

## ROKPA TRUST INTERNAL PROCEDURES FOR COMPLAINTS' MANAGEMENT

1. The Complaints' Policy and Procedure in force will, from time to time, be published on the Samye Ling and Branch websites.
2. On at least an annual basis trustees, volunteers and staff will be reminded of the complaints' management policy and procedures and receive training as may be necessary.
3. The complaints' procedure will be explained as part of the induction process for new trustees, volunteers and staff.
4. Complaints received by volunteers and staff must be promptly referred to the relevant Samye Ling / Samye Dzong / Branch management who are responsible for dealing with the complaint in the first instance.
5. Rokpa Trust (including each of the centres and branches) will maintain a Complaints' Register in the form set out at **Appendix 1 (Complaints' Register Template)**. All complaints received and actions taken to resolve these will be promptly and accurately recorded in a consolidated Complaints' Register by the Company Secretary.
6. If a Complaint is received that is deemed material or serious (e.g. involves a potential criminal matter or may involve Rokpa Trust in any legal action or to adversely affect the reputation of Rokpa Trust) then it must be promptly reported to the Trustees who will determine the steps to be taken. The trustees have the power to take over from a branch committee the handling of any complaint. If a complaint is addressed to the trustees and they think that it is more appropriate for it to be dealt with locally at branch level, they have the power to refer it to the relevant Samye Dzong branch committee.
7. Criminal complaints:
  - a. If the matter complained of is a criminal offence it should normally be reported to the police and to Rokpa Trust's regulators, unless the apparent offence is trivial.
  - b. If the complainant is the victim of an offence, it should normally be their decision whether to report the matter to the police. Rokpa Trust will never attempt to persuade a complainant not to report a matter which they want to report, and advice should never be given that reporting a matter to the police would be detrimental to the reputation of Rokpa Trust.
  - c. In some cases, the public interest may require a matter to be reported to the police even though the complainant does not want this. In such a situation it should be fully explained to the complainant what information is being given to the police and why.
  - d. Misconduct may technically constitute a criminal offence, but it may be more appropriate to deal with it as an issue of mental health and a committee may decide to report the matter to the Department of Social Services or a mental health agency, rather than involve the police.

8. Written communications in response to serious Complaints must be reviewed and agreed by the Trustees and/or Rokpa Trust's legal advisors. The Trustees will consider whether a complaint needs to be reported to Rokpa Trust's insurers.
9. In the event a Complaint is escalated to the Trustees, they may appoint someone to investigate the complaint and prepare a report for them. The Trustees will then review the report and decide on the appropriate action to be taken. The Trustees will always be mindful of conflicts of interest and any person so appointed must act fairly and impartially obtaining both sides of the story.
10. The trustees are responsible to ensure that any actual or suspected serious incident arising out of a complaint is reported to the Charity Commission as soon as reasonably possible after it happens, or immediately after the trustees became aware of it. Similarly, they are responsible to ensure that any notifiable event arising out of a complaint is reported to the Scottish Charity Regulator in line with prevailing requirements.
11. As far as possible any request for confidentiality by a complainant should be respected. It should be explained that an absolute guarantee of confidentiality cannot be given. There may be circumstances when the information given in purported confidence is of such importance that it has to be passed on. If this happens, it should be fully explained to the complainant what information is to be passed on, to whom it is to be passed on to and why. If possible, agreement from the complainant should be obtained.
12. Any Rokpa Trust employee or volunteer receiving a Complaint will act with courtesy, diplomacy, and professionalism, whatever the circumstances. The following process must be undertaken which will enable Rokpa Trust to gather all related facts, evidence and information relating to the Complaint:
  - Remain calm and polite - even if the complainant is not
  - Establish the facts surrounding a Complaint as quickly as possible
  - Ask the complainant to send a written account by post/email if possible so that the Complaint is recorded in the complainant's own words (although the complainant may prefer to only make a verbal Complaint)
  - Take the complainant's name, contact address, telephone number and email address
  - Listen carefully to the details being given, making a note of all information and relevant dates
  - Confirm the action to be taken and how long it will take (even if that is merely to pass on the Complaint to the Trustees)
  - Ask the complainant to confirm your understanding of the facts and take the opportunity to clarify all necessary details

**DO NOT:**

- Argue - the complainant might be correct (even when appearing to be incorrect)
- Admit liability or apportion blame (judgment must be reserved pending the investigation). Depending on the circumstances an apology may be interpreted as an admission of liability

- Express any opinion in respect of the perceived merits or otherwise of the Complaint in the Complaint’s Register
- Make promises or give undertakings around actions, remediation, or next steps – it is better to say that you will discuss internally and revert to the complainant
- Make any reference to financial or other forms of compensation.

### Sangha

13. Sangha members are subject to the Sangha guidelines which contain their own complaints procedure and disciplinary powers of the Sangha Committee. The Sangha guidelines relate to matters such as Sangha discipline and breach of vows upon which it is not appropriate for the trustees to adjudicate.
14. If a complaint is made against a Sangha member by a lay person or the complaint is about a matter which affects the community as a whole or which might affect the reputation of Rokpa Trust then it should be referred to the Trustees.
15. If the Trustees conclude that the matter ought to be treated as a Sangha discipline issue rather than a general issue for the Trustees, they shall have the power to redirect the complaint to the Sangha Committee. If the complaint is about any form of abuse (sexual, physical, emotional etc) this must be dealt with by the Trustees and not the Sangha committee.

### Review and Oversight

16. The branches’ Complaints’ registers will be reviewed periodically by the Trustees and all discussions related to complaints will be recorded in the minutes of Trustee meetings.
17. The Complaints’ Policy and any associated procedures and protocols will be reviewed by the Trustees at least biennially.

### Appendix 1 (Complaints’ Register Template)

<u>Date complaint made</u>	<u>Date complaint closed</u>	<u>Details of complaint including details of parties involved both internally and externally</u>	<u>Steps taken to resolve complaint</u>	<u>Details of any notifications to external parties</u>
Click here to enter a date.	Click here to enter a date.			