

COMPLAINTS POLICY AND PROCEDURE

How are our values demonstrated/supported through this policy?	We welcome all –this policy will help YMCA DownsLink Group (YMCA DLG) learn where we get things wrong and ensure we continuously improve our services
	We support – this policy provides the complaints framework to ensure that we support clients, visitors, neighbours, volunteers and other stakeholders to have a positive experience in our services, and to have a say when things are not right
	We inspire – we aim to inspire others to adopt a culture of learning, and openness to feedback so that we can continually improve how we do things
	We speak out - we want clients and other stakeholders to be able to speak out when we get things wrong so that we can learn and put things right
Equity, Diversity & Inclusion implications of this policy	<p>We treat all clients and stakeholders with fairness and respect. We recognise we may need to adapt this policy and procedure to accommodate the different needs of our clients and other stakeholders.</p> <p>We remain aware that those who experience issues relating to their mental health (e.g. anxiety, trauma, anger management) may find complaints processes particularly problematic. We recognise that our main client group in particular (children and young adults) may need extra support to voice concerns and to make complaints.</p> <p>We will readily make reasonable adjustments to our ways of working. All clients will have access to this policy and procedure and an explanation of our process. This document and any related leaflet may be translated or interpreted or provided in accessible formats according to clients' needs.</p> <p>Equity, Diversity and inclusion training is mandatory for all staff including complaints leads.</p>
Version Control	Version number: 08
Review Information	<p>First published: August 2010</p> <p>Reviewed: June 2014, Dec 2015, Feb 2017, May 2018, June 2020, July 2021, Dec 2022</p> <p>Next Review Date: Dec 2024</p>

1.0 Introduction

A complaint is **an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.** It is important to note that a complaint may not include the word 'complaint' to be treated as such.

This policy sets out how we will recognise and investigate complaints and our aim to resolve things promptly, fairly and politely, say sorry and learn from when we've got things wrong. We will report to residents about our performance with complaints through mechanisms such as residents' newsletters, satisfaction surveys and reports and the annual report to stakeholders.

2.0 Scope

This policy applies across all YMCA DLG services. Any client or stakeholder can make a complaint. Employees, however, should follow the process outlined in the organisation's Grievance Policy. Whistleblowing is a separate matter and is addressed in the Whistleblowing policy.

There are rare occasions when a complaint will not be investigated, the matters excluded are:

- the issue occurred over six months ago (other than in exceptional circumstances)
- the issue is or has been subject to legal proceedings
- the element of the complaint relates to an insurance claim
- the complaint has been considered already
- the complaint is being pursued in an unreasonable way by the complainant

Disputes between individual clients/residents in accommodation projects are not complaints and should be raised with a member of staff through house rules procedures.

3.0 Complaints - Key Principles

We will:

- resolve complaints where they arise (locally, informally, quickly), wherever possible
- receive complaints in any format - hand-written, telephone, text, social media, email and verbally
- make the complaint process easy and available to all
- treat all complaints seriously, adhering to YMCA DLG's Equity, Diversity and Inclusion policy
- deal with complaints as sensitively as possible. Information will only be divulged if it is necessary to the investigation, and usually with the consent of the complainant
- issue an apology where a complaint is upheld, with an explanation of any action or learning
- where appropriate, collect and analyse complaints in relation to equity, diversity and inclusion (EDI) matters (clients only) to ensure we approach investigations with

fairness and respect. EDI related complaints will be handled by a member of the Leadership Team (LT)

- comply with the Housing Ombudsman Complaints Code and the Data Protection Act 2018

4.0 Responsibilities

4.1 The Board of Trustees

- oversee the learning from complaints and compliance with the Complaints Code, through the Audit and Risk Committee and the annual complaints report
- agree a designated governance lead for complaints

4.2 The Extended Leadership Team (ELT),

- ensure that there is a system for monitoring complaints
- ensure complaint leads are responding to complaints appropriately and in line with the policy
- make themselves available should a complaint need to be escalated to a more senior representative

4.3 Head of Quality and Compliance

- updates the ELT regarding any performance issues with the complaints process
- shares learning from complaints with staff, residents and trustees
- liaises with complaint leads to ensure they are familiar with the procedure and have access to relevant training
- has responsibility for monitoring the implementation of this policy
- regularly reports to the Audit and Risk Committee on complaints, and reports to the Board of Trustees in full annually
- identifies when a complaint is significant enough to warrant following the incident reporting policy and inform ELT and board as necessary

