
Complaints and Compliments Policy

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1. POLICY STATEMENT

- 1.1 YMCA Norfolk is committed to ensuring that there are effective means to review, respond and act on complaints in relation to its service delivery. The Policy applies to all legal entities within the organisation. This policy links to the Charity's obligations under the Housing Ombudsman Complaint Handling Code, the Tenant Satisfaction Measures and Ofsted requirements.
- 1.2 We are committed to providing services that meet the standards agreed with customers (including residents, service users, young people and stakeholders). Through the implementation of this policy, we aim to address situations where we do or do not meet expectations and need to understand, learn and identify how we can improve our service.
- 1.3 When considering feedback, we will consider whether it is either:
 - A Service Request
 - A Complaint
 - A Compliment
- 1.4 These terms are defined below and the Complaint Handling Code (for complaints in relation to our landlord duties) and wishes of the Customer will be considered when deciding which category is appropriate.
- 1.5 Where we can, we will seek to avoid matters escalating by simply understanding and putting in place simple remedies.

2. PURPOSE

- 2.1 The aims of the Policy are to:
 - Ensure customers have open and fair access to the complaints and compliments process.
 - Manage complaints and compliments effectively and efficiently.
 - Operate a prompt, fair complaint escalation and review process.

3. SCOPE

- 3.1 This policy applies to all staff, volunteers, contractors, or any person delivering services for YMCA Norfolk at all times.
- 3.2 This policy covers complaints and compliments made by service users of YMCA Norfolk, other individuals, external organisations, or groups and from members of the local community.
- 3.3 The policy applies to all YMCA Norfolk services and activities. It is the duty of YMCA Norfolk managers and staff to ensure the policy is implemented and followed.

4. DEFINITIONS

- 4.1 **Customer** - Refers to all service users whether they be residents in our accommodation (including young people aged 16-17 and anyone living within our supported lodgings schemes), children, young people or family members, and all users of any service of YMCA Norfolk.
- 4.2 **Service Request** - A service request in the context of this policy is a request from a customer requiring action to be taken by the organisation to put something right. A complaint

should be raised when the customer raises dissatisfaction with the response to their service request. Service requests will be recorded, monitored and reviewed regularly.

- 4.3 **Complaint** - 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 customer or group of customers. A customer does not have to use the word complaint for it to be treated as such.
- 4.4 Where dissatisfaction is expressed about a service and we have been unable to remedy the situation to the customer's satisfaction and the customer chooses to formalise the matter, a complaint should be lodged within 12 months of the occurrence which is being complained about.
- 4.5 A complaint may be made by a current or former customer, a prospective customer, a third party affected by our actions, or an MP, Councillor or third party acting on the complainant's behalf with their permission. All complainants have the right to have a representative to accompany them at any meetings. Compliments, complaints and suggestions may also be raised via our different social media platforms. See exclusions section.
- 4.6 **Compliment** - An unsolicited expression of gratitude or praise for a member of staff or service area from either a colleague, any user of any service of YMCA Norfolk or an external organisation.
- 4.7 Compliments enable YMCA Norfolk to acknowledge and celebrate staff. It enables the organisation to understand where it is successful and how it can replicate this.
- 4.8 **Suggestion** - We recognise that sometimes customers put forward a suggestion as to how we can improve our service without making a complaint. We will actively encourage people to make suggestions for improvement. This includes:
- Talking to customers while they are on the premises.
 - Monitoring social media and online forums.
 - Asking employees about customer feedback.
 - Reading online reviews by customers.
 - Customer feedback surveys and suggestion forms.
 - Residents' surveys
- 4.9 We recognise that suggestions may be things that take a longer time to respond to (as they may include suggestions of significant change to service or property standards). As such we will try to respond to suggestions, but this response will be on a more bespoke timeline. From time to time, we will publish "you said, we did" information in various sites and services in order to demonstrate how customer's comments have been taken on board.

5. EXCLUSIONS

- 5.1 The following type of complaints cannot be pursued through the Complaints process where the issue:
- Has already been raised through our complaints process and matters have previously been considered under the Complaints and Compliments Policy unless significant new evidence has come to light since that decision.
 - Is, has or should be handled through legal action and where legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.

- Is an internal complaint raised by a member of staff or volunteer (which should instead be treated in line with the grievance or whistleblowing policies).
- Is raised anonymously or without any means of speaking to the complainant in order to substantiate their complaint.
- The issue giving rise to the complaint occurred over twelve months ago. Discretion will apply here e.g. individual personal circumstances e.g. bereavement/illness; vulnerabilities; where a resident has not been aware of the issue and could not be expected to bring the complaint forward sooner.

