decision will be communicated to you in writing.

## Stage 2: Appeal

If you remain dissatisfied following our stage one response, you may make further representation to the Chief Executive in writing within 20 working days of receiving the written response. The Commission aims to respond to you normally within 20 working days or as soon as reasonably practicable. This decision may involve independent investigation, will be communicated to you in writing and represents the final stage of consideration within the Commission.

## External

Should you remain dissatisfied with the final decision or the way your complaint was handled you can consider making a complaint to the Northern Ireland Public Services Ombudsman. Details will be included with our final decision.

# Freedom of information and data protection

## Data Protection

The Charity Commission for Northern Ireland is responsible for registering, regulating and reporting on the charity sector in Northern Ireland. As the charity regulator, we are lawfully required to collect and process personal data in order to achieve our statutory objectives, functions and general duties.

Any personal data you give us will be held securely and in accordance with data protection rules and principles. Your personal details will be treated as private and confidential, and will only be retained for as long as is necessary in line with our [retention policy](#). The information will be safeguarded and will not be disclosed to anyone not connected to the Commission unless:

- you have agreed to its release,
- the Commission is legally bound to disclose the information
- the Commission regards disclosure as necessary in order to properly carry out its statutory functions

The Commission may also disclose information or personal data to other relevant public authorities where it is lawful to do so and where, for the purposes of national security, law enforcement, or other issues of overriding public interest, such disclosure is necessary.

We will ensure that any disclosure made for this purpose is lawful, fair, considers your right to privacy and is made only to serve the Commission's statutory objectives as a regulator.

When you provide the Commission with information used to carry out its functions, you are obliged to comply with section 25 of the *Charities Act (Northern Ireland) 2008* which means that it is an offence to provide information which is false or misleading. In respect of your personal data we expect any data which you give us to be truthful, accurate and up-to-date.

For further information, you may wish to read the Commission's [Privacy notice](#) which details what to expect when the Commission collects and processes personal information, including your rights in relation to that processing if we hold your information.

## Freedom of Information

*The Freedom of Information Act 2000* gives members of the public the right to know about and request information that we hold. This includes information received from third parties. If information is requested under the Freedom of Information Act we will release it, unless there are relevant exemptions. We may choose to consult with you first. If you think that information you are providing may be exempt from release if requested, please let us know.

**Further information on our activities is available from:**

**Charity Commission for Northern Ireland  
Marlborough House  
Central Way  
Craigavon  
BT64 1AD**

**[www.charitycommissionni.org.uk](http://www.charitycommissionni.org.uk)**

**Email: [admin@charitycommissionni.org.uk](mailto:admin@charitycommissionni.org.uk)**

**Tel: 028 3832 0220**

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