4.4 Quality Officer

- oversees the register of complaints received for quality assurance purposes, e.g. ISO 9001:2015
- reviews data collected and ensures meaningful and relevant performance measures are reported
- ensures that records relating to complaints are kept securely and then destroyed safely in line with data protection legislation when no longer needed, see Data Protection and Information Handling policy
- works with the reception team at the registered office of YMCA DLG to ensure complaints are acknowledged quickly

4.5 Managers and Senior Workers

- seek to resolve each complaint fairly and within timescales set in this policy
- to follow the procedure set out in appendix 1

4.6 All Staff and Volunteers

- ensure that any complaint received by them is dealt with according to the policy and procedure
- forward all complaints to complaints@ymcadlg.org if received in writing. If received verbally make full notes and then pass on to manager and complaints@ymcadlg.org

5.0 Complaints Process – overview

There are two stages to the complaints process see below. If the complainant is a resident in a YMCA DLG housing project they can involve the Housing Ombudsman at any point, click here: [The Housing Ombudsman's Complaint Handling Code \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk)

Stage 1: complainant receives a written response within 10 working days from the date the complaint is logged

Stage 2: the complaint is escalated when the complainant requests a review (if they are not satisfied with the outcome at stage 1). This will take place within 20 working days of the request being logged.

Please see Appendix 1 for the full details of the complaints procedure for complainants.

6.0 YMCA DLG Complaints Register

The electronic register will be securely stored. It is only accessed by those with responsibility for complaints monitoring and for Subject Access Requests (see Data Protection and Information Handling policy). These people are:

Eleanor Clarke, Head of Quality and Compliance
Kim Walker, Quality Officer
Nyasha Jena, Business Intelligence Analyst

The information held on the register will be minimal but will include brief details of complaints, along with the named lead for the complaint and dates of key progress, learning and outcomes as well as EDI data (see 3.0).

7.0 Data Retention

We comply with the Data Protection Act 2018 in relation to keeping records of each complaint we receive. All records relating to complaints will be kept securely, with access restricted to the names mentioned in section 6.0 above.

Records relating to each case will be kept for six years after which they will be securely destroyed.

8.0 Relevant Policies and Documents:

Please also refer to:

Appendix 1, Complaints Procedure
Appendix 2, Flow Chart
Appendix 3, Guidance for Complaints Leads
YMCA DLG's Complaints Leaflet

YMCA DOWNSLINK GROUP

- ASB policy and procedure
- Code of Conduct
- Data Protection and Information Handling
- Disciplinary
- Equity, Diversity and Inclusion
- Grievance
- Information Sharing
- Quality
- Managing Difficult and Aggressive Situations
- Managing Poor Performance
- Social Media
- Whistleblowing

APPENDIX 1: COMPLAINTS PROCEDURE FOR COMPLAINANTS

1.0 Aims of Procedure

This procedure has been developed to explain to you how you can make a complaint when you are a service user (for example a client or resident), member of the public, or other stakeholder.

Note: this procedure sits outside the process of appeal within supported accommodation projects, if you are querying an eviction you should follow the appeal procedure.

At YMCA DLG we aim to:

- resolve complaints where they arise (locally, informally, quickly), wherever possible
- receive complaints in any format - hand-written, telephone, text, social media, email and verbally
- make the complaint process easy and available to all
- treat all complaints seriously, adhering to YMCA DLG's Equity, Diversity and Inclusion policy
- deal with complaints as sensitively as possible. Information will only be divulged if it is necessary to the investigation, and usually with the consent of the complainant
- issue an apology where a complaint is upheld, with an explanation of any action or learning
- where appropriate, collect and analyse complaints in relation to equity, diversity and inclusion (EDI) matters (clients only) to ensure we approach investigations with fairness and respect. EDI related complaints will be handled by a member of the Leadership Team
- comply with the Housing Ombudsman Complaints Code and the Data Protection Act 2018

For us to investigate and respond to your complaint, the person who will look into your complaint will need to keep records and liaise with the complaints team at YMCA DLG.

2.0 How to raise a complaint

You can raise a complaint by:

- speaking to a member of staff, by phone or face to face
- writing a letter or email (email complaints@ymcadlg.org)
- asking someone else to raise a complaint on your behalf (although we will need permission from you to investigate)

2.1 Matters that will be excluded

Some matters will be excluded from being dealt with under the complaints procedure. Matters that may be excluded are:

- the issue occurred over six months ago (other than in exceptional circumstances)
- the issue is or has been subject to legal proceedings
- the element of the complaint relates to an insurance claim

- the complaint has been considered already
- the complaint is being pursued in an unreasonable way by the complainant

Disputes between individual clients/residents in accommodation projects are not complaints and should be raised with a member of staff through house rules procedures.

If we decide not to accept a complaint, a detailed explanation will be provided to explain to you the reasons why the matter is not suitable for the complaints process.

