

ANNUAL REPORT

OF THE INDEPENDENT COMPLAINTS REVIEWER

FOR THE CHARITY COMMISSION

2008/2009

ICR office
Seeking a resolution

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The Independent Complaints Reviewer



Jodi Berg is the Independent Complaints Reviewer (ICR) for the Charity Commission and other public bodies, including the Audit Commission and the Homes and Communities Agency. Mrs Berg is a solicitor, a mediator, and a Fellow of the Chartered Institute of Arbitrators. She is a member of the Administrative Justice and Tribunals Council and the Human Tissue Authority. Jodi Berg established the ICR office in 1998. The office now reviews complaints about 8 public bodies.

Foreword

I am pleased to present my Annual Report as the Independent Complaints Reviewer for the Charity Commission for 2008/2009. The independent review service is available free of charge to people who are dissatisfied with the Commission's own response to their complaints. My role is to bring things to a close by agreement, or by giving an authoritative opinion of the Commission's actions. Later in my annual report there are examples of complaints settled in the reporting year.

Complaints about the Charity Commission are wide ranging but, more often than not, they involve dissatisfaction with the way that the Commission exercises its regulatory authority. The introduction of policies incorporating the principle of proportionality into operational procedures has led in recent years to fewer complaints featuring concerns about an over zealous approach on the part of the Commission. More complaints are about a perceived failure to sort problems out for charities. For the most part, I find that casework practice is sound and that decisions are taken in a fair and sensible way, in light of the circumstances. However, there are times when the Commission does not live up to its own high standards, and it is helpful to have an independent viewpoint to ensure that complainants are treated fairly and that the Commission can learn from mistakes.

Last year I reported on the introduction of a pilot scheme to test proposed changes to the Charity Commission's internal complaint process. I am pleased to say that this has been a success and it has been well received by most complainants. As a result, more than half of the complaints made to the Commission this year were settled early on and did not move on to the Customer Service team. Many of those who do take complaints further do so because they have disagreed with a case decision. The new Outcome Review Panel procedure offers them a chance to have senior Commission officers take a fresh look at things and, if necessary, change earlier decisions. This has also proved popular with complainants and has resulted in a decrease in the number of referrals on to me. I am hopeful that this trend will continue.

During the year I visit the Charity Commission's offices to explain my role and to learn about the Commission's work at first hand. This year, I was able to visit all of the Commission's offices, including for the first time the Welsh Office in Newport. I have been impressed with the enthusiasm and professionalism of the staff I have met, who continue to look for new ways to improve the service they provide and ensure that the sector is effectively regulated.

An important development for the ICR office this year has been the agreement of a Memorandum of Understanding with the Charity Tribunal, now published on both our websites. This recognises our mutual interest in ensuring that people with concerns about the Charity Commission's service or statutory decisions are helped to take matters forward in the most appropriate way. Regular liaison with the President of the Charity Tribunal, Alison McKenna, and her senior management team has ensured that the advice we give is timely and up to date. The Charity Tribunal recently became part of the General Regulatory Chamber of the First-tier Tribunal and I look forward to this co-operative approach continuing.

The ICR service could not be effective as a driver for service improvement without the support of the Charity Commission Board and its senior managers and I am grateful for their continued interest. As always, this year I have found it necessary in some cases to challenge the Commission's views about complaints and recommend redress for individual complainants or changes to improve Commission services. All recommendations have been accepted and implemented, demonstrating that people can have confidence that the Commission will respond positively to my investigations and reports and take lessons from

them for the future. The Charity Commission's Customer Service team plays a key role in making this happen, and I thank the members of the team for their efforts on behalf of our mutual customers.

An effective and professional review service relies on the hard work and dedication of its staff. The ICR team are second to none and I record my appreciation to them for all they have done during the year to ensure that the service our office provides meets the highest standards.

