



Complaints Policy

Purpose:	This policy explains the MS Society's approach to complaints about any of our functions, activities or services.
Region:	UK-wide
Scope:	All staff and volunteers
Lead Officer:	Head of Governance
Responsible Director:	Chief Executive Officer
Key Consultation:	Head of HR; Customer Services and Central Administration Lead; Head of Strategy and Planning (Income Generation); Data Governance Manager
Approver	Executive Group
Committee review	Not applicable
Last Approval	2022
Approval Cycle	3 years
Next Approval	2025

Introduction

1. Purpose and scope

- 1.1. We are committed to providing high quality services. We want our services to achieve the highest standards in all that we do, no matter what the service is or where it takes place, but we realise that sometimes we will get things wrong, or that not everyone will agree with what we do. One of the ways in which we can continue to improve is by listening and responding to feedback.
- 1.2. We receive many comments that are suggestions, or expressions of satisfaction or points of disagreement; these are opportunities for organizational learning, and a record is normally kept, however while we will acknowledge comments, the response is not part of the formal process covered by this policy.
- 1.3. A complaint, however, is dissatisfaction with a service received, or a claim that we have failed to meet expected standards, a relevant Code of Practice, law or a regulation. A complaint requires a formal response and a record to be kept, and may require an investigation. It also provides an opportunity for organizational learning and change.
- 1.4. This policy applies to individuals and organisations, from outside the MS Society, wishing to complain about the performance of our services, their experience as a supporter, our fundraising activities, the suitability of our campaigns, our policies and procedures, or the conduct of employees,

volunteers, contractors and third parties working with or representing the MS Society.

- 1.5. We also have separate policies and procedures for issues or concerns about someone's experience or activities as an employee, volunteer, contractor or agency worker and for contractual disputes. We will advise you if a different policy or procedure is appropriate instead of this policy. We might also choose to deal with a complaint under one of those other policies or procedures if we believe that is appropriate in light of the feedback you have given.

2. **Policy Principles**

- 2.1. We are committed to ensuring we are providing high quality services and a supporter experience that meets the needs and expectations of people with and affected by MS and other stakeholders. We want to be able to make sure we are maintaining our high standards, and so if something has gone wrong we want to know so that we can prevent it happening again.
- 2.2. We want to make sure that everyone feels able to raise their concerns or let us know when they don't feel we have met expectations or the standards expected of us, and submit a complaint if necessary. We also want everyone to know that we will take their concerns seriously and respond in a timely and appropriate manner.
- 2.3. The underlying principles of this policy are therefore to ensure that:
 - This policy and our complaints process are transparent and easily available on our website or, if requested, through other channels.
 - Ways of contacting us are accessible and as easy as possible. We will take steps to meet any requests for reasonable adjustments needed to submit a complaint, or to provide responses in other formats.
 - We always respond when people contact us and where concerns are raised, or a complaint submitted, we investigate thoroughly, fairly and within a reasonable timeframe, in line with this policy.
 - In dealing with a complaint, we communicate promptly and politely, and people raising concerns or complaints are treated with respect, courtesy and fairness. We expect our staff and volunteers to be treated in the same manner.
 - We learn from complaints and use findings to improve our services, activities and processes.
- 2.4. Where it is unclear whether a communication is a complaint, we will endeavour to confirm this with you, in so far as we can. If the communication or comment is made anonymously, we may not be able to treat it as a complaint under this policy, or provide a response.
- 2.5. We will not tolerate threatening, abusive or unreasonable behaviour by any complainant. Such situations are rare, however should they happen, we will

inform the individual that their behaviour is not acceptable. If they continue to behave in an unacceptable manner we will cease communication with them immediately, and may not look any further at their original complaint.

- 2.6. Where the behaviour is so extreme it threatens the immediate safety and welfare of our staff or volunteers, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

3. Roles and Responsibilities

- 3.1. **Executive Group:** The Executive Group is responsible for ensuring we have an appropriate approach to complaints management and reporting in place, and approves this policy. Individual Directors are responsible for ensure the policy is implemented in their directorates.
- 3.2. **Heads:** Heads of functions are responsible for ensuring their teams are aware of the policy and the procedure for managing complaints, including the correct channels for forwarding complaints to when received.
- 3.3. **Head of Governance:** As the policy lead, responsible for ensuring an appropriate complaints policy is in place and maintained as a core corporate policy.
- 3.4. **Central Admin and Customer Services Team (CST):** The CS team is responsible for the day-to-day recording of complaints received by the team, and supporting teams to record complaints received, on centralised systems. The CST Team monitors the management and response times of complaints recorded on centralised systems. The Team Lead is responsible for compiling a quarterly report for the Executive Group on number and types of complaint received, including any themes.
- 3.5. **All staff:** All staff are responsible for knowing how to recognise when a complaint has been received, and following the process for recording and responding, as a complaint owner, as well as the procedure for escalation.