If you are a resident you have the right to challenge a decision by raising your complaint with the Housing Ombudsman.

2.2 Complaints raised in an unreasonable way

We recognise that there may be other factors that can cause some people to appear unreasonable in their complaints - by this we mean being abusive, harassing YMCA DLG staff in pursuing the complaint, or raising repeated unfounded complaints about YMCA DLG with other agencies.

We may decide not to investigate a complaint if it is being pursued in an unreasonable way, however we will take care to consider whether you have had access to appropriate support to make the complaint and opportunities to understand the process before deciding whether to exclude the complaint.

We may give you advance notice of the decision, and a chance to consider your approach to the complaint however sometimes we are not able to do so if the complaint involves threats or abuse.

Our Equity, Diversity and Inclusion Policy is cross referenced in our Complaints Policy so that staff can easily refer to it when making decisions on whether to refuse to accept a complaint because of unacceptable behaviour.

3.0 What happens when a complaint is first raised with us - Stage 1

We will acknowledge your complaint, in writing, as soon as possible (and no more than 5 working days from receipt). You should receive a written response within 10 working days of the complaints team logging your complaint. If it is going to take longer we will let you know. If you are unhappy with the timescale and you are a resident in one of YMCA DLG's properties you can raise this with the Housing Ombudsman.

On most occasions we will contact you to talk to you to find out more and resolve your complaint; we will ask what you would like to happen as a result of your complaint. We will tell you about the next steps, and who will be leading on the complaint.

3.1 Investigating your complaint

Someone appropriate will be asked to investigate your complaint. This will normally be a manager, who may be connected to the project or service. If it is felt to be more appropriate it will be passed to a manager who is not connected to the project or service.

If the complaint is about a member of the team (for example staff member, volunteer, team) the member will be informed as to the nature of the complaint that has been made.

The complaint lead will look at all evidence from anybody involved in the complaint. They will also talk to the relevant staff or volunteers involved. They are then responsible for writing a report and writing to you with a formal response (see below).

3.2 The outcome of the investigation

You should receive a formal and final written response within 10 working days from logging the complaint at Stage 1. This will tell you the outcome of the investigation. The letter will state:

- the nature of the complaint raised
- the nature of the investigation undertaken
- the conclusions reached by the complaint lead, for example whether we fully support, partially support, or don't support each of your points
- what action has been taken, or are being taken, to resolve the situation, put things right and to avoid such situations reoccurring
- any learning from the complaint
- a full apology (where applicable)

If you complained about a staff member they will also be informed of the outcome of the complaint, and may be provided with opportunities to improve (e.g. training or other support); however you may not be told of any formal action taken against a member of staff, for data protection reasons.

If a final written response cannot be sent within 10 working days we will notify you, explaining the reasons for the delay to you and when we will provide a final response. We aim to ensure that any extension will not exceed a further 10 days without good reason.

3.3 Withdrawing a Complaint

You can inform the complaint lead at any time that you want to withdraw a complaint. This will need to be in writing (letter or email).

It may be that despite repeated attempts we are unable to contact you, in which case the complaints team may deem the complaint is withdrawn and close it.

If a complaint is withdrawn at any stage any person that has been complained about will be informed.

HR and the investigating person may still investigate if they feel there is learning to be gained for the organisation, and that continuing with the investigation would help prevent any reoccurrence of a similar complaint.

3.4 If you are not happy with the outcome - Stage 2

If you are not happy with the outcome of the complaint you can request that someone else review your complaint. This must be done within 10 working days and should be requested in writing.

We will acknowledge your request (in 5 working days) and escalated to an appropriate person not connected to the original complaint. We aim to consider stage 2 complaints

within 20 working days. If a final written response cannot be sent within 20 working days we will suggest an extension date for your approval, explaining the reasons for the delay to you. We aim that any extension will not exceed a further 10 days without good reason. If you are unhappy with our suggested extension date, *and you are a resident*, you can challenge our timescales by contacting the Housing Ombudsman.

This is the final stage of our internal complaints procedure. See section 7.0 for further steps after this.

3.5 If you have a legal right for remedy and compensation

If the situation surrounding your complaint means you have a legal right for a remedy we may, subject to legal advice, offer you a resolution to your complaint where possible.

3.6 Access to the Housing Ombudsman Service for residents

Residents have a right to access the Housing Ombudsman Service, at any point throughout the life of a complaint. This affords you the opportunity to engage with the Ombudsman's dispute support advisors. The Housing Ombudsman can be contacted by email at info@housing-ombudsman.org.uk

4.0 Recording Complaints

All significant complaints that are raised are logged on a complaints register. The HR department is always involved in complaints that relate to staff and volunteers.

