*'Changing and enhancing lives'*













*'Serving the community since 1922.'*

# Complaints Policy Version 1.2

## YMCA Fylde Coast

**DOCUMENT CONTROL**

| | |
|---|---|
| Title: | Complaints Policy |
| Applicable to: | All Staff |
| Date Implemented: | January 2024 |
| Next Review Date: | September 2028 |
| Last review Date: | September 2026 |

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## APPLICATION OF THIS POLICY

YMCA Fylde Coast is committed to ensuring that there are effective means to review, respond and act on complaints in relation to its service delivery and operations. The policy also links to the Charity's obligations under the Housing Ombudsman's Complaint Handling Code and the Tenant Satisfaction Measures that come into force on 1 April 2023.

## OBJECTIVE

1. We are committed to providing services that meet the standards agreed with customers (including customers, residents, service users, young people and stakeholders). Through the implementation of this policy, we aim to address situations where we do not meet expectations and need to understand, learn and identify how we can improve our service.

2. When considering feedback, we will consider whether it is either:
   a) A Dissatisfaction
   b) A Complaint.
   These terms are defined below, and the Complaint Handling Code and wishes of the Customer will be considered when deciding which category is appropriate.

3. We will attempt to resolve expressions of dissatisfaction within 72 hours where this is possible and therefore encourage customers to talk to or contact staff as soon as a problem arises. Where we can, we will seek to avoid matters escalating by simply understanding and putting in place simple remedies. If we fail to resolve an expression of dissatisfaction and the customer wishes to pursue the matter, it will then become a formal complaint.

## POLICY STATEMENT

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

## EQUALITY IMPACT ASSESSMENT

3. 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.

4. We will attempt to make reasonable and appropriate arrangements where necessary to ensure that customers with distinct communication needs are not unreasonably and disproportionately affected.



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**DEFINITIONS**

5. Customer: Refers to all service users whether they be residents in our accommodation, young people in our clubs, children or family members who use our facilities or members of the community who hire a room or use the gyms, cafes, etc.

6. Expression of dissatisfaction: A customer may express dissatisfaction with an aspect of our service.

7. Suggestion: We recognise that sometimes an expression of dissatisfaction is not a complaint, but a suggestion as to how we can improve our service. We will actively encourage people to make suggestions for improvement. This includes:
   a) Talking to customers while they are on the premises
   b) Monitoring social media and online forums
   c) Asking employees about customer feedback
   d) Reading online reviews by customers
   e) Customer feedback surveys and suggestion forms
   f) Mystery Shopping

8. We recognise that suggestions may be things that take a longer time to respond to (as they may include suggestions of significant change(s) to service or property standards). As such, the timelines set out below in relation to a complaint are not applicable to a Suggestion. From time to time we will publish "you said, we did" information in our various sites and services in order to demonstrate how customers comments have been taken on board

9. Complaint: An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Charity, its own staff, or those acting on its behalf, affecting an individual customer or group of customers. Where dissatisfaction is expressed about a service and we have been unable to remedy the situation to the customer's satisfaction, the customer chooses to formalise the matter, a complaint must be lodged within 1 month of the occurrence which is being complained about.

10. A complaint may be made by a current or former customer, a prospective customer, a third party affected by our actions, or an MP, Councilor or third party acting on their behalf with their permission. Compliments, Complaints, and suggestions may also be raised via our different social media platforms.



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## REPORTING AND MONITORING

11. 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:
    a) Assess whether the service standards set out in this policy have been met.
    b) Assess quality of response to complaints.
    c) Assess that appropriate action has been taken within reasonable response times.
    d) Assess whether the policy has been applied fairly and consistently.
    e) Identify any lessons to be learnt.
    f) Decide on any necessary communication to staff and customers.
    g) Identify any required amendments to procedures.

12. Report on the number of complaints deemed vexatious or repetitive. We will routinely monitor our performance in implementing this policy and report outcomes to the Board and Executive Team.

## PROCEDURE

13. Exclusions: The following type of complaints cannot be pursued through the Complaints process where the issue:
    a) Has already been raised through our complaints process.
    b) Is, has or may be handled under an appeals process.
    c) Is, has or should be handled through legal action.
    d) Is an initial notification or request for service or information.
    e) Is an initial report of anti-social behaviour.
    f) Is an internal staff or volunteer complaint (which should instead be treated in line with the grievance or whistleblowing policies).
    g) Is raised anonymously or without any means of speaking to the complainant in order to substantiate their complaint.

## MAKING A COMPLAINT

14. A complaint can be raised in the following ways:
    a) Submitting the details of the complaint via the online Contact form - https://ymcayactive.org/contact/
    b) By email to complaints@fyldecoastymca.org
    c) By letter to Central Office, YMCA Fylde Coast, St Alban's Road, Lytham St Annes, FY8 1XT.