Jodi Berg
Independent Complaints Reviewer

Complaining to the ICR

Once the Charity Commission has provided its final response to a complaint, if the complainant remains dissatisfied, they can ask me to review the complaint. I can consider the way in which the Commission has responded to complaints about maladministration, such as a failure in standard of service or unfair treatment. This might include:

- ◆ Delay
- ◆ Discourtesy
- ◆ Discrimination or injustice
- ◆ Failure to follow procedure
- ◆ Not answering complaints fully and promptly

There will be instances where I am unable to review a complaint either because it falls outside of my remit, or there may be no suitable remedy that I can provide that will help settle the matter. In such cases, the ICR staff members give clear information about why we cannot proceed and explain any other options that can be pursued to take complaints forward.

Complaints Statistics

It is important to acknowledge that the Charity Commission receives very few complaints in relation to the volume of work it undertakes and its contact with charities and members of the public. It has a two-stage internal complaints process under which it can consider complaints about the way things have been handled. I referred in my foreword to this report to the reduction in the number of complaint referrals to the Commission's Customer Service Section this year. This was achieved through a welcome emphasis on local resolution, which forms stage 1 of the complaints process.

Of the complaints received by the Commission, only 31 went through to Customer Service for consideration. At this stage, these complaints were categorised as either standard of service complaints, or complaints about operational outcomes. In total the Commission examined and responded to 16 complaints about standard of service, and 12 further complaints were discontinued or taken forward in other ways.

The new Outcome Review Panel process (ORP) had 15 referrals and 9 other complaints about outcome were discontinued. The Outcome Review Panel procedure was designed to respond to dissatisfaction with case outcomes. This does not usually imply maladministration, nevertheless people may feel that the outcome of the matter was unfair or failed to recognise the significance of information they provided about a charity. Operational judgements of this kind are not statutory decisions capable of referral to the Charity Tribunal, however they can determine the outcome of the Commission's involvement.

The ORP procedure has meant that people no longer need to try and shoehorn their complaints into service issues and, as a result, fewer complaints about maladministration have gone forward from Local Resolution. People still have a chance to raise concerns about the ORP process itself with me and this has been the subject of some ICR referrals this year.

For those wishing to challenge the Commission's statutory decisions, the Commission has an internal decision review process, which considers such cases. Since the introduction of the Charity Tribunal, complainants have recourse to judicial decision without having to take the matter to court. The memorandum of understanding between the ICR office and the Charity Tribunal ensures that we can respond appropriately to situations where a complaint relates both to a decision and the standard of service given.

ICR Referrals

In 2008/09 the ICR office received 14 new complaint referrals, 7 of which met our acceptance criteria and proceeded to full review. As always there were cases undergoing investigation at the start of the reporting year and I settled 14 complaints. These incorporated 48 individual elements of complaint. 3 complaint referrals this year related to dissatisfaction with the new ORP process, and an example of a review of a complaint about ORP is given later in my report. 4 reviews were ongoing at year-end.

Allegations of maladministration

Category	Total no. of issues	Upheld	Partially upheld	Not upheld
Advice	2	1		1
Bias	5	1		4
Communication	7	3	1	3
Complaint handling	4		1	3
Cost	1			1
Delay	2	1	1	
Discourtesy	1			1
Discrimination	1			1
E-failure/IT				
Other	3			3
Practice and procedure	15	1		14
Register errors	1			1
Responsiveness	6		1	5
Total	48	7	4	37

The above table shows that a significant number of complaints were about the way in which the Commission exercised its regulatory functions. In particular, there was concern that the Commission was not sufficiently robust in dealing with reported irregularities within charities or concerns about individuals. Following review, most of these complaints were found to be unjustified.

It is not surprising that some complaints are specifically about communication, as poor communication is often at the root of complaints referred to me. I have continued to urge the Commission to ensure that people understand what it can and cannot do and how it goes about its regulatory work. I am pleased to note that the Commission has published updated guidance about the Risk and Proportionality Framework, which explains its approach to such matters. This will help people to understand the way decisions are made, why the Commission uses its regulatory powers sparingly, and what can be expected in their case.

The Commission has continued to act on my reports and implement recommendations I have made. The interest in complaints and the lessons that can be learned goes to the highest level within the Commission.

'I have taken a personal interest in your findings on this case, not least because you are critical of aspects of the Commission's case handling and in particular the preparation and release of responses from my office. Clearly it is imperative that all relevant parts of the business communicate with each other when a complaint is processed'.

