

COMPLAINTS POLICY

*Policies Collection –
Revised & reissued October 2015*

SHAPINSAY DEVELOPMENT TRUST



©Shapinsay Development Trust 2015

Introduction

However good the practices of an organisation, it is always possible for mistakes to be made, and it is important that people who feel that they have grounds for complaint are able to do so.

Therefore, it is important that Shapinsay Development Trust has an effective complaints procedure so that:-

- to enable service users to comment on weaknesses and to let the organisation know about things that have gone wrong or cause concern
- to improve the quality of services provided by taking notice of the views of people affected by the services, building on what is good and changing what needs improving
- to ensure that the organisation takes users' views seriously and will follow up any problems that they bring forward
- to protect the interests of individual clients
- to enable users, potential users to challenge decisions
- to protect staff and enable them to deal with complaints consistently
- to provide a way of monitoring the performance of the organization.

We take complaints very seriously. If something goes wrong, we like to know so we can make sure that the likelihood of reoccurrence is greatly reduced

Therefore we will aim to:-

- deal fairly and promptly with all complaints
- try to resolve complaints straight away, where possible
- respond to the complainant, in writing, once our investigations are complete
- keep complainants informed of our progress in writing

Experience has shown that prompt and sensitive handling of complaints at an early stage can prevent an issue from becoming a formal complaint. Often these are resolved simply by listening and, where appropriate, an assurance that the same circumstances will not arise again.

Grievance and Disciplinary Procedures

The introduction of this Complaints Procedure should not be confused with existing disciplinary and grievance procedures. The Complaints Procedure provides a mechanism for service users and the public to register their concerns, but it should not be used by members of staff or volunteers.

Staff or volunteers wishing to register a concern should follow the existing code of practice in respect of the Grievance Procedure.

However, on occasions a complaint may highlight issues of serious concern which require the enactment of disciplinary procedures as set out in the Staff Handbook.

Information

Information (leaflets, posters, etc.) should be available informing service users of their right to make a complaint and the procedures available to them.

The Procedure

A complainant has the right to register a complaint formally if they so wish and the right to withdraw a complaint at any time.

There are three distinct stages of the procedure:

- | | |
|--------|-----------------------|
| Step 1 | The Informal Approach |
| Step 2 | The Formal Approach |
| Step 3 | The Review Panel |

1. STEP ONE - THE INFORMAL APPROACH

Where a complaint is identified it must always be recorded using the appropriate form. Action should be taken to resolve the matter quickly and informally (usually within 10 working days although in exceptional circumstances this may take longer). Generally complaints will be dealt with by the staff.

If a complaint is of a serious nature it should be referred to the Project Manager (PM) or the Chair in the case of complaint about the PM

Any complaints received at the Office about specific services will be discussed to the staff member concerned

During staff supervision/review, the complaints received and entries in the Complaints Book will be discussed by the Line Manager.

2. STEP TWO - THE FORMAL APPROACH: REGISTRATION OF A COMPLAINT

- Where a complaint cannot be resolved locally or where the complainant is not happy with the response provided, the complainant should be informed of the opportunity to register a formal complaint with the PM.
- All formal complaints will be referred to the PM.
- Once received, the complaint will be recorded and acknowledged in writing.

All complaints will be investigated within 28 days of their receipt (in exceptional circumstances this deadline may be extended). The PM will then write to the complainant, responding to their complaint.

If the complainant is not satisfied with the reply from the PM, then s/he has the right to appeal. The request for a Review Panel Hearing must be put in writing within 28 days of the date on the PM's letter of reply.

3. STEP THREE - THE REVIEW PANEL: HEARING OF A COMPLAINT

- On receipt of the complainant's letter requesting a review the Employment Sub Cmtee (ESC) will call together a review panel to hear the complaint within 28 days of the date of receipt of the complainant's letter.
- The panel will consist of three people, of whom at least one will be a Director and at least one will be an independent candidate.
- Prior to the review hearing, members of the panel will have access to members of staff and all relevant background information.
- The complainant has the right to attend if they wish and be accompanied/ represented at the Review Panel by a person of their choice who may act as the complainant's advocate, or in a supportive capacity.
- Staff members attending the Review Panel also have the right to be accompanied.
- At the Review Panel hearing both the SDT Officer and the complainant will have an opportunity to make their views known. The Review Panel will consider all the information available and reach a decision within 7 days of the hearing. The panel will then notify the Chair and the complainant of their decision(s) in writing.

- The Review Panel's decisions are final.

Staff Reassurance

The complaints procedure can provide practical benefits to staff by providing a clear and understandable mechanism for the resolution of disputes. Staff have the right to expect management support and assistance and it is the responsibility of managers to provide this help. These procedures seek not to apportion blame but to establish a basis for dialogue and discussion. Staff are not personally responsible for complaints arising out of information given on SDT policy and practice

Complaints Record Sheet

The following sections should be used to record details of complaints: Please ensure that all entries are written in biro / ink or typed.

1. **DATE:** (Date (of complaint) showing day, month, year and time, if applicable).
2. **COMPLAINANT:** (Full name, address and telephone number of complainant).
3. **COMPLAINT:** (Description of complaint.)
4. **ACTION:** (Date and action taken to resolve the complaint. Signature and Designation)

