

Client Complaints Procedure: Immigration

Note: This procedure mirrors our Citizens Advice Complaints Policy

Our approach to complaints

We always aim to ensure that everyone who comes to see us receives the quality advice they need to be able to progress and help resolve their issue at hand. We want our clients to experience a service which is empathetic, compassionate, and non-judgemental, while dealing with issues that could be upsetting or stressful.

If you feel that the service you have received does not meet the high standards that we strive to uphold, we want to hear from you. We always try to ensure that you are placed the centre of your complaint, and we will treat your complaint confidentially, seriously, and promptly, while also learning how we can improve as a service.

Informal Resolution

We appreciate that in some instances we can resolve an issue and put things right. If you prefer for us to review the situation in an informal matter to see if there is more we can do for you, please contact your adviser in the first instance, to see if the matter can be resolved quickly, or email feedback@citizensadvicebcp.org.uk.

Informal resolution may include:

- an apology
- an explanation by a manager
- referral to another agency
- making an appointment.

How to make a formal complaint

To submit a formal complaint, please send details of what you believe has gone wrong in an email to our Chief Executive

Officer: tom.lund@citizensadvicebcp.org.uk. You can also send your complaint

in writing to: Citizens Advice Bournemouth Christchurch and Poole, BCP Civic Centre, Bourne Avenue, Bournemouth, BH2 6DX.

Once received we will review the complaint in detail and investigate to determine what has occurred. The investigation will be conducted and directed by our Chief Executive Officer.

Handling delays	If we experience or expect any delays to the standard time frame under the procedure at any point, we will tell the complainant in writing about this and when they should expect a response. Delays can happen, for example, if you are dealing with an exceptionally complex complaint or key people are on holiday.
Unreasonable client behaviour	The complaints procedure is written assuming that complainants behave reasonably. We do not accept unreasonable complainant conduct, including aggression or demanding behaviour.
Complainants with special needs and disabilities	At all stages of the procedure, we take reasonable steps to find out whether the complainant needs reasonable adjustments to be made. This is so they can still access and use the process effectively if they have a special need or disability.
Insurance claims	If financial loss has been incurred or implied by the client at any stage, the complaints procedure will be suspended. This is because the complaints procedure and an assessment of an insurance claim may be in conflict with each other. In such cases, the complainant will be informed that the complaint is the subject of third party advice.
Information assurance	Information assurance principles should be observed when collecting, storing, using and disclosing personal information obtained in complaint handling.

Local Citizens Advice stage

All complaints must be acknowledged within 5 working days of receipt. An acknowledgement would include:

- Confirmation that the complaint has been received.

- Brief description of how the complaint will be handled including role / name of the person responsible and the timescale for a full response.
- Information about the full complaints procedure, including information about complaining to the Immigration Advice Authority (IAA) at any stage, and how to do so. (see contact details for the IAA at the end of this document).

The second aim of this stage is to investigate what went wrong and provide a full response to the complainant within 8 weeks.

The investigation into the complaint can be delegated, but not to anyone implicated or involved in the issue.

After the investigation we send a response to the complainant. The response should:

- cover all of the issues raised
- be signed by the Chair of Trustees
- explain how the client can escalate their complaint to be reviewed by the Citizens Advice Client Services team
- be impartial - each complaint should be approached with an open mind, and the facts and contentions in support of a complaint should be weighed objectively
- be confidential - a complaint should be investigated in private and care should be taken when disclosing to others any identifying details of a complaint
- be transparent - a complainant should be told about the steps in the complaint process and be given an opportunity to comment on any information that might be evidence against their complaint

Citizens Advice stage

A complainant might escalate their complaint to be reviewed by the Citizens Advice client services team. The client services team reviews the complaint investigation on behalf of the National Chief Executive. The aims of the review are to check:

- the local Citizens Advice has followed the complaints process
- the local Citizens Advice has adequately addressed all issues raised by the complainant
- if the investigation carried out in a fair and transparent fashion

- if there a need for continued or additional advice
- if the conclusions reached fair and reasonable and is there sufficient evidence to support them

The process for Citizens Advice conducting a review

1. The client services team will acknowledge the review request within 5 working days and ask the local Citizens Advice to send a copy of the client's complaint file, which must include letters, emails and notes of the investigations carried out at earlier stages.
2. The client services team might require notes from the case management system when associated with the complaint (normally Casebook).
3. The complaints file should be sent within 5 working days of their request. The client services team might have questions for you and may also contact the client during the complaint review to clarify outstanding issues.