Chief Executive of the Charity Commission

Speed of service

The ICR office has challenging speed of service targets. Although we try to deal with matters as quickly as possible, some investigations can take a long time, depending on the complexity of the issues raised and the amount of information to be considered.

Aspect of service	Target
Telephone calls	1 day
Acknowledgement	1 week
General correspondence	3 days
Complete review	26 weeks

Since January 2008, our target completion period has been reduced to 26 weeks reflecting a desire to improve our service, and provide a speedier outcome for the complainant. This year, despite a considerable time gap between the departure and arrival of secondeed investigation officers, the average clearance time achieved was 29 weeks. We are confident that with a full complement of staff this time should reduce considerably. Whilst unnecessary delay can add further inconvenience and stress for a complainant, our experience is that most people want a thorough investigation, no matter how long this takes.

"I feel reassured by the ICR process and am confident in the findings and recommendations made"

Complainant to ICR

Internal complaints

Each ICR report issued explains to complainants how they can raise a service complaint about the ICR office or, if they remain dissatisfied with the outcome of review, how they can refer their complaint to the Parliamentary and Health Service Ombudsman. During the reporting year, across our work for 8 public bodies, we received no complaints about our service.

Cost of the ICR to the Charity Commission

Details of Costs	2008-09	2007-08
Total cost of the ICR service to the Commission, including the ICR's fee, staff salary and contribution to the office running costs	£86,182	£103,760

ICR Overview of the year

Learning about the Charity Commission

During the year I have met with the Charity Commission's Chief Executive and senior managers, and have a regular schedule of meetings with the Commission's Customer Service team. This contact means that the ICR team is well informed about operational changes within the Commission, which helps us to respond to complainants from a position of knowledge and understanding. In turn, my work with other regulators also means that I am able to impart lessons learned from other organisations, which can help the Commission to recognise potential areas of complaints and avoid problems arising.

I also make annual visits to Commission offices, and meet many members of staff to share information about my role and good complaint handling practice. On these visits I learn about the good work that the Commission does and the appreciation shown for its systems and the efforts of staff. I am informed about many examples of improvements in service, including the new online accounts submission service 'Click', which has been welcomed by most charities.

"The most accessible and easy to use website I have ever come across – congratulations! I submitted accounts & annual return without a hitch first time."

"Completing our annual report is simple and time saving compared to the old paper method."

Compliments received by the Charity Commission

I am also told about changes to operational reorganisation and practice, such as the new Compliance division, which has been designed to focus on its role as a professional investigatory function. This brings the Commission more into line with common practice elsewhere and facilitates liaison with other organisations and agencies. Sometimes the Commission's processes and the internal terminology employed are difficult to understand for most people, for example the distinction made between investigations, inquiries and regulatory compliance cases. This is why it is essential for me to understand the process fully in order to explain to people what happened in their case in a meaningful way, and provide a fair response to their complaints.

Finally I learn about initiatives taken in individual offices to help Commission staff deal better with particular kinds of charities. One good example of this was the Welsh office's 2006 review of charities where the Local Authority is trustee. For most local authorities, the administration of small charities or trusts is far from the main focus of their activities and this can result in neglect in some cases to ensure that charitable land is used or sold properly or that funds are administered in accordance with statutory requirements. The review was published and sent to all Welsh local authorities offering guidance on problems that can arise and the information available to help solve them. Having reviewed a number of complaints where local authorities were acting as trustee, I welcome this initiative, which could be replicated for English local authorities to good effect.

Another example is the establishment of the Faith and Social Cohesion Unit, which aims to advance high standards of governance and accountability within faith-based groups and promote the advantages of registering as a charity. The Unit offers free specialist advice and when I met them, they were working towards publishing guidance on the new public benefit criteria for charities that advance religion.

In the wake of the economic crisis, there is an increasing demand on charities to provide vital services, often to those who are most vulnerable. At the same time, many charities are facing a reduction in income levels caused by the downturn. Recognising this, I have seen how the Charity Commission has focused its efforts on reducing the level of bureaucracy around the regulation of charities and offering advice and guidance that will assist charities to ride out current difficulties and be better placed to meet the requirements of the Charities Act 2006.

