

## GambleAware Complaints Procedure

**Created:** February 2023 and approved by the Resources Committee Spring 2023

**Scope:** This procedure is created to set out (1) how any complaint made by third parties in relation to any GambleAware activity will be managed and (2) how GambleAware will manage complaints about its commissioning role in relation to any commissioned service or activity.

This procedure is not designed to deal with GambleAware employment disputes as these will be better dealt with via the internal disciplinary, grievance or whistleblowing procedures. It is also anticipated that the vast majority of complaints relating to service provision will be primarily managed directly by the providers of such services. GambleAware, in its role as Commissioner, will receive information about providers' complaint handling processes and where appropriate will receive and/or request reports and updates about specific complaints.

**Responsibility:** The Chief Operations Officer is responsible for this procedure working in consultation with other senior management and/or external experts, where indicated in the procedures below. Other roles and responsibilities are stated within the procedure.

GambleAware is an independent charity whose trustees are responsible to the Charity Commission. If you have concerns about the ways in which GambleAware is conducting its business, please e-mail [info@gambleaware.org](mailto:info@gambleaware.org) with as much information as possible to allow us to investigate.

GambleAware will ensure that those who raise concerns, issues and suspicions about its commissioning role or about the activity of GambleAware staff members and representatives can be confident that information will be treated with appropriate care, on a need-to-know basis, and acted upon appropriately. We will not disclose your identity without your consent unless there are legal reasons that require us to do so.

As a Commissioner of services, we will respond to complaints about how the commissioning role has been undertaken. There may be occasions where we may direct your complaint to the direct provider of the relevant services as this may be a more effective way to respond to your complaint. As a Commissioner, GambleAware may monitor the outcomes for certain complaints where to do so would inform quality reviews and enable lessons learned across the sector.

GambleAware does not usually get involved in individual complaints about providers but if you wish to bring a more general issue around the quality of provider complaint handling or matters you consider we should be aware of as Commissioner of their services, then we would be happy to hear from you at [info@gambleaware.org](mailto:info@gambleaware.org). GambleAware considers that timely and empathetic complaint handling is an essential requirement within all the services it commissions and it closely monitors this aspect to ensure quality and continuing improvements.

As an employer, internal complaints will usually be more effectively handled through the Grievance or Whistleblowing Procedures.

If you are not happy with how GambleAware deals with your complaint, please follow the Government's advice on the relevant authority to contact which can be found [here](#).

## 1. Complaints Policy Statement

### GambleAware confirms that

- It is dedicated to commissioning a high standard of services to service users and to dealing respectfully at all times with every stakeholder;
- It will take seriously any concern or complaint and will look into it promptly, for resolution as quickly as possible;
- It recognises that all commissioned service users, agencies and organisations should;
  - have the right to raise concerns or complaints about commissioned services;
  - have access to clear information on how to voice complaints and concerns;
- It will keep a register of all complaints, which will be reviewed regularly by the Board of Trustees;
- The complaints procedure will be part of the process of monitoring the quality, effectiveness and non-discriminatory nature of its commissioned services
- All staff, volunteers and Board of Trustee members are required to read, understand and comply with this policy and its procedures.

## 2. Introduction

2.1 GambleAware strives for high standards in commissioned service delivery and welcomes feedback from individuals, stakeholders, funding bodies and anyone who works with us, on all aspects of our work. Such feedback is invaluable in helping us evaluate and improve our work.

2.2 The objectives of this complaints policy and procedures are to:

- Ensure that everyone knows how to make a complaint and how a complaint will be handled;
- Ensure that complaints are dealt with consistently, fairly and sensitively within clear time frames;
- Provide individuals with a fair and effective way to complain about our work;
- Ensure that complaints are monitored to improve our services.

## 2.3 GambleAware will ensure that it will:

- Listen carefully to complaints and treat complaints as confidential, where possible;
- Record, store and manage all complaints accurately and in accordance with the Data Protection Act;
- Investigate the complaint fully, objectively and within the stated time frame;
- Notify the complainant of the results of the investigation and any right of appeal;
- Inform the complainant of any action that will be implemented in order to ensure that there is no re-occurrence;
- Report on an annual basis, the number of complaints received, the outcomes and any actions taken.

## 3. Definition of a complaint

3.1 A complaint is any expression of dissatisfaction by an individual, whether justified or not. It may be written or verbal. A complaint may be made via a social media site in which case the Communications Team will notify the Chief Operations Officer.

3.2 An individual may make a complaint if they feel GambleAware has:

- Failed to commission a service appropriately or provide an acceptable standard of service or made a mistake in the way commissioning was undertaken;
- Failed to act in a proper way, behaved disrespectfully or failed to safeguard an individual;
- Provided an unfair commissioned service.

## 4. Concern or Complaint

4.1 It is important to establish the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the likelihood of their developing into formal complaints.

4.2 If you have any concerns about our work please tell a staff worker or their manager as soon as possible, so they can quickly understand your concerns and try to put things right.