The Citizens Advice review will not usually comment on the advice that was given, although it may comment on the advice process followed. It may direct you to offer further advice to the client if there are concerns that incomplete advice was given.

If the review shows that the advice that we gave to the client was insufficient or negligent and can't be dealt with by inviting the client back to the Citizens Advice we will raise this separately with the chair. The Citizens Advice review will advise on what steps to take. The Citizens Advice review also raise with the chair, in writing, any other issues which we have assessed as needing action, but that aren't suitable to include in the main body of our report such as concerns over supervision or case recording standards. This type of correspondence will come from our Performance and Quality department and may ask for formal confirmation that we have taken a specific action as a result of an observation made in the Citizens Advice review.

A copy of the Citizens Advice review is sent to the client and the chair and copied to the relevant relationship manager. The review will include information about IAA where relevant.

We will also provide details of the final stage of the procedure, an independent adjudicator review, to the complainant. Complaints can only progress to an independent adjudicator review if there are areas of the original complaint that were not upheld in the Citizens Advice review.

Independent adjudicator review stage

The final stage in the Citizens Advice complaints process is a review conducted by an adjudicator who has no connection with the Citizens Advice service other than this particular role. We will be advised that an independent adjudicator review has begun. The independent adjudicator, once informed, will conduct a review of the investigation.

The request for an independent adjudicator review should be made by the client within 4 weeks of receiving the Citizens Advice review. Requests submitted outside of this period will be considered as a reasonable adjustment or if there are extenuating circumstances.

The adjudicator may contact the client and / or the local Citizens Advice during this review, for further information. This review will only address whether the investigation so far has been conducted in line with stated procedures and whether it has been handled fairly. The adjudicator will not comment on the substance of the complaint.

If the adjudicator finds that the stated procedure was not followed or that the matter has not been handled fairly, they will specify why and may give directions for a re-investigation.

Citizens Advice will send the full report of the independent adjudicator to the complainant and the chair of the trustee board. The decision of the independent adjudicator is final in most cases, although discussion may continue between the local Citizens Advice, Citizens Advice and the client as to how exactly any recommendations might be implemented.

Citizens Advice advises complainants who wish to escalate their complaint to the adjudicator that the independent adjudicator review stage does not have a fixed deadline, unlike the earlier stages.

Claims against Local Citizens Advice

Where you or Citizens Advice believe that negligent advice may have been given to a client or they have incurred financial loss, the case must be referred immediately to our insurers. We must also refer cases where the client alleges they have suffered financial loss or makes a clear threat of legal action or a claim for compensation. We confirm we have Professional Indemnity Insurance to meet any relevant claims.

Where there is potential or actual legal action, we must not continue with the standard complaints procedure. This is because the assessment of a potential claim and the complaints procedure may come into conflict. In some cases, some aspects of the complaint should be handled following the claims handling process.

Communication concerning a claim will be made by the insurance brokers through the local Citizens Advice to the claimant.

IAA (Formerly OISC)

Please note that if you are not satisfied with our response to your complaint or if you do not wish to complain direct to us, you may at any time complain directly to the Immigration Advice Authority (IAA). Below are the ways you can complain to the IAA.

1. Submit it through [The IAA Complaints Portal](#)
2. Email your complaint to: complaints@immigrationadviceauthority.gov.uk
3. Download and complete the complaints form: [IAA Complaint Form-Complain about an adviser](#) and email it with any supporting evidence to: complaints@immigrationadviceauthority.gov.uk
4. Send it by post to:

IAA Complaints Team
PO Box 567
Dartford
DA1 9XW