Unsurprisingly, the statutory requirement for charities to prove public benefit has proved controversial in some cases. It was left to the Charity Commission to provide practical guidance on how this requirement would be interpreted and there was considerable media interest and coverage when the Commission issued guidance in January and December 2008 about what is expected of charities in order to demonstrate public benefit. Earlier this year the Public Administration Select Committee, devoted a series of plenary sessions to the subject, taking evidence on how the new requirement could be tested in practice.

Since last October the Commission has been undertaking a programme of assessments across a range of charities, and recently released the conclusions from its first round of assessments. The report 'Emerging Findings' provided good practice examples of ways in which charities can demonstrate they meet the test, and illustrated cases where the requirement is not met. There is no doubt that people connected with charities assessed as not meeting the requirement will be very unhappy with this outcome. It will be important for the Commission to recognise dissatisfaction with the process of assessment, deal properly with any complaints, and ensure that people understand the way in which this work is carried out. To this end, I was pleased to note that the report also articulated what the Commission has learnt from the process to date. The Commission has very recently issued a Key stakeholders' briefing, which reported on the assessments of 12 charities.

Each year, I canvass a cross section of Commission staff to find out about the level of awareness 'on the ground' of the ICR service and the Commission's own complaints process. I was heartened this year that around 95% of respondents had a good understanding of my role and knew that I am independent of the Commission and its management. I was also pleased to note that they knew about the new internal complaints procedure and found it useful. It was particularly encouraging to note the positive comments about my visits to Commission offices, with some respondents saying that they are mindful of the messages conveyed about good administrative practice when carrying out their day-to-day work.

ICR Case studies

"I would like to thank you and your team for the hard work and effort that went into this report – it is much appreciated."

Comment to ICR

The following are anonymised extracts from the complaints I reviewed this year, which give a flavour of the type of issues that complainants refer to me.

Bias

Mr A had been in contact with the Commission over a long period of time as correspondent for a small charity (charity X) that was in dispute with another charity (charity Y) in the local area, to which it had financial obligations.

The Commission had previously given both charities advice on resolving their differences but further information received from charity Y resulted in the Commission contacting Mr A and his fellow trustees by letter with robust advice on resolving the matter. Mr A felt the content of the letter was inappropriate as it appeared to accuse him of personal failings as a trustee and he refuted the advice given by the Commission, claiming that it differed from its previous advice.

Mr A's fellow trustees were surprised by the Commission's advice and distanced themselves from Mr A's actions, creating a rift in the charity trusteeship, which ultimately resulted in his resignation. Mr A felt that the Commission's advice had been biased and that it had discriminated against him to the benefit of the other trustees.

The ICR found no evidence that the advice given by the Commission differed from that offered to both sides of this dispute previously. However, she found that the language and tone used in the letter were inappropriate and, while this did not have a bearing on the outcome of the case, an apology was duly recommended.

The ICR found that the Commission had acted in line with practice in giving the advice that it did, but noted that the considerable length of involvement in this matter did not reflect the size of the charities involved or the nature of the problem. This was not in line with the Commission's policy of proportionality and the ICR criticised case handling by the operational teams. She recommended that the Commission use the experience of this case to inform its future approach to proportionality.

Political Campaigning

Mr B was a former employee of one charity and a member of a charity with related aims. He fell out of favour with the Chief Executive of the charity where he worked, who was also a trustee of the charity where he was a member. Mr B reported that this resulted in his employment contract being terminated and attempts being made to block the renewal of his membership to the second charity.

Initially, Mr B's complaints focussed on issues surrounding the conflicts of interest of the Chief Executive, but soon shifted to the wider activities of the charity, which he felt were overtly political in nature. At one point he asserted that the trustees did not seem to know the difference between charities and pressure groups.

Political campaigning is a difficult issue for the Commission to advise on as the law prohibits charities being set up with political objects or to support political parties; but allows charities to campaign in order to further their charitable objects. The Commission communicated this to Mr B who did not accept that the position taken on this charity was reasonable.