5.2 Where a complaint cannot be pursued through our complaints process, we will provide the customer with an explanation setting out the reasons why the matter is not suitable for the complaints process and the right to take our decision to the Housing Ombudsman if their complaint is in relation to our landlord duties or OFSTED if it is in relation to our OFSTED registered service. If the Ombudsman/ OFSTED does not believe that the exclusion has been fairly applied, they may tell us to take on the complaint.

6. REFERENCES

6.1 The following documents are referenced within this policy:

- INFORM Database
- Policy 19 - Equality, Diversity, and Inclusion Policy
- Policy 02 - Data Protection Policy
- Policy 05 - Subject Access Request Policy
- Policy 25 - Appeals Policy and Procedure
- Policy 50 - Grievance Policy

7. RESPONSIBILITIES

7.1 The Board has appointed a Member Responsible for Complaints (MRC).

7.2 The MRC will scrutinise, and review complaints reports and performance prior to consideration by the Board. They will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the organisations complaint handling performance and helps create a culture of openness and transparency in this area.

7.3 The Chief Executive Officer will be the lead Executive for Complaints handling. However, each Executive Director will be responsible for responding to complaints in their areas of responsibility.

7.4 The Chief Executive Officer will produce:

- i) An annual complaints report to the Compliance and Performance Committee and Board
- ii) A quarterly complaints report to the Compliance and Performance Committee. This will sit alongside reporting on Tenant Satisfaction Measures.

7.5 The Chief Executive Officer will hold the Complaints Officer designation for the purposes of the Housing Ombudsman Code.

7.6 The Chief Executive Officer is responsible for liaising with the Chair of the Board about reporting complaints to Regulators.

7.7 The Early Years and Communities Director is 'Nominated Person' for OFSTED registered Childcare provision.

8. POLICY DETAILS

Equality Impact Assessment

- 8.1 We are committed to treating everyone fairly, recognising the protected characteristics set out in the Equalities Legislation. We will act sensitively towards the diverse needs of individuals and communities and will take positive action where appropriate.
- 8.2 We make appropriate arrangements where necessary to ensure that customers with distinct communication needs are not unreasonably and disproportionately affected. This could involve providing communications in alternative languages or formats or providing interpretative or transcription assistance where appropriate.
- 8.3 We will ensure that anyone living with us, and in particular those under the age of 18, is supported to make a complaint and ensure that they are not subject to any reprisal or detriment for making a complaint or representation.

Making A Complaint or Compliment

- 8.4 A complaint or compliment can be raised in any way and with any member of staff. Ways of raising complaints will include:
 - By email to info@ymcanorfolk.org.
 - Verbally to a member of staff who will support the complainant to complete a complaint on INFORM.
 - Contacting YMCA Norfolk on 01603 621263
 - By letter to YMCA Norfolk, Aylsham Road, Norwich, Norfolk, NR3 2HF
 - Where a complaint, compliment or service request is raised via social media, it will be treated in line with the Complaints and Compliments Policy and process. Where it is identified as a specific complaint then the complainant will be contacted directly via social media to progress this further, where it is a service request then the organisation will decide whether to publish a public or private response.
- 8.5 A summary, step by step guide to the Complaints and Compliments Policy will be made available in plain English at key points around our sites and on our website. Where a customer might require assistance in raising a complaint, assistance can be provided by a member of staff or by a third party such as the Citizens Advice.
- 8.6 A summary of this policy and a full copy will be made available on our website, including information about the Housing Ombudsman and the Housing Ombudsman Code.
- 8.7 Where the complaint concerns a Safeguarding issue relating to people in the care of YMCA Norfolk, then YMCA Norfolk Safeguarding Children and Young People Policy will apply.
- 8.8 The person reviewing the complaint will also consider whether the seriousness of the matter triggers any regulatory reporting requirements. If there are any questions over the most appropriate steps to take, then the advice of the Chief Executive Officer will be sought.
- 8.9 If a complaint or compliment is raised directly with a trustee, they will ask the person to follow the process outlined in this policy. The trustee will also inform the Chair, so they are aware. The trustee will be updated as to the outcome.

