

**The Alice Cross Community Centre**

**COMPLAINTS PROCEDURE:**

**USERS VOLUNTEERS**

Version 2.4

March 2019

**Policy Revisions Record**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Version | Date | Review due | Version | Date | Review due |
| 1 | 12 June 2015 | June 2017 |  |  |  |
| 2 | 27 June 2017 | August 2017 |  |  |  |
| 2.2 | 19 Sept 2017 | Sept 2018 |  |  |  |
| 2.3 | 20 Sept 2018 | March 2019 |  |  |  |
| 2.4 | 11 March 2019 | March ….. |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

**THE PURPOSE**

The Alice Cross Centre aims to provide a helpful and high standard of service both to the members of the public and to the organisations with whom we work.

This Complaints Procedure details how we will deal with a complaint made by someone who has come into contact with the Alice Cross Centre, including volunteers, and is subsequently not happy with any aspect of our work.

If a user of our services feels that they wish to complain about the service they have received, they should be encouraged to tell us or write to us. They will be provided with a copy of our complaints procedure.

ALL POSSIBLE OR ACTUAL COMPLAINTS MUST BE REPORTED TO THE MANAGER IMMEDIATELY

## DURING THE PROCESS

* The complainant is encouraged to bring a friend along to any meeting arranged to discuss the matter of the complaint, to give them support.
* They may withdraw their complaint, but without prejudice to our legal entitlements.

### THE PROCEDURE

* We will take all complaints seriously.
* We will try to satisfy complaints at an initial discussion with the Centre Manager, which we shall aim to have within one week of the initial complaint. If the complaint is about the Centre Manager, then it will be passed in writing directly to a nominated Trustee.
* We will ensure that complainants are given a copy of the Complaints Procedure if they want to take the complaint further.
* Complaints must be made not later than six months after the event or occurrence.
* To progress; a complaint’s form, with a unique case number will be provided for completion (see Appendix A), or a letter/email acknowledging receipt of the complaint will be provided within 5 days.
* In support of the complaint, the complainant will be asked to provide all the relevant factual information and substantiating evidence. Evidence could include: copies of any relevant documentation, emails etc.; corroborative statements from named third parties; references to named third parties who could be contacted during the investigation of the complaint. All evidence will be kept on the case number file.
* On receipt of the completed complainant’s form and any supporting evidence, and within 5 days, the Centre Manager will invite the complainant to a formal meeting. If they are not satisfied as a result of this meeting with the Centre Manager, they can put their complaint in writing to the Board of Trustees.
* If a completed complaints form is not received and no other response by letter/email etc. is received, then a further letter will be sent inviting the complainant to follow up on their original complaint. If no response is received within 2 weeks of the date of the follow up letter, **then the Case will be closed.** Exceptionally, if complainant is ill or away for prolonged period this closure may be extended at discretion of the Centre Manager.
* If the complaint is being raised with Trustees, then within two weeks of receiving their complaint, the Board will arrange to meet with the complainant personally. That meeting may, include 2 nominated Trustees.
* At this stage any person against whom the complaint has been made will be asked not to contact the complainant. Similarly, they will be asked not to contact the Trustees, other members of the organisation or with volunteers and third parties not directly involved.
* Once any investigation by the Trustee Board is complete, the complainant will be sent a letter giving an answer to their complaint and informing them of any action being taken by the Alice Cross Centre.
* A written record of the complaint will be kept for a period of 5 years.
* A Complaint/Case procedure Check List tracker will be completed for each complaint see Appendix B.
* Guidance for dealing with persistent and/or unreasonable contact is included in this procedure document at Appendix C.

Signed on and behalf of  Board of Trustees

Name Sue Halfyard Date 28 March 2019

Reviewed 28th March 2019

By: Julia Street – Centre Manager

**Appendix A**

| 2013-02-05 13.42.18.jpg | ***COMPLAINT FORM*** |
| --- | --- |
| This form is for you or your representative to record your complaint in writing to The Alice Cross Community Centre Manager. Please attach separate sheets if there is insufficient space for completion of your complaint. | |
| **YOUR NAME** |  |
| **ADDRESS** |  |
| **TELEPHONE/Email** |  |
| **Complaint Case no.** | (Office to complete) |
| 1 Details of complaint or issue. (*Please ensure you provide all the factual details and any substantiating evidence)* | |
| 2 What problems do you think this has caused you? | |
| 3 What do you think we can do to put things right? | |
| 4 Have you complained about this matter before? **YES   NO** | |
| 5 To whom was the complaint made?  Name of staff:  Date: | |
| Signature of complainant:  Date: | |
| Signature or person completing form (*if not complainant)*:  Date: | |

**Appendix B**

|  |  |  |
| --- | --- | --- |
| **Complaint/Case procedure Check List** | | |
| **Step** | **Date / by whom/ action** | **Completed** |
| Initial complaint received, Informal meeting with Centre Manager held |  |  |
| Complaints procedure and complaints form provided |  |  |
| Response not received, new letter sent |  |  |
| No response received, case closed |  |  |
| Complaint received/case number assigned. Acknowledgement sent |  |  |
| Centre Manager meeting booked |  |  |
| Centre Manager meeting held |  |  |
| Outcome |  |  |
| Letter sent to Board of trustees |  |  |
| Trustees meeting booked |  |  |
| Trustees meeting held |  |  |
| Outcome |  |  |
| Final letter from board sent |  |  |
| Case closed |  |  |

**Appendix C**

**Guidance for dealing with persistent and/or unreasonable contact**

**1. Introduction** This guidance covers all contacts, enquiries and complainants. It is intended for use as a last resort and after all reasonable measures have been taken to try and resolve a complaint.