4.3 If you are not happy with the response to your concern and/or you want to make a formal complaint please follow the procedure below.

## Complaints Procedure

### 5. Complaints Procedure

5.1 GambleAware aims to settle the majority of complaints quickly and satisfactorily by the member of staff that you have dealt with (if applicable). The complaint may be resolved quickly by way of an apology or by an acceptable explanation to the individual.

5.2 There are two stages to the complaint's procedure:

Stage One – the complaint and the investigation

- Appeal or referral to CEO/ Trustees

### 6. Stage One - Complaint

6.1 The complaint can be written or if the individual prefers, they can tell someone at GambleAware, or someone else, who will write it down for them.

6.2 The complaint should include the complainant's contact details, the nature and date of the complaint and how they want to see it resolved.

6.3 On receipt, each complaint will be allocated a reference number and logged on the complaints register. Complainants must receive an acknowledgement within 5 working days of receipt of a signed complaint.

6.4. Any complaint which refers to a Safeguarding incident should involve an immediate reference to the Designated Lead safeguarding Officer (DLSO).

### 7. Stage One – Investigation

7.1 All complaints at this stage should be dealt with by the Chief Operations Officer and, if necessary, additional experts within GambleAware staff membership who are not conflicted. External legal advice may be obtained. If those investigating need to meet with the complainant, they will aim to do so within fourteen working days of receiving the complaint.

7.2 Complaints will be fully investigated, and a written response provided to the complainant within two months by the investigator.

7.3 The complainant will receive written confirmation of the outcome of any investigation any recommendations/remedies made, such as reviewing of policies, staff development and training or appropriate improvement to our services.

7.4 Where the complaint is upheld an apology should be offered.

7.5 Occasionally investigations may take longer, particularly if the complaint is complex. Should this be the case a holding letter will be sent after twenty-one working days and a final date given for a conclusion to be reached.

7.6 If an individual remains dissatisfied with the outcome from Stage One they can appeal within fourteen working days of the date of the outcome and progress to Stage Two.

7.7 The complaints register will be updated, and any pending complaints flagged so they are followed up.

7.8 If the complaint is about the Chief Operations Officer or the Chief Executive then the matter will be discussed with two Trustees.

## **8. Stage Two: Appeal stage**

8.1 If the complaint cannot be resolved to the complainant's satisfaction at Stage One, then subject to Section 7.8. it will be referred to the Chief Executive.

8.2. The Chief Executive Officer and/or Trustees will review the Stage One investigation and recommend one of the following actions within twenty-one working days (from the date the complainant stated they wanted to take the complaint to Stage Two):

- Uphold the action taken at Stage One
- Make changes to the Stage One recommendation/actions

8.4 The complainant should be informed in writing of the outcome of Stage Two, the decision reached about this complaint will then be final but other options available to the complainant (as listed below) should be detailed in the letter.

8.5 If after GambleAware has been through the two stages and the complainant is still not satisfied with the result, they should be advised that there is no further right of appeal but they could approach any of the following agencies for advice:

- A solicitor
- Citizens Advice Bureau
- The Charity Commission

## 9. Anonymous complaints

Complaints received anonymously will be recorded and considered as far as possible, but action or investigation may be more limited if further information is required to ensure a full and fair investigation.

## 10. Data protection

10.1 To process a complaint GambleAware will hold personal data about the complainant, which the individual provides, and which other people give in response to the complaint. We will hold this data securely and only use it to address the complaint. The identity of the person making the complaint will only be known to those who need to consider the complaint and will not be revealed to other people or made public. However, it may not be possible to preserve confidentiality in some circumstances, for example, where relevant legislation applied or allegations are made which involve the conduct of third parties.

10.2 GambleAware will destroy complaints files in a secure manner as part of its destruction policy which will be approximately six years after the complaint has been closed.

## 11. Monitoring

11.1 Complaints are an important tool which, alongside data provided by exit surveys, stakeholder surveys, user feedback and focus groups, will allow us to learn about the services we provide. They provide a useful source of information about how individuals see our services and how we are serving them. To ensure we can learn from complaints the following data will be collected:

- Name and address
- Name of person dealing with the complaint
- Date of complaint and response
- Nature of complaint
- Action(s) taken/recommendations made in response to the complaint.

11.2 Complaints information will be considered by the Executive Team and reported to GambleAware Board of Trustees on an annual basis. Wherever possible the data will be used to improve and develop the service.

## 12. Complaints not covered by this Policy

The following complaints may (or will) be better handled elsewhere:

1. Fundraising complaints- contact the Fundraising regulator, <http://www.fundraisingregulator.org.uk/complaints/>
2. Gambling Operator complaints- contact the [Gambling Commission](#)
3. Treatment providers- generally better handled by the Provider direct - at least in the first instance.
4. Advertising complaints - <https://www.asa.org.uk/make-a-complaint.html>
5. Serious concerns about another charity's operations: [charitycommissionraising-concerns](#)  
There is a different process for reporting serious concerns about charities in Scotland and Northern Ireland.