Exceptional Variation

8.10 A tiny minority of customers may account for a disproportionately and unreasonably high volume of complaints, diverting significant time and resource away from other customers. The following are examples where a complainant could be considered to placing an unreasonable demand on the organisation:

- Requesting large volumes of information, asking for responses within a short space of time, refusing to speak to an individual or insisting on speaking with another.
- Refusing to accept the answer that has been provided, continuing to raise the same subject matter without providing any new evidence, continuously adding to or changing the subject matter of the complaint
- Refusal to co-operate (e.g. complaining without responding to clear and appropriate requests to clarify the complaint, and or requests for further information to investigate it).
- Verbal abuse, aggression, violence (this is not just limited to actual physical or verbal abuse but can include derogatory remarks, rudeness, inflammatory allegations and threats of violence).
- Overload of letters, calls, emails or contact via social media (this could include the frequency of contact as well as the volume of correspondence received as well as the frequency and length of telephone calls).

8.11 A member of the Executive Team must confirm that a complainant is acting unreasonably. Where this is so we will:

- Provide a single point of contact.
- Limit contact to a single form - i.e., to writing, email or telephone only.
- Limit contact to certain times or to a limited number of times per week or month.
- Decline to give any further consideration to an issue unless any additional evidence or information is provided.
- Only consider a certain number of issues in a specific period.

8.12 The above course of action will be confirmed in writing to the complainant, alongside an explanation as to why their complaint is considered unreasonable and what action is required to address this. We will review any such decision every 6 months.

8.13 Any new, unrelated, complaints that are received during this time will be treated on their individual merits and will be dealt with accordingly. Any additional related, complaints that are received during stage 1 of the process will be incorporated into the stage 1 investigation if the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.

Service User Or External Complaint About A Board / Committee Member, Chief Executive Or Executive Team Member

8.14 Where a service user or external complaint is received about the behaviour of a Board / Committee member or the Chief Executive Officer, the investigation will be commissioned by the Chair of the Board of Trustees. In commissioning this work, the Chair may choose to bring in an independent person to carry out the investigation if they consider it necessary to do so.

8.15 For the avoidance of doubt, this Complaints and Compliments Policy is for service users or external complaints. For any internal matters relating to employment, volunteering or contracting concerns, then they should be raised under the Grievance Procedure (Procedure 22).

Data Protection And Information Sharing

8.16 We will share relevant information with appropriate agencies in line with Data Protection Legislation that governs when and how we can share personal information.

Staff Training

8.17 We will use anonymised complaints to support staff with training in delivering the Complaints and Compliments Policy.

Complaints Handling

8.18 All complaints and compliments must be logged on INFORM; their outcomes must also be recorded there also.

8.19 The procedure for making a complaint and/or compliment should be clearly outlined and promoted across all services.

8.20 Complaints will be responded to using a 2-stage process. This allows for appeals against decisions or outcomes if the complainant is not satisfied. This is achieved by a process of escalation once the relevant stage in the procedure has been exhausted.

8.21 **Stage 1: Complaint** - A complaint will first be investigated at stage one of the complaints procedure. YMCA will progress a complaint in a fair and transparent manner:

- Within 5 working days we will acknowledge receipt of the complaint and provide an indication of when a substantive response to the complaint might be given. If we consider the matter to be a Service Request rather than a Complaint, then we will confirm that at this stage. The day we receive the complaint is day 0, unless the complaint is received outside of our core working hours (9.00am 5.00pm). In this instance, the date received will be logged as the following working day and counted as day zero.
- After acknowledging the complaint (above) we will contact the complainant (where appropriate) to arrange to meet and review the complaint and gather further information. We will also meet with members of staff and stakeholders as necessary to agree a response.
- No person who is the subject of a complaint or representation will be asked to take part in any part of the complaint investigation or consideration, except at the informal resolution stage, if it is considered appropriate.
- After arranging to meet the complainant (or acknowledging the complaint if no meeting is proposed) we will write to the complainant setting out our findings and if necessary, offering resolution. We will respond with a decision within 10 working days of the complaint being acknowledged. Our response will clearly set out), the decision made (whether it has been upheld/partially upheld/not upheld) and the reasons why, details of any remedies to put things right and any outstanding actions. It will also provide details of how to escalate the matter if unsatisfied.
- If this time limit cannot be met, we will write to the complainant within 10 working days of acknowledgement, explaining the reason for the delay, providing a revised date (which should not exceed a further 10 working days without good reason) and giving details of the Ombudsman or OFSTED (where relevant).

