



UNLOCKING POTENTIAL... OPENING OPPORTUNITY...

## COMPLAINTS POLICY & PROCEDURE

Policy originally adopted by trustees February 2014

Latest review approved by trustees 13 May 2019

Next review due May 2022



CHARITY 1131919

COMPANY 6999936

44-45 HIGH STREET, STROUD, GL5 1AN

THEDOOR.ORG.UK

01453 756745

@THEDOORSTROUD

INFO@THEDOOR.ORG.UK

PATRON: MARY-JESS LEAVERLAND

## **POLICY STATEMENT**

At The Door Youth Project (“The Door”) we are fully committed to providing the very best quality of service to our users, customers, stakeholders and to the wider community.

However, we realize that there may be occasions when things go wrong, in which case we welcome the opportunity to learn and improve for the future, as well as a chance to put things right for the person (or organisation) that has made the complaint.

Our policy is to:

- Provide a fair and transparent complaints procedure
- Publicise our complaints procedure so that people know how to contact us to make a complaint
- Ensure that staff at The Door know what to do when a complaint is received
- Ensure that all complaints are listened to, investigated and responded to fairly and in a timely manner, and that complainants feel confident that this is happening
- Resolve issues by taking a restorative approach wherever possible
- Ensure that wherever possible complaints are resolved and relationships are repaired
- Gather information which helps us to improve our practices and procedures.

If you are a member of The Door’s staff and you wish to make a complaint, please follow the Grievance Procedure in the Staff Handbook.

## **RESPONSIBILITY & REVIEW**

Overall responsibility for this policy and its implementation lies with The Door’s Board of Trustees.

The conduct of complaint investigations, including the nomination of the investigator, is the responsibility of The Door’s Senior Management Team (SMT). However, if one or more members of the SMT are implicated in the complaint, the Chair of Trustees may take responsibility for the investigation themselves or nominate another trustee to do so. If the Chair is implicated in the complaint, the remaining trustees will nominate one of their number to conduct the investigation.

This policy is reviewed every 3 years and updated as required.

# THE DOOR'S COMPLAINTS PROCEDURE

Complaints can be made

- verbally by phone to The Door on 01453 756745 or in person to any of The Door's staff or trustees
- in writing by email to [info@thedor.org.uk](mailto:info@thedor.org.uk) or sent to The Door Youth Project, 44-45 High Street, Stroud, GL5 1AN.

## RECEIVING COMPLAINTS

Complaints may arrive through channels or through any other contact details or opportunities the complainant may have. Any complaint must be raised with The Door within 6 months of the act or omission that is the subject of the complaint.

Practical guidance for the handling of **verbal complaints** delivered by telephone or in person is given at Appendix 1. Sometimes this conversation will resolve the issue to the complainant's satisfaction, but where this does not occur the complaint will be formally recorded and investigated.

All **written complaints** containing the complainant's name and contact details will be formally recorded and investigated. Where the complainant's name and contact details are missing, reasonable steps must be taken to establish their identity so that the complaint can be recorded and investigated.

## RESOLVING COMPLAINTS

Once a complaint has been received, it should be passed to the Operations Director or in their absence (or if the complaint is about the Operations Director) another member of the SMT to manage, who will be subsequently referred to as the Complaint Manager.

The Complaint Manager should

- record the complaint details in the complaints log (Google Drive/HR Stuff/Complaints) and maintain the log entry as the investigation progresses
- ensure that the substance of the complaint is treated as confidential, and shared only with those involved in the process of investigating and resolving it
- inform the trustees within one week that the complaint has been received
- if the complaint raises an allegation of negligence or any breach of duty which may result in a claim against The Door, inform The Door's insurers immediately. The insurers of The Door should then be consulted before any proposals for compensation or other resolution are made

to the complainant.

- determine how the complaint will be investigated. In many cases, a complaint is best resolved by the person responsible for the issue being complained about. If the complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate.

If the complaint is not resolved to the complainant's satisfaction at this stage, the Complaint Manager needs to delegate an appropriate person to lead the investigation of the complaint, or do so themselves if appropriate. If the complaint relates to a specific person, they should be informed first and given a fair opportunity to respond.

If it has not already been resolved, complaints should be acknowledged in writing by the Complaint Manager within a week. The acknowledgement should say who is dealing with the complaint and when the complainant can expect a reply. A copy of this Complaints Policy and Procedure should be attached.

During the investigation, the Complaint Manager should keep in regular contact with the investigation lead, ensuring that they are taking appropriate and timely action and maintaining the confidentiality of the investigation.