4. Record-keeping, monitoring and reporting

- 4.1. Records of all complaints received and the responses provided will be held centrally on Raisers Edge (the organization's customer records management system).
- 4.2. An anonymised monthly report for fundraising complaints will be prepared by the CS team and circulated to the Heads of fundraising functions.
- 4.3. An anonymised summary report on the number and type of complaints received across the organization (including fundraising) will be prepared by the CS team and considered by the Executive Group on a quarterly basis.

- 4.4. An annual report will be taken to the Audit, Risk and Finance Committee and Board to monitor levels and identify any emerging trends.
- 4.5. We will comply with the reporting requirements of the Charities (Protection and Social Investments) Act 2016.
- 4.6. **Data Protection:** When an individual makes a complaint, we will process any personal data collected in accordance with our Data Protection Policy. Data collected from the point at which the individual makes the complaint is held securely and processed only for the purposes of dealing with the complaint and for related compliance and legal purposes. Data used for reporting on complaints will be anonymised.

Version control	

Complaints Procedure - external

1. How to submit a complaint

- 1.1. It is usually best to contact the team that is providing the service, whether at local or national level, as they are best placed to respond to complaints. In the first instance, we would hope to resolve the issue or problem identified directly with the team concerned. They will often be able to put things right very quickly and simply.
- 1.2. If you do not know who to contact or do not feel comfortable raising it in the way suggested then please phone us on 0300 500 8084, send an email to supportercare@mssociety.org.uk or write to Supporter Care at:

MS Society
Carriage House
8 City North Place
London N4 3FU

- 1.3. When submitting a complaint please state clearly and briefly:
 - a brief summary of what happened
 - when and where it happened
 - who was involved
 - what outcome you would like to see
 - your name and details of the best way to contact you
- 1.4. Complaints submitted through social media or our digital channels will be managed in the same way as complaints received by email, letter or telephone. Where these are publicly viewable and a simple response can be provided, we will do this publicly, but we may ask you to contact us directly to provide further information on the issues raised. If a complaint raised on a public forum relates to an individual or is otherwise sensitive in nature, or includes abusive or threatening language, we reserve the right to remove a public post and respond to you directly.
- 1.5. **Data Protection:** When an individual submits a complaint, we will process any personal data collected in accordance with our Data Protection Policy. Data collected from the point at which the individual makes the complaint is held securely and processed only for the purposes of dealing with the complaint and for related compliance and legal purposes. Data used for reporting on complaints will be anonymised.

2. Process for responding to complaints

- 2.1. When a complaint is received and the issue has not been able to be resolved directly with the team concerned, or it is of a level of complexity or seriousness that more detailed investigation is needed, the complaint will be centrally logged and passed to the most appropriate person to respond.

- 2.2. We will contact you within seven days to confirm we have received your complaint and give you the name of the person who will be responding more fully. It may be necessary for that person to contact you for further information. We will usually use the same method that you chose to contact us by to respond.
- 2.3. We will provide a response to your complaint as soon as we are able to and our aim is to gather any further information that is needed and to respond to you within a further 21 days. Where this is not possible, we will let you know when you will receive a full response by.
- 2.4. All complaints will be treated with an appropriate degree of confidentiality, and information will only be shared with staff and volunteers as necessary to assist in understanding what has happened and to respond.

3. If you wish to take the matter further

- 3.1. If, after you have received our response, you still think that the matter has not been resolved, you can ask for this to be reviewed, within 6 months, by contacting our governance team at governance@mssociety.org.uk or by writing to:

Head of Governance
MS Society
Carriage House
8 City North Place
London N4 3FU
- 3.2. You should include information on the original complaint submitted and the reasons why you are not happy with the response received. Your comments will then be passed to a senior manager (who has had no previous dealings with the issue) and they will look at the issue further.
- 3.3. You will be informed in writing within seven days who that person is and when they will respond to you. You will receive their response, in writing, giving you the findings and recommendations in answer to your comments within a further twenty-one days.
- 3.4. This is the final stage of the MS Society's response.