15. A full copy of this policy will be made available on request. The officer 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 Company Secretary will be sought.



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## EXCEPTIONAL VARIATION

16. 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 place an unreasonable demand on the Charity:
    - Requesting information that falls outside of Subject Access Requests guidelines.,
    - 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).

17. A member of the Executive Team must confirm that a complainant is acting unreasonably. Where this is so we will be,
    - Providing a single point of contact;
    - Limiting contact to a single form - i.e., to writing, email or telephone only;
    - Limiting contact to certain times or to a limited number of times per week or month;
    - Declining to give any further consideration to an issue unless any additional evidence or information is provided;
    - Only considering a certain number of issues in a specific period.

18. The above course of action will be confirmed in writing to the complainant, alongside an explanation as to where their complaint is considered unreasonable and what action is required to address this.

19. For the avoidance of doubt, this Complaints 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.

## DATA PROTECTION AND INFORMATION SHARING

3. 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

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



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**STAGES OF COMPLAINT**

Stage 1: Complaint

5. A complaint will first be investigated at stage one of the complaints procedure. YMCA will progress a complaint in a fair and transparent manner:

   a) 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 Dissatisfaction rather than a Complaint, then we will confirm that at this stage.

   b) After acknowledging the complaint (above) we will, if required and appropriate, contact the complainant 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.

   c) 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** from acknowledgement of the complaint. If this time limit cannot be met, we will write to the complainant within 10 working days of acknowledgment, explaining the reason for the delay and providing a revised date (which should not exceed a further 10 working days without good reason).

6. If the complainant is not satisfied with the response to the complaint, they will have 10 working days in which to appeal. If no appeal is forthcoming, then the complaint will be considered to be closed.

Stage 2: Escalation or Appeal Against Decision

7. 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 ask for a review of the decision.

8. Grounds for appeal are:
   a) Any aspect of their complaint has not been upheld.
   b) The complainant is not satisfied with the method of redress.

9. A review of the decision will be taken by a member of the Senior Management Team or other appointed person who is not involved in the original decision. Where the complaint is about the Chief Executive, an Executive Director or Trustee, then this appeal stage will be coordinated by the People & Governance Committee or Chair of the Board as is necessary and appropriate in the circumstances.

10. We will respond with a decision **within 20 working days** from receipt of the request to appeal. If this time limit cannot be met, we will write to the complainant within 20 working days of receiving the escalation, explaining the reason for the delay and providing a revised date (which should not exceed a further 10 days without good reason).



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Housing Ombudsman

11. Where the complaint relates to regulated housing 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.
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

38. As above, any parent/carer at any time can submit a complaint to Ofsted about any aspect of registered childcare provision. Ofsted will consider and investigate all complaints received. They can be contacted at:
OFSTED, Piccadilly Gate, Store Street, Manchester M1 2WD
Tel: 0300 123 1231 www.ofsted.gov.uk

**REPORTING RESPONSIBILITIES**

3. Managers and/or Senior Managers will be responsible for responding to complaints in their areas of responsibility.

**EQUALITY IMPACT**

This policy has been developed to understand and address its impact on staff to ensure that it does not discriminate against any specific group or groups of staff, employees, volunteers and or workers.

**EFFECTIVE DATE AND REVIEW**

The Complaints Policy will be effective from its implementation date, and it will be subject to review on a regular basis. This policy can be amended without prior notification and or consent and does not form part of your contractual agreement.

**MONITORING OF THE POLICY**

The Complaints Policy will be effective from your first day of work with YMCA Fylde Coast and it will be subject to review every two (2) years from its implementation date and amended as necessary, or earlier in accordance with any forthcoming and/or enforced legislation.

All members of the Senior Management Team and Managers have a responsibility for the implementation and monitoring of this policy. It is the responsibility of the Chief Executive Officer to approve arrangements outside the guidelines above.

The HR department will ensure that the Senior Management Team and Managers are provided with written amendments to this policy as and when appropriate, to issue to their workforce and a summary of this policy is referenced in the staff handbook.



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## STATUS AND REVISION OF THE POLICY

This policy does not form or give contractual rights to individual or collective employees, workers or contractors. The company reserves the right to alter any of its terms at any time without prior consultation and consent; although we will notify you of any changes in writing.

## APPROVAL

This policy has been prepared by the Human Resource Manager and approved by the Chief Executive Officer and the Senior Management Team in order to ensure its compliance with legislative requirements, the ethos of the Company and that it is fair and equitable to all members of the workforce.

## DOCUMANT CONTROL

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| Next Review Date: | September 2028 |
| Last Review Date: | September 2026 |

## CONFIRMATION OF REQUESTED POLICY (FCYMCA Copy)

I