Persistent contact may be as a result of individuals having genuine issues and it is therefore important to ensure that this process is fair and the complainant’s interests have been taken into consideration.

**2. Purpose of the guidance** - To assist the organisation to identify when a person is persistent or unreasonable, setting out the action to be taken.

**3. Definition of persistent and/or unreasonable complainants**. There is no one single feature of unreasonable behaviour. Examples of unreasonable behaviour may include those who:

* Persist in pursuing a complaint when the procedures have been fully and properly implemented and exhausted.
* Do not clearly identify the precise issues that they wish to be investigated, despite reasonable efforts by staff & volunteers, and where appropriate, the Board of Trustees or persons assigned to help them specify their complaint.
* Continually make unreasonable or excessive demands in terms of process and fail to accept that these may be unreasonable e.g. insist on responses to complaints being provided more urgently than is reasonable or is recognised practice.
* Continue to focus on a ‘trivial’ matter to an extent that it is out of proportion to its significance. It is recognised that defining ‘trivial’ is subjective and careful judgment must be applied and recorded.
* Change the substance of a complaint or seek to prolong contact by continually raising further issues in relation to the original complaint. Care must be taken not to discard new issues that are significantly different from the original issue. Each issue of concern may need to be addressed separately.
* Consume a disproportionate amount of time and resources.
* Threaten or use actual physical violence towards staff & volunteers.
* Have harassed or been personally abusive or verbally aggressive on more than one occasion (this may include written abuse e.g. emails).
* Repeatedly focus on conspiracy theories, hearsay and/or will not accept documented evidence as being factual.
* Make excessive telephone calls or send excessive numbers of emails or letters to staff.

**4. Actions prior to designating a person’s contact as persistent and/or or unreasonable.** It is important to ensure that the details of a complaint are not lost because of the presentation of that complaint. There are a number of considerations to bear in mind when considering imposing restrictions upon a complainant. These may include:

* Ensuring the person’s case is being, or has been dealt with appropriately, and that reasonable actions will follow, or have followed, the final response.
* Confidence that the person has been kept up to date and that communication has been adequate with the complainant prior to them becoming unreasonable or persistent.
* Checking that new or significant concerns are not being raised, that requires consideration as a separate case. Applying criteria with care, fairness and due consideration for the client’s circumstances – bearing in mind that physical or mental health conditions may explain challenging behaviour.

This should include the impact of bereavement, loss or significant/sudden changes to the complainant’s lifestyle, quality of life or life expectancy.

* Considering the proportionality and appropriateness of the proposed restriction in comparison with the challenging behaviour, and the impact upon staff & volunteers.
* Ensuring that the complainant has been given a chance to amend their challenging behaviour.
* Consideration should also be given as to whether any further action can be taken prior to designating the person’s contact as unreasonable or persistent. This might include:
* Raising the issue with a Trustee with no previous involvement, to give an independent view.
* Consider whether the assistance of an advocate may be helpful.
* Consider the use of ground rules for continuing contact with the complainant. Ground rules may include:
* Time limits on telephone conversations and contacts.
* Restricting the number of calls that will be taken or agreeing a timetable for contacting the service.
* Requiring contact to be made with a named member of staff and agreeing when this should be.
* Requiring contact via a third party e.g. advocate.
* Limiting the complainant to one mode of contact.
* Informing the complainant of a reasonable timescale to respond to correspondence.
* Informing the complainant that future correspondence will be read and placed on file, but not acknowledged.
* Advising that the organisation does not deal with calls or correspondence that is abusive, threatening or contains allegations that lack substantive evidence. Request that the complainant provides an acceptable version of the correspondence or make contact with a third party to continue communication with the organisation.
* Ask the complainant to enter into an agreement about their conduct.
* Advise that irrelevant documentation will be returned in the first instance and (in extreme cases) in future may be destroyed.
* Adopting a ‘zero tolerance’ policy. This could include a standard communication line, for example: “The Alice Cross Centre operates a zero tolerance policy, and safety of staff & volunteers is paramount at all times. Staff & volunteers have a right to care for others without fear of being attacked either physically or verbally.”

**5. Process for managing persistent and/or unreasonable/challenging behaviour** Where a person’s contact has been identified as persistent and/or unreasonable/challenging, the decision to declare them as such is made jointly by the Board of Trustees and the Centre Manager.

The Board of Trustees will write to the complainant, informing them that either:

* Their complaint is being investigated and a response will be prepared and issued as soon as possible within the timescales agreed.
* That repeated calls regarding the complaint in question are not acceptable and will be terminated, or;
* Their complaint has been responded to as fully as possible and there is nothing to be added.
* That any further correspondence will not be acknowledged.

All appropriate staff / volunteers should be informed of the decision so that there is a consistent and coordinated approach across the organisation.

If the declared complainant raises any new issues then they should be dealt with in the usual way.

Review of the status should take place at six monthly intervals.

**6. Urgent or extreme cases of persistent and/or unreasonable/challenging behaviour** In urgent or extreme cases, adopt safeguarding and zero tolerance policies and procedures. Put in place an action plan that may include the use of emergency services in some circumstances. In these circumstances, carry out a review of the case at the first opportunity after the event.

**7. Record keeping** Ensure that adequate records are kept of all contact with persistent and/or unreasonable/challenging contact.

Consideration should be given as to whether the organisation should take further action, such as reporting the matter to the police, taking legal action, or using the risk management or health and safety procedures to follow up such an event in respect of the impact upon staff & volunteers.