4. How to make a complaint about the MS Society to an external regulator

- 4.1. If you feel you want to refer your complaint to an external regulator you are entitled to do so. Contact information for the charity regulators in each nation of the UK (the Charity Commission for England and Wales is our lead regulator), the Fundraising Regulator and the Information Commissioner's Office are provided below.

Charity Commission for England and Wales
PO Box 1227

Liverpool
L69 3UG
0845 3000218
<https://www.gov.uk/government/organisations/charity-commission>

Office of the Scottish Charity Regulator

2nd Floor, Quadrant House
9 Riverside Drive
Dundee
DD1 4NY
01382 220446
info@oscr.org.uk
<http://www.oscr.org.uk>

Fundraising Regulator

2nd Floor CAN Mezzanine Building
49-51 East Road
London, N1 6AH
0300 999 3407
<https://www.fundraisingregulator.org.uk/>

Scottish Fundraising Adjudication Panel

c/o The Scottish Charity Regulator (OSCR)
2nd Floor, Quadrant House
9 Riverside Drive
Dundee, DD1 4NY
0808 164 2520
info@goodfundraising.scot
<https://www.goodfundraising.scot/>

ICO (Information Commissioner's Office)

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
0303 123 1113
casework@ico.org.uk
<https://ico.org.uk>

- 4.2. In most cases the external regulator will expect you to have contacted us first and followed this process to try to resolve the issue.

5. Vexatious or unreasonably persistent complaints

- 5.1. Responding to a complaint is generally a straightforward process. In a small number of cases, people pursue their complaints in a way that can either impede the investigation of their complaint or can have significant resource issues for us, such as by submitting repeated complaints and requests on the

same issue (unreasonably persistent) or by making groundless complaints, with the intention of causing distress, detriment or harassment (vexatious).

- 5.2. If the complainant is persisting because their complaints have not been considered in full then we must address this, which is usually through the review process.
- 5.3. If the matter has been fully considered, however, and this has been communicated to the complainant, then we need to consider whether the complainant is now unreasonably persistent or vexatious.
- 5.4. Such complaints will be flagged with the Head of Governance and Executive Office who will, with the Chief Executive and/or another appropriate Executive Director, determine if a complaint is vexatious or unreasonably persistent and, if so, notify the complainant, in writing, of the reasons they have been classified in that way and the action to be taken.
- 5.5. The Chief Executive and/or Executive Director will decide how best to deal with such complainants. This may include seeking to agree boundaries and appropriate behaviours with the complainant that need to be adhered to before the complaint will be investigated further, or may result in the decision to decline all further contact. Where the decision is to cease further contact this will be communicated to the complainant in a letter outlining the reasons for the decision.



Managing Complaints – internal procedure

Complaint handling guidance

1. Recognising a complaint
2. Recording a complaint
3. Complaint ownership
4. Response times
5. If the supporter is unhappy with the complaint response
6. Monitoring a complaint
7. Complaints reporting

1. Recognising a complaint

At the MS Society, a complaint is defined when a supporter or member of the public expresses '**a dissatisfaction of service received**' by the MS Society, or claims that we have failed to meet an expected standard, a relevant Code of Practice, law or a regulation. A complaint is a negative concern about the MS Society, its policy, services, fundraising activities, staff or volunteers, even if no response is required.

The supporter does not need to use the word 'complaint' in order for a complaint to be recognised. They can make a complaint by email, letter, over the phone, on social media or in person – a complaint does not have to be submitted in a particular format.

The action taken and response given to the complaint may differ depending on the nature of the complaint. A complaint does not need to be made formally for it to be dealt with in line with the Complaints Policy and this procedure.

A complaint should be recorded if it meets the definition given above whether or not the MS Society agrees that the complaint is justified.

2. Recording a complaint

When a complaint is received and recognised, it should be recorded straight away. All MS Society complaints should be recorded on the Raiser's Edge (RE) database. This applies regardless of whether the person making the complaint is currently on our database.

The information recorded should be limited to that which is directly related to the complaint being made, including: the name and contact details of the individual who has made the complaint, the date it was received, who the complaint owner is, a summary of the key points of the complaint made and actions taken to respond or address the issue raised. Correspondence with the complainant should be captured within the RE record.

