



# **Complaints Policy and Procedure**

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|                    |                    |                      |                        |                      |
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Whilst we make every effort to meet peoples' expectations, circumstances may arise where an individual has a concern and wishes to bring this to our attention. We will take all reasonable steps to resolve the situation, in everyone's best interests.

Phab Nottingham takes very seriously any concern or complaint about the service we provide or about the conduct of our staff.

**1. Who can make a complaint?**

Parents/guardians/carers, members, volunteers or members of the public can make a complaint.

**2. Anonymous complaints**

Anonymous complaints will be recorded and any facts available looked in to. However, in doing so we will be mindful that anonymous complaints can sometimes be malicious. Everyone involved in our work, even incidentally, has a right to complain and we will hold anyone accountable but, equally, individuals have a right to be protected from unsubstantiated and, potentially, malicious allegations.

Consequently, anyone wishing to complain is strongly encouraged to provide the information requested and their contact details. This will also allow us to advise them of the outcome.

**3. Timescales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will only consider complaints made outside of this time frame if exceptional circumstances apply.

**4. Resolving complaints**

At each stage in the procedure, we will seek to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one of the following:

- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that we will try to ensure the event complained of will not recur
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- An undertaking to review charity policies in light of the complaint
- An apology

**5. Withdrawal of a complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

**6. Record keeping and data protection**

We maintain a record of all complaints, regardless of whether or at which stage the complaint was resolved. This record includes details of the

complaint and the complainant, copies of all correspondence and notes and details of the recommendations made, and actions taken.

These records will be kept securely and confidentially on our system.

Complainants have a right to request access to any of these records at any time in accordance with our Data Protection policy, which is available on our website.

#### **7. Wider action**

Irrespective of the outcome of any complaint, we will consider if there is any requirement in respect of wider action and/or statutory reporting to the Charity Commission, H&SW Executive, other regulator, or the Police.

Consideration will also be given to whether any changes should be made to policies, procedures, training, etc., to see if anything might reasonably be done to prevent a similar issue arising in future.

#### **8. Potential compensation claims**

If a complaint may potentially result in a claim for compensation, such as damage or loss of property, or a personal issue, our insurers are to be notified.

#### **9. Confidentiality**

The complaint will be treated as confidential and any communication on this issue responding to the complainant, will be subject to compliance with the Data Protection Act.

### ***Complaints Procedure***

#### **10. Informal complaints and concerns**

It is to be hoped that most concerns can be expressed and resolved on an informal basis.

Anyone who has a concern should initially raise this with a member of our Management Committee at the time, as this enables us to respond and deal with an issue quickly.

We will seek to resolve this and meet any reasonable expectations the individual may have, ideally to their satisfaction. If unable to, the Management Committee member will make a note of:

- The complainant's name and contact details, unless they are unwilling to provide these.
- The nature of their concern and anything that they wished to be done about it.
- The circumstances surrounding the complaint, including when, where any action that was taken and the details of others who were present/involved.

The complainant will be advised that their concern will be passed to the Trustees. See formal complaints below for next steps.

## 11. Formal complaints

Where an individual wishes to make a formal complaint, they should email [enquires@phabnottingham.co.uk](mailto:enquires@phabnottingham.co.uk). Correspondence should be marked private and confidential.

To help resolve the complaint as quickly and effectively as possible, the individual making the complaint should email as soon as possible and should include in it:

- Name, organisation (if relevant), address, telephone number and email address.
- If you do not wish to be contacted in a particular way, please let us know and we will of course respect this.
- As much information as possible, such as what happened, where, when (date/time), who was present and any action taken, and by whom.
- What it is you felt to be unsatisfactory.
- What you believe should be done to address your concern.

Receipt will be acknowledged, if possible, within 7 working days. The complaint will then be investigated. If necessary, specialist advice will be sought. Where clarification or further information from the complainant is required, a Trustee will contact them to request this.

A response will be sent within 14 working days of the acknowledgement email. If this is not possible, a holding reply will be sent after 14 days advising when we estimate the investigation will be completed. The complaint response will explain our findings and what action we will be taking/have taken, subject to the constraints of the Data Protection Act, which will almost certainly not allow us to disclose sensitive personal information.

If the complainant is not satisfied with the response, they may appeal the decision, by writing to the Chair of Trustees, the contact details of whom will be included in our response. Appeals must be submitted within 28 days of our response to the complaint.

The appeal should be specific about why the individual feels the decision made was wrong and provide the facts and information necessary to demonstrate this.

A decision will be notified within 28 days and will be final.