The ICR considered the Commission's response to Mr B's complaints to be appropriate in the circumstances and did not find any evidence of maladministration.

Disputes

Mr C approached the Commission with concerns about the trustees of a charity providing sailing opportunities to disabled and disadvantaged children. As a founding trustee, he was concerned about the status of people claiming to be trustees of the charity and about their conflicts of interest with a commercial sailing company.

He communicated his unease about this situation to the Commission over a period of months but received no substantive response. When this came, the message was that the Commission would not intervene as the charity's membership could resolve any trustee dispute. Mr C was given the opportunity to dispute this decision but this advice was later found to have been incorrect as this was not a "reviewable" decision.

Following this, Mr C claimed that the trustees were preventing people from becoming members of the charity, but this did not change the Commission's position. Mr C decided to take the charity to Court but this required the Commission's consent under section 33 of the Charities Act 1993. The Commission turned down his request, on the basis that between it, the trustees, and the charity's members, this situation could be resolved without the cost of legal proceedings. Mr C was directed to the High Court if he wanted to appeal the Commission's decision, but was not offered an internal Decision Review by the Commission.

While the ICR could not question the decisions of the Commission, she was critical of the time it took for Mr C's concerns to be considered and how he was advised. The ICR also found the Commission had been unclear about how Mr C could address his concerns and attached criticism to the Commission allowing him to pursue a path that would never allow his concerns to be addressed in the way he wanted. Following the ICR's report, the Commission accepted the ICR's recommendations and Mr C was awarded a consolatory payment as well as receiving a formal apology from the Commission's Chief Executive.

The new online register

Mr D contacted the Commission in his capacity as a charity's named correspondent. He had submitted his charity's accounts and annual return within the deadline period of ten months after the charity's end of year but the Commission had failed to log this properly, resulting in the charity records appearing "overdue" on the Commission's website.

After contacting the relevant department, the Commission recognised it had made a mistake in the processing of the charity's documents and apologised by amending the date of submission to ensure the charity's records were not blemished by the Commission's mistake.

However, this wasn't the first time Mr D had been in contact with the Commission on the same issue. He felt that the Commission had reneged on promises made to him about how information submitted would be processed. Despite the Head of Customer Services' sympathy and reassurance that this was a relatively isolated incident, he contacted the ICR to take his complaint further.

The ICR could find no evidence to suggest that the Commission had broken its previous assurances to Mr D and did not uphold his complaint. She did, however, note with concern how information had been incorrectly dealt with and logged in this case but considering the apologies already given, made no further recommendation.

After the ICR completed her report, Mr D raised a related point. He had found that the new online register was displaying the submission history for his charity's annual information and the date that the Commission had logged his submission was shown as one day overdue and highlighted in red. Mr D complained that he felt humiliated by this and wondered why the system calculated submission deadlines differently to before. Given Mr D's previous experience, the ICR decided to raise this matter directly with the Charity Commission, which agreed to amend the charity's records.

Whistleblowing

Mrs E was an employee of a medium-sized charity who found that her manager had granted herself a pay rise of around £10,000 without appearing to have the trustees' agreement. She contacted the Commission to raise this and other concerns about the trustees and how they administered their charity. The Commission carried out an assessment, which scored the issues raised as "low risk". It explained that it could not become involved in employment matters and, from the information available to the Commission about the charity's activities and accounts, it did not feel any further action was initially necessary.

Mrs E was dissatisfied with this response and asked that her complaint be reconsidered. A senior officer confirmed the issues were assessed as "low risk" but pledged to contact the trustees with advice that would be followed up 3 months later to measure the charity's progress. Mrs E remained adamant that the trustees should be made to recover the money lost on their watch, and felt that by not pursuing the manager, who by this time was a former employee, the trustees were not putting the charity first.

As part of the new customer service arrangements, an "Outcome Review Panel" (ORP) made up of senior Commission officers duly considered Mrs E's complaint. The ORP found that the assessment had been a little premature given the evidence available and recommended that a further assessment take place. At the time, the Panel members considered that their recommendations were binding on colleagues, but the Assessment Unit interpreted the guidance differently and asserted its autonomy in terms of making decisions based on risk and proportionality. Following unsolicited correspondence from the trustees and a third assessment, the Unit considered there was nothing the Commission needed to do other than provide advice.