If you do not use RE within your role, you can ask the Customer Services and Central Administration Team (CST) to add a complaint to RE on your behalf. A copy

of the complaint (or details if verbally given) will be needed and details of who will respond and a copy of the response (or details if verbally given) will also be needed.

3. Complaint ownership

When a complaint comes in, a decision will need to be made by the staff member receiving the complaint as to who will be responsible for responding to the complaint (the "complaint owner"). If you need guidance, please speak with your direct line manager in the first instance. If further guidance is needed, please speak to CST. If necessary, they may direct you to other departments such as the Governance and Executive Office team.

Many complaints are informal and simple in nature, and can be dealt with by an officer. More formal or complex complaints or complaints which cover multiple issues should be responded to by a more senior member of staff.

If the complaint is about a staff member or a very personal matter, it needs to be responded to by a more senior member of staff. It should not affect how the complaint is recorded but please be aware that any details entered onto RE would need to be made available to the person it relates to if requested through a subject access request.

Any complaint received addressed to the CEO will always need to have the approval of the CEO's Office before a response is sent and the response will need to include a line to reference that the CEO has asked the person to respond on their behalf. The EA Team should be contacted at the point of deciding who is responding so that they can be kept in the loop.

All handling of the complaint is the responsibility of the complaint owner, who is the person who first received it, or the person who will be responding to it once handed over.

4. Response times

Sometimes the person making the complaint may say that no response is needed. However, the complaint and any action taken or explanation for the issue should still be recorded on RE.

Some complaints, especially where informal, can be responded to within a very short time-frame (e.g. at the original point of contact), but others may take longer to investigate. If the complaint cannot be fully responded to within 7 days* then a receipt/acknowledgment should be sent to the person who made the complaint. The acknowledgement should detail who will be responding and that a full response will be provided within 21 days of the complaint being received. This holding response should ideally be sent by the person who initially received the enquiry or the person who will be responding more fully. On occasion, it may be suitable for the CST to send a holding email on another staff member's behalf, but this should be agreed between both teams first as it may not be appropriate.

All complaints should be fully responded to within 21 days*. If it will take longer than this, this should be communicated to the person who made the complaint and

an estimate of when the complaint will be fully responded to should be provided, before the 21-day stage has passed, to keep the complainant updated.

**NOTE: 'Days' refers to calendar days as opposed to working days.*

5. If the complainant is unhappy with the complaint response

If the complainant is unhappy with our response or the actions we have taken as a result of their complaint, the Head of Governance should be informed. Further guidance will be given by the Head of Governance as to who should respond (usually a senior manager who has had no previous dealings with the issue).

The complainant should be informed in writing, within 7 days, of the person that will be dealing with the complaint and provide an estimate of when the full response will be sent. This should be sent by the Head of Governance, the senior manager who will provide the full response or the person who received the complaint.

A full response should be sent in writing within 28 days of receiving the complaint. If it will take longer than this, this should be communicated to the person who made the complaint, ideally in the written acknowledgement, but this can happen at any time before the 28-day stage to keep the supporter updated.

Any response at this stage should detail that it is the final stage of the MS Society's response.

6. Monitoring a complaint

Any complaint which is logged on RE and has the status left as 'pending' (i.e. it has not had a response) will be monitored by the CST to ensure its completion.

Please note that the CST are not responsible for a complaint's management or completion (unless they are directly responding), or ensuring the RE is kept up-to-date, as this lies with the person who is responding to the complaint. The CST will run a report of all open complaints on a monthly basis, which will be circulated to the Leadership Group. Heads will be responsible for following up on progress with outstanding complaints within their areas to ensure these are being actively managed.

If no response has been sent to a complainant within 28 days and no update has been given to the CST as to why this is, the CST Manager will then take on monitoring this complaint from the team and contact the complaint owner to seek a response. The CST Manager will also contact the complainant to provide an update if necessary. The quarterly reports to the Executive Group will highlight complaints that are past the response times for further escalation with the relevant team.

7. Complaints reporting

The CST Lead regularly produces a complaints report to track the complaints we have received as an organization. These are:

- Monthly reports on all complaints, shared with the Leadership Group, including fundraising complaints
- Quarterly organization-wide reports for the Executive Group, highlighting outstanding or overdue complaints
- Annual Report for the Audit, Risk and Finance Committee and Board (with the Head of Governance)

If you have any questions about this guidance, please speak to the Customer Services and Central Administration Team or the Head of Governance.