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Complaints and Grievance Policy

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1. Introduction

Leaside takes any concerns and complaints seriously and has a policy to try and resolve issues on the spot, including apologising where necessary.

We recognise that there may be occasions when formal procedures will need to be invoked, when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

2. Principles of the complaint's procedure

Our procedure to deal with complaints aims to:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial; be non-adversarial;
- allow swift handling with established time-limits for action and keeping people informed of the progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the Trust's Board of Trustees so that services can be improved.

3. Investigating Complaints

When we investigate a complaint the Director and the Board of Trustees will make sure that they:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

4. Resolving Complaints

At each stage in the procedure the Director and the Board of Trustees will seek ways in which a complaint can be resolved, and as appropriate acknowledge that the complaint is valid in whole or in part. If appropriate the Trust will offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the Trust will use its best endeavours to ensure that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review the Trust's policies and procedures in relation to the complaint. We will also encourage complainants to state what actions they feel might resolve the problem at any stage.

Note: An admission that the Trust could have handled the situation better is not the same as an admission of negligence.

5. Vexatious Complaints

The Board of Trustees will endeavour to limit the number of complaints that become protracted. There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the The Board of Trustees will inform them in writing that the procedure has been exhausted and that the matter is now closed.

6. Time-Limits

The Director and the Board of Trustees will seek to consider, and resolve, all complaints as quickly and efficiently as possible. Time limits for each stage are defined in the policy. If further investigations are necessary, new time limits can be set and the complainant will be sent details of the new deadline and an explanation for the delay.

7. Complaints' Procedure

Stage One: Informal Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the Trust can be crucial in determining whether the complaint will escalate. To that end, staff will be made aware of the procedure so that they know what to do when they receive a complaint.

It would assist the procedure if the Trust respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complainant should be referred to another staff member. Where the complaint concerns the Managing Director, the complainant should be referred to the chair of the Board of Trustees.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, they may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a member of the Board of Trustees, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. It would be useful if The Board of Trustees did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Stage Two: Complaint Heard by the Director

The Director's influence will already have shaped the way complaints are handled at the Club. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The Director may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

Stage Three: Complaint Heard by The Board of Trustees Complaints Appeal Panel

The complainant needs to write to the Chair of The Board of Trustees giving details of the complaint. The Chair, or a nominated Committee member, will convene a complaints appeal panel. The Board of Trustees appeal hearing is the last internal stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

The Remit of The Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;

- recommend changes to the Trust systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which any Trustees sitting on a complaints panel will need to remember:

a. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No Committee member may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, Committee members need to ensure it is sensitive to the issues of race, gender and religious affiliation etc.
b. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the Trust and the complainant. It has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations that will satisfy the complainant that his or her complaint has been taken seriously.
c. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
d. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
e. The Board of Trustees members sitting on the panel need to be aware of the complaints procedure.

Roles and Responsibilities

The Role of the Trust's Secretary

When considering complaints all details of the complaint will be documented. The Trust's Secretary will be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

The Role of the Chair of the Board of Trustees or the Nominated The Board of Trustees member

The nominated member role is to:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the Secretary to arrange the panel;

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing; this is usually within a set deadline, which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only permitted to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Director may question both the complainant and the witnesses after each has spoken.
- The Director is then invited to explain the Trust's actions and be followed by the Trust's witnesses.
- The complainant may question both the Trust's Director and the witnesses after each has spoken.
- The panel may ask questions at any point. The complainant is then invited to sum up their complaint.
- The Trust's Director is then invited to sum up the Trust's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

8. Advice and information for Club Members, Parents, Carers and Guardians and Other Users

1. The Trust's Managing Director, staff and The Board of Trustees of the Leaside Trust want to work with you to establish a good parent /Club relationship. They will keep you informed about the Trust's policies. However, there may be times when you, as a parent, carer or guardian, will have comments, suggestions or complaints to make.
2. Your query may concern the way in which the Trust operates; it may involve a particular activity or member of staff. You may just have a concern about a particular incident that you understand has happened at the Trust.
3. Whatever the issue, the important thing is to talk to someone at the Trust as soon as you can. It may be all that you need to do to solve the problem. If you are still unhappy after that, this leaflet tells you how you can take the matter further. It tells you what will happen and whom to contact.
4. Problems are more easily resolved if they are raised as soon as possible after something has happened. The formal procedure only covers complaints about incidents that have happened in the previous three months. This may not apply if there are obvious reasons why the incident could not have been taken up earlier.
5. There are some complaints that cannot be followed up through these procedures. Separate procedures exist for complaints, for instance, on staff conduct. If you take your concern informally to the Trust's Director first, the Director can advise you if it is a matter that will be dealt with in a different way.
   Informal Stage: Stage 1
6. If you have a query, discuss it with the youth worker in charge (on site) or the senior member of staff on duty (off site). They will either respond immediately or as soon as they have the necessary information. You will be given a date by which they will get back to you.
   Informal Stage: Stage 2
7. If you are dissatisfied with the response from the youth worker in charge or the senior member of staff you can contact the Managing Director. The Director will either respond immediately or as soon as the Coordinator has the necessary information. You will be given a date by which the Coordinator will get back to you.
8. If you contact a member of the Trust's The Board of Trustees, they will ask you to contact the Director or the appropriate member of staff. This is to help you start at the right place and leave The Board of Trustees members free, to possibly be involved at a later stage.
   Formal Stage: Stage 3
9. Most complaints will have been resolved by this stage. If you are still unhappy, the next step is to make a formal complaint to The Board of Trustees.
10. You can write a letter or use the form at the end of this booklet to record your complaint.
11. You should send your complaint to the Chair of The Board of Trustees at the Trust. You may wish to keep a photocopy to use later.

12. The Chair of The Board of Trustees or a nominated Committee member will review the Complaint to be certain that the matter has been dealt with at the informal stages 1 & 2.
13. Your complaint will be acknowledged and you will be asked to suggest dates and times for a hearing. You will be given the opportunity to supply further information in writing at least 7 working days before the hearing.
14. The Secretary to The Board of Trustees will confirm in writing the time, date and venue for the hearing. You may take a friend or representative with you as well as an interpreter, should one be required.
15. Four working days before the hearing the Secretary will send you any papers submitted for the consideration of the Panel including the original complaint. Leaside Complaints Policy Document
16. At the hearing the Chair of the Panel will introduce the Panel members to you and remind you of the following process for the hearing.
17. An opportunity for you to speak to the Panel about your complaint.
18. The Committee members on the Panel may ask you questions about what you have said or written.
19. You will be invited to make a final comment and indicate how you might hope the matter would be resolved.
20. You will then be free to leave the Trust
21. The Panel will invite the Director to join them in order to outline the Trust's position.
22. The Board of Trustees members on the Panel may ask the Director questions about what has been said or put in writing.
23. The Director will have an opportunity to make a final statement.
24. The Director will leave the Hearing.
25. The Panel will discuss what they have heard and reach a decision.
26. The Chair of the Panel will write to you and the Director within three working days of the Hearing to let you know the outcome.