

Making a complaint about our services

Guidance on raising a complaint about service standards in the Commission



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

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 explains 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.

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. 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 has several stages in the complaints procedure. 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 five 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 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 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 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 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. 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 the customer complaint the decision is that the Charity Commission acted appropriately.
- Explanation – details of what happened and/or what went wrong.
- Apology – where appropriate the complainant may receive a full apology.
- 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

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. The Department may consider an issue where the complaints are so numerous, or the subject sufficiently high profile and/or sensitive, as to make departmental involvement appropriate. However, it will not look at any casework decision, investigation or other action taken by the Commission in exercise of its statutory duties and powers which is covered by a right of decision review and/or appeal under charity or other law.

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.

The Commission keeps a record of each complaint it receives, which supports our ongoing evaluation and learning processes.

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 who are 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 '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 5 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 5 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 within 20 working days of receiving the written response. The Commission aims to respond to you normally within 30 working days or as soon as reasonably practicable. This decision 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.

Further information on our activities is available from:

**Charity Commission for
Northern Ireland
257 Lough Road
Lurgan
Craigavon
BT66 6NQ**

www.charitycommissionni.org.uk

Email: admin@charitycommissionni.org.uk

Tel: 028 3832 0220

Fax: 028 3834 5943

TextPhone: 028 3834 7639

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