- 8.22 If the complainant is not satisfied with the response to the complaint, they will have 14 working days in which to appeal. The procedure for making an appeal will be set out in the complaint response and an appeal must be made within 14 days. If no appeal is forthcoming, then the complaint will be considered to be closed. We will, however, exercise discretion and review requests to escalate after this time on a case-by-case basis.
- 8.23 **Stage 2: Appeal Against Decision** - If the customer is not satisfied with the outcome of Stage 1 of the procedure, or feels that the procedure has not been followed, the next stage is to progress to stage 2.
- 8.24 Within 5 working days we will acknowledge receipt of the stage 2 complaint and provide an indication of when a substantive response to the complaint might be given.
- 8.25 Complainants are not required to explain their reasons for requesting a stage 2 consideration. We will, however, make reasonable efforts to understand why a complainant remains unhappy as part of our stage 2 process.
- 8.26 A review of the decision will be taken by a person who is not involved in the original decision. Where the complaint is about the Chief Executive, an Executive Director or Committee Member / Trustee, then this appeal stage will be coordinated by the Chair of the Board as is necessary and appropriate in the circumstances.
- 8.27 We will respond with a decision within 20 working days of the stage 2 complaint being acknowledged. Our response will clearly set out the description of the complaint (the 'complaint definition'), the reasons for our decision (whether it has been upheld/partially upheld/not upheld), details of any remedies to put things right and any outstanding actions.
- 8.28 If this time limit cannot be met, we will write to the complainant within 20 working days of acknowledgement, explaining the reason for the delay and providing a revised date (which should not exceed a further 20 days without good reason) and providing details for the Housing Ombudsman (where relevant).
- 8.29 Where something has gone wrong we will acknowledge this and set out the actions we have already taken, or intends to take, to put things right. These can include:
- Apologising
 - Acknowledging where things have gone wrong
 - Providing an explanation, assistance or reasons
 - Taking action if there has been a delay
 - Reconsidering or changing a decision
 - Amending a record or adding a correction or addendum
 - Providing a financial remedy if necessary
 - Changing policies, procedures or practices.
- 8.30 Any remedy offered must reflect the impact on the complainant as a result of any fault identified.
- 8.31 The remedy offer must clearly set out what will happen and by when, in agreement with the complainant where appropriate. Any remedy proposed must be followed through to completion.

Housing Ombudsman

8.32 Where the complaint relates to landlord services then complaints may be passed directly to the Ombudsman if the complaint has passed through all the internal procedures for considering complaints against the landlord. Residents can, however, contact the Housing Ombudsman at any point during the complaint process. They cannot investigate the complaint whilst it is going through the internal procedure, but they may help facilitate a resolution.

8.33 As a Landlord YMCA Norfolk must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.

8.34 They can be contacted at:

Housing Ombudsman Service, PO Box 152, Liverpool L33 7WQ

<https://www.housing-ombudsman.org.uk/residents/make-a-complaint/>

OFSTED: Early Years/ Registered Childcare Provision

8.35 As above, any parent/carer may submit a complaint to Ofsted about any aspects of our registered childcare provision. Ofsted role in complaints is to ensure that childcare providers are following all registrations requirements and to take action if necessary. Ofsted will review information received within complaints and decide what action to take. They may carry out an immediate inspection, ask the provider to take action or work with other agencies. Ofsted will publish all complaints made against providers on their website.

8.36 They can be contacted at:

OFSTED, Piccadilly Gate, Store Street, Manchester M1 2WD

Tel: 0300 123 4666

enquiries@ofsted.gov.uk

<https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure>

9. MONITORING & EVALUATION

9.1 We will use complaints as an opportunity to learn and implement remedies to prevent future reoccurrences where appropriate. When closed, complaints will be analysed to:

- Assess whether the service standards set out in this policy have been met.
- Assess quality of response to complaints.
- Assess that appropriate action has been taken within reasonable response times.
- Assess whether the policy has been applied fairly and consistently.
- Identify any lessons to be learnt and service improvements made.
- Decide on any necessary communication to staff and customers.
- Identify any required amendments to procedures.
- Report on the number of complaints that have been handled that are repetitive.

9.2 We will routinely monitor our performance in implementing this policy and report outcomes to the Board, the Member Responsible for Complaints and Executive Team.

9.3 The Board will consider the impact of very serious complaints on the risk register.

- 9.4 We will conduct regular customer satisfaction surveys that will enable customers and the Charity to provide feedback on complaints handling to ensure that customers feel able to complain and are confident that their complaint will be dealt with in a positive manner. Customers who express dissatisfaction will be provided with details of our complaints process and the details of the Housing Ombudsman if their complaint is in relation to our landlord duties.
- 9.5 This policy may be reviewed at any time at the request of either staff or management but will automatically be reviewed 3 years from initial approval by the Board of Trustees and thereafter on a triennial basis unless organisational changes, legislation, guidance, or non-compliance prompt an earlier review.

10. ASSOCIATED DOCUMENTS

10.1 The following document is associated with this policy:

- Procedure 02 - Complaints and Compliments Procedure