## Complaints Policy

## Last reviewed March 2020, next review, March 2023

# 1. Policy Statement

New Cross Gate Trust (“the Organisation”) is committed to providing excellent customer service to everyone who is affected by its operation. We do not look at complaints as unwanted and we are firmly committed to a process of continuous improvement of which the complaints procedure is just one element.

Recognising that sometimes things go wrong, or mistakes are made, this policy outlines how you can make a complaint and the internal procedures we follow to manage the process.

This policy will be available on our web site and will form part of the induction pack for staff and trustees. A copy will be sent to anyone making a complaint.

**2. Objectives**

The objectives of this complaints policy are to ensure that:

* any complaints that are received are investigated at the appropriate level in the organisation;
* all complaints are actioned in the most expeditious way;
* persons making complaints know how their complaint will be dealt with; and
* wherever possible, lessons are learned.

**3. Definition of Customer**

For the purposes of this policy, customers are defined as anyone who has any dealing with the organisation. This excludes staff, who should raise issues either with their line manager or under the internal grievance procedure; similarly volunteers are asked to raise any issues in line with the Trust’s volunteering policy. Trustees are also excluded from this procedure; any specific issues raised by trustees should be raised with the Chair of the Board of Trustees.

# 4. Misunderstandings

Even if customers do not regard a particular concern as a ‘complaint’, we would still like to know about it as it may help us deal with something we might otherwise overlook. These smaller things that go wrong or small misunderstandings can often be put right very quickly. We want to know about these; we want customers to get an acceptable solution as quickly as possible but we also want to learn from the process.

In striving for excellent customer service, we realise that this is a high standard and in order to meet it, we need to be made aware of even the most minor failing. In order to avoid customers feeling that a minor issue is not worth raising as a complaint, we will take steps to encourage comment and constructive criticism at every level.

Training will be provided to all staff in dealing with all reported issues and misunderstandings. Staff will be empowered to immediately resolve any issue where our service level has not met our customer’s expectations wherever possible.

**5. Definition of a Complaint**

A complaint is defined, for the purpose of this policy, as a written record submitted by any customer of the New Cross Gate Trust [including all services delivered through Besson St Gardens] that is sent to the appropriate person to be registered and where the originator has received an acknowledgement.

For clarity, the definition of “complaint” does not include a comment provided by individuals asking for a simple remedy to a minor problem – this would be considered under section 4 – misunderstandings.

# 6. Integrity

During the process of dealing with a complaint we will be as open and transparent as possible. Customers raising complaints will be given written information about the progress of their complaint except in cases where there are legal or regulatory considerations, for example:

* If the complaint involves questions about the actions or competencies of individual members of staff or trustees, other processes may subsume the complaints process and the New Cross Gate Trust may not be able to provide the person raising the complaint with all the relevant information (for example, employment legislation may prevent publication of the results of disciplinary processes)
* The legal requirements of the Public Interest Disclosure Act 1998 (Whistleblowers) may restrict the information that can be provided to customers raising complaints.
* Data protection
* Child Protection
* Criminal actions

If these situations occur the **Strategy and Partnerships Manager** will provide an explanation without disclosing any restricted information.

To ensure confidentiality, information about the progress of a complaint will only be provided to the customer making the complaint.

**7. Complaints Process**

**Stage 1 ("on-the-spot" solutions)**
If you have a concern about the activities of the New Cross Gate Trust, you should first raise this with the relevant member of staff. It may be that this is a misunderstanding rather than an issue requiring a formal complaint, and if so, efforts should first be made to resolve this informally. You may find that your concerns can be dealt with fairly and quickly in this way. Please refer to the paragraph on ‘Misunderstandings’ above. However, if you feel that this would be inappropriate given the nature of your complaint, you should follow the procedure set out at stage 2.

**Stage 2 (raising a formal complaint)**

Customers making a formal complaint should write or email an explanation of the issue that has caused them to be dissatisfied. A complaint should also contain an explanation of what the customer making the complaint requires to be done to resolve the issue from their perspective.

Complaints should be sent to the **Strategy and Partnerships Manager** in order to register them for the purpose of the formal process.

The **Strategy and Partnerships Manager** will send an acknowledgement by return.

All correspondence about complaints will be treated as confidential, unless disclosure is required under law.

The **Strategy and Partnerships Manager** will consider the detail of the complaint, and the customer raising the complaint will then receive a written response detailing any proposed remedial action. This will be done within 28 days of the receipt of the original complaint. If this is not possible, the **Strategy and Partnerships Manager** will explain this in writing within the 28 days.

The customer raising the complaint will also be told in this response that they can request a review if they are dissatisfied with the response.

If the complaint relates to the **Strategy and Partnerships Manager personally**, then the complaint should be directed initially to the Chair of the Board of Trustees (as per the review stage below).

**Stage 3 (Review)**

If a review is requested, the matter will be referred to the **Chair of the Board of Trustees**, or another Trustee as appropriate. The Chair of the Board of Trustees may convene a small panel to consider the complaint, which may include trustees and/or other persons.

Following the review, the customer raising the complaint will be provided with a written response detailing any changes to the previously proposed remedial action. The review will be the final position of the New Cross Gate Trust. However, the review response will also set out options for appeal.

**Stage 4 (Appeal)**

Appeal against the outcome of the review will depend on the nature of the matter. The Charity Commission has a list of the types of issues it would be willing to investigate. Other alternative routes include the police, trading standards or health and safety within the London Borough of Lewisham, or a funding body if the service being complained about was funded directly by such a body. The response from the review will explain all relevant options.

If an accusation is made that this policy has not been followed, the matter can be raised for discussion at a Trustees meeting by requesting this through the Chair of the Board of Trustees. The Trustee’s meeting will not consider the substantive matter because this may invalidate the review process, but may refer the whole matter back to the first stage and ask for a report to ensure that the full and correct process is followed.

If at any stage the customer making the complaint wants to stop a complaint from being progressed, the customer can do so in writing or by email to the **Strategy and Partnerships Manager**. The organisation however reserves the right to continue to investigate serious complaints in these circumstances.

**8. Summary of Complaints**

The organisation wishes to learn from any complaints and constructive criticism received. Therefore the Board of Trustees will receive a report at least once a year showing how many complaints have been received, the general nature of the problems raised, and a list of remedial actions that have been taken. The Board of Trustees may, at their discretion, require more frequent reports.

**9. Continuous Improvement**

The organisation strives to be a learning organisation and will further develop quality improvement procedures, which will include information received as a result of the application of this policy. The organisation would appreciate feedback from complainants about their experience of the complaints process and may use this to improve the way complaints are managed in the future.