Mrs E's husband, Mr E, complained to the ICR that despite the conclusion of the ORP that further investigation was required, the Commission had refused to undertake an investigation. Mr E believed this to be a derogation of duty, which brought the ORP process into disrepute.

The ICR outlined her understanding of the ORP process, which is to '*formally review decisions of operational discretion*', noting that at the time of this complaint, if the Panel concluded there were deficiencies in case handling or unaddressed concerns, it could refer the case to the division within the Commission best placed to take it forward. It could do so by prescribing recommendations or learning points. The ICR found that the way in which the Panel's findings were communicated to Mr E gave the impression that an investigation would be bound to follow, although the way in which the recommendation was phrased, coupled with unclear guidance, did not make this inevitable. The Unit had not interpreted the Panel

recommendation as mandatory and had reached its own view on what action to take, thereby effectively second-guessing the decision of the Panel.

The ICR accepted that it was reasonable for Mr & Mrs E to assume that a Panel decision was binding on the Commission, else there would be little or no value to the process. She appreciated that it must have been a shock to discover that the Panel's decision appeared to be overridden by the very department complained about.

The ICR explained to Mr E that his case was the first to identify this potential problem with the ORP process, since when the guidance and potential outcomes had been more fully defined. This case had been the catalyst for this change. However, the ICR identified that the ORP terms of reference required further clarification to avoid confusion, and welcomed further consideration of amendments to the process by the Commission. Mr E's complaint was upheld and the ICR recommended a consolatory payment in recognition of the gross inconvenience suffered.

Lack of evidence

Ms F complained that the Charity Commission's complaints manager had shown bias against her by accepting the recall of a senior Commission officer about the content of a telephone conversation held with her some time previously, rather than the evidence of a contemporaneous record she had made.

The ICR noted that the senior official concerned did not believe he had said all that was recorded by Ms F, but he could not recall specific details of the conversation or the exact wording that was used on the day. In light of that, he agreed that he could not refute what Ms F had said. The ICR highlighted the importance of retaining a case note of a conversation that might later be required as evidence. She was critical of the lack of evidence in this case.

The ICR recognised Ms F's frustration at the Commission's apparent dismissal of her version of events without firm evidence contradicting her in contemporaneous record. The ICR found that the balance of evidence supported Ms F's version of events and she upheld the complaint.

Regulation

Ms G complained that the Charity Commission had failed to properly investigate financial irregularities brought to its attention and, accordingly, did not carry out its regulatory duties correctly, enabling the trustees of a charity to do exactly what they wanted without fear of inquiry by the Commission.

The ICR was satisfied that the evidence supported the Commission's contention that it considered the allegations made by Ms G in line with its usual assessment process. During that process the officer made relevant enquiries and took internal accountancy advice, before deciding that some follow up action was required, but the case did not warrant opening a Section 8 Inquiry. The Commission then sought confirmation from the trustees that matters had been dealt with appropriately. This brought an end to the immediate cause for concern and the case officer concluded that other matters could be resolved by giving the trustees advice and guidance to enable them to regularise the position.

The ICR found no objective evidence to suggest the Commission's normal practice had not been followed. She noted that there was a mutual understanding of the issues to be resolved between the Commission and the trustees and that the trustees appeared willing to put things on a sound footing at the charity. The ICR found no evidence in terms of the Commission's policy of proportionality to suggest that this matter was not dealt with in a

reasonable manner in line with the policy of proportionality, and in accordance with the case-officer's discretion. The ICR found that in some instances the Commission's communication could have been better, for instance, it could have communicated its rationale for its decision more clearly. However, she did not uphold the specific complaint.

The importance of an apology

Mr H complained that despite the fact that the Commission accepted it was at fault in not sending annual returns for him to complete and submit, it was unwilling to apologise for the content and tone of reminder letters he subsequently received as a result of the Commission's failure.