When the investigation is complete, the Complaint Manager may deem it appropriate to meet with the complainant to explain the results of the investigation. If a meeting is arranged they should advise the complainant that they may if they wish bring with them a friend, relative or personal representative. At the meeting a detailed explanation of the results of the investigation should be given and also an apology if it is deemed appropriate.

In any case, whether or not a meeting has been held, complainants should receive a definitive written reply from the Complaint Manager. Ideally this will be within four weeks. If this is not possible because, for example, the investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is justified or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

## **APPEAL PROCESS**

If the complainant feels that the problem has not been satisfactorily resolved in the response above, they can appeal in writing, requesting that the complaint is reviewed at board level. At this stage, the complaint will be passed to the Chair of Trustees.

The request for board-level review should be acknowledged in writing within a week of receipt. The acknowledgement should say who will deal with the case and when the complainant can

expect a reply.

The Chair of Trustees may investigate the facts of the case themselves or delegate another trustee to do so. This will involve reviewing the case with the original Complaint Manager, and a determination of whether external (e.g. legal) advice should be sought at this stage.

If the complaint relates to a specific person, they should be informed and given a further opportunity to respond. The original Complaint Manager should be kept informed of the progress of the appeal investigation.

When the investigation is complete, the Chair of Trustees or the investigating trustee may deem it appropriate to meet with the complainant to explain the results of the investigation. If a meeting is arranged they should advise the complainant that they may if they wish bring with them a friend, relative or personal representative. At the meeting a detailed explanation of the results of the investigation should be given and also an apology if it is deemed appropriate.

In any case, whether or not a meeting has been held, complainants should receive a definitive written reply from the Chair of Trustees. Ideally this will be within four weeks of lodging the appeal. If this is not possible because, for example, the investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

The decision taken at this stage is final, unless the board decides it is appropriate to seek external assistance with resolution. This could include seeking advice from the Charity Commission, Fundraising Standards Board or similar, or through entering into mediation or arbitration through available channels if necessary.

The complainant can however complain to the Charity Commission at any stage. Information about the kind of complaints the Commission can involve itself in can be found on their website at <https://www.gov.uk/complain-about-charity>

## **MONITORING AND LEARNING FROM COMPLAINTS**

The Board of Trustees will receive a report of every complaint investigation, consider what has been learned from it and determine what action will be taken in response. The Operations Director will also report annually to the Board on the number of complaints received and their subject area, and identify any trends which may indicate a need to take further action.

Documentation concerning the complaint will be retained for 6 years from the date of complaint or permanently if there is a safeguarding issue involved, in line with The Door's Data Protection Policy.

## APPENDIX 1 - PRACTICAL GUIDANCE FOR HANDLING VERBAL COMPLAINTS

- Take all verbal complaints, no matter how seemingly unimportant, seriously.
- Remain calm and respectful throughout the conversation, and be careful not to adopt a defensive or aggressive attitude.
- Listen. Allow the person to talk about the complaint in their own words. Sometimes a person just wants to "let off steam".
- Show an interest in what is being said.
- Don't debate the facts in the first instance, especially if the person is angry.
- Acknowledge the person's feelings (even if you feel that they are being unreasonable). You can do this without making a comment on the complaint itself or making any admission of fault on behalf of The Door e.g. "I understand that this situation is frustrating for you."
- Don't make excuses or blame colleagues.
- If you feel that an apology is deserved for something that was the responsibility of The Door, then apologise.

The complaint may be resolved to the complainant's satisfaction in your initial conversation. However, if they wish to pursue it, you will need to make a written record of the complaint as follows:

- Obtain details about the complaint before asking for the complainant's contact details.
- Ask for clarification wherever necessary.
- Ask the person what they would like done to resolve the issue.
- Explain that The Door has a complaints procedure, which you are following.
- Be clear about what you can do, how long it will take and what it will involve. The person should receive formal acknowledgment of the complaint in writing within a week, and a definitive reply within 4 weeks unless there is a particular need to extend the investigation.
- Don't promise things you can't deliver.
- If their requests cannot be met, give clear reasons why this is the case.
- Make sure that the person understands what they have been told.
- Before finishing the conversation, show that you have understood the complaint by reflecting back what you have noted down.
- Also ensure that you have recorded the person's contact details and their relationship with The Door (e.g. service user, parent of service user, commissioning body).
- Where feasible, ask the person to send a written account by email (to [info@thedoor.org.uk](mailto:info@thedoor.org.uk)) or post so that the complaint is recorded in their own words.