The Head of Quality and Compliance has responsibility for the Complaints Register (see Complaints Policy). The register is how we monitor the number and types of complaints received. It is also a way to make sure we are following the procedure correctly. All emails and letters will be saved and stored securely. Only those named in section 6.0 of the Complaints Policy have access to the Complaints Register.

5.0 Information Sharing and Data Protection

Information on complaints should be kept for no longer than 6 years, in line with the organisation's Data Protection Policy.

YMCA DLG is required to share a summary of complaints to some external agencies, e.g. as part of an external accreditation such as ISO 9001:2015, where a funder requires statistics on complaints received or for Ofsted registration purposes. Summaries will be brief, and non-identifying and taken from the Complaints Register.

6.0 External Advisers

If, after you have requested a review, you are still not satisfied, you can seek further advice or support from another agency. For example:

Housing Ombudsman info@housing-ombudsman.org.uk

(This is if your complaint is related to YMCA DLG accommodation provision and you are a resident in a YMCA DLG property).

Citizens Advice Bureau <https://www.citizensadvice.org.uk/>

YMCA

DOWNSLINK GROUP

The Charity Commission <https://www.gov.uk/complain-about-charity>
(NB: please see their website for information on what types of complaint they will act upon)

Fundraising Standards Board <http://www.frsb.org.uk/donors/>
If your complaint is about YMCA DLG fundraising activities or donation processes

APPENDIX 2: COMPLAINTS FLOW CHART

1ST STAGE



2ND STAGE

Quality Officer/Head of Quality must:

1. acknowledge the request within 5 days
2. state the name of the person whom the complaint will be reviewed by.

2nd stage complaint lead must:

1. Conduct a thorough investigation by examining correspondence relating to 1st stage and by talking to parties involved
2. See Appendix 3 for guidance
3. Prepare formal response using the template provided, asking for advice from Quality Officer/Head of Quality before submitting response
4. **Note** formal response needs to be sent within 20 days unless a longer period has been agreed with complainant.

APPENDIX 3: COMPLAINTS PROCEDURE for complaint leads (staff)

If you are leading on a complaint you need to investigate the concerns raised thoroughly which may involve reviewing documents, case notes and speaking to staff and others involved. You should:

- prepare your findings in a formal response (templates provided) according to the timescales set in the policy (stage 1 is 10 working days, stage 2 is 20 working days)
- be prepared to update the complainant along the way as to progress, clarifications or delays
- treat each complaint seriously, adhering to YMCA DLG's Equity, Diversity and Inclusion policy, flagging with an SMT member if the complaint could be considered discriminatory
- offer, or source, additional support for the complainant if they are struggling with the complaint process (e.g. the complainant is a resident who has additional needs)
- deal with complaints as sensitively as possible. Information will only be divulged if it is necessary to the investigation, and usually with the consent of the complainant
- be prepared to issue an apology where things have gone wrong, with an explanation of any action or learning taken because of the complaint (templates can help with structure)
- where appropriate, collect and analyse complaints in relation to equity, diversity and inclusion (EDI) matters (clients only) to ensure we approach investigations with fairness and respect. EDI related complaints will be handled by a member of the Senior Management Team

You should send your draft written response to the Quality Officer or, in their absence, the Head of Quality and Compliance before sending. This is to ensure that the letter is in line with the requirements of the Complaints Code, and to ensure that actions and learning, with deadlines, are clearly communicated.

You are responsible for keeping the complainant up to date on the progress of your investigations. If genuine complications arise that are going to delay reaching your findings, you must inform the complainant and seek their agreement to new timescales.

Complaints related to another YMCA DLG staff member

If the complaint is about a member of staff you will need to liaise with the complaints team to make sure that the staff member, the People Team and/or their line manager are aware. Depending on the nature of the complaint there may also need to be ongoing liaison with the People Team.

The People Team should signpost the staff member for support as being the subject of a complaint is likely to be difficult for them. Signposting should include Health Shield, a Mental Health First Aid Champion, and/or Chaplaincy.

The outcome of the complaint

You must keep all the information and correspondence regarding the complaint secure, sharing everything with the complaints team for audit purposes. You must work closely with

the Quality Officer, or Head of Quality and Compliance, to ensure that the response you write is within timescales, and in line with the policy and of a professional standard.

You must use the template provided by the Complaints Team.

In formulating your written response, you will need to consider whether:

- changes are needed to how we do things
- there is a potential risk to the work of YMCA DLG
- there is a potential risk to YMCA DLG employees
- there is a potential risk to clients or other stakeholders

If any changes are recommended and agreed, all relevant staff should be informed and told of any action that needs to be taken.