The ICR noted at the outset that there was no dispute between the Commission and Mr H about whether he had been sent returns. The Commission accepted it had not done so and had apologised for this oversight. The ICR then considered the wording of reminder letters and whether this was appropriate in this case. She accepted that there was nothing inherently wrong with the wording of the letter, which was automatically generated rather than being sent by a Commission official. Its purpose was to remind charities that had not yet filed returns to do so. Through no fault of his own, Mr H's charity fell into this category. The ICR acknowledged that Mr H was placed in the position of being a recipient of the reminder letter as a direct consequence of the Commission's failure to send him the forms as promised.

She found that the Commission's maladministration in failing to send him the forms was compounded by being sent the reminder letter. This was unfair to him in the circumstances. She upheld his complaint and recommended that the Commission apologise to Mr H. Noting that Mr H had gone through the Commission's own complaints procedure and her review before an apology was given, she accepted that this had exacerbated the inconvenience and upset already suffered and recommended that the Commission award a small consolatory payment.

"Thank you very much for your letter. I am delighted to note that you have answered all that I asked and indeed provided considerably more information. Thank you."
Comment to ICR

About the ICR service

The ICR Service provides a complaints review and resolution service that is free for complainants. Our aim is to settle complaints by agreement where possible, or adjudication where necessary, to achieve a fair and helpful outcome for all involved. Where appropriate, the ICR can make recommendations for personal redress or for improvements to the Commission's service. The ICR is supported in her work by a dedicated team, who are seconded to the office by organisations for which we provide an ICR service, including the Charity Commission.

Since the establishment of the ICR service in 1998, it has earned a reputation for fairness and efficiency. We look for ways to improve the quality of our service by seeking the views of complainants and stakeholders. We also welcome external scrutiny, and are proud to have achieved the British Standards Institute accreditation for the quality of our complaint handling each year since 2001.

There are occasions when we cannot help a complainant in the way they would prefer. We ensure that people understand the purpose and limitations of our role and how we go about our work, by providing personal explanations at first contact, backed by further reminders during the review process. We also publish clear information on our website and in our publications. Where appropriate, we provide information about other organisations and ways of taking complaints further. We recognise the differing needs of people who contact us and tailor our responses and communication to the individual. Whether we are able to take a complaint forward or not, when contacting us people can expect:

◆ Respect ◆ Courtesy ◆ Honesty ◆ Objectivity ◆ Flexibility ◆ Plain Language

'I am of course very pleased that you have upheld my complaint and thank you for investigating the matter so thoroughly for me'.
Complainant to ICR

ICR Service principles

As an associate corporate member of the British and Irish Ombudsman Association (BIOA), the ICR's office lives up to BIOA's Principles of Good Complaint Handling in the course of its work. These principles are:

Clarity of purpose A clear statement of the ICR's role, intent and scope
Accessibility A service that is free, open and available to all who need it
Flexibility Procedures, which are responsive to the needs of individuals
Openness and transparency Public information, which demystifies the service
Proportionality Process and resolution that is appropriate to the complaint
Efficiency Meeting challenging standards of good administration
Quality outcomes Complaint resolution leading to positive change

More information about BIOA and other complaint handling bodies can be found at: www.bioa.org.uk

About the Charity Commission

The Charity Commission is the independent regulator of charities in England and Wales. It employs on average 464 full time equivalent staff, spread across 4 offices in England and Wales.

The Commission's role is to ensure that charities are accountable, well run and meet their legal obligations. In order to increase charities' effectiveness and public trust and confidence in the sector, the Commission provides a wide range of advice and guidance to charities and trustees, and has powers to intervene in the affairs of a charity where things have gone wrong if it is both necessary and proportionate to do so.

There are currently over 190,000 charities registered with the Charity Commission, with total incoming resources of nearly £51 billion, over 660,000 paid staff and over 925,000 trustee positions. Charities range from small groups meeting local needs, to large national and international organisations providing services to millions of people. All are required to be accountable, independent and operate for the benefit of the public.

More information about the Charity Commission and its complaint handling, together with a range of guidance for charities can be found on its website: www.charitycommission.gov.uk, or by contacting Charity Commission Direct:

Telephone: 0845 300 0218

Minicom: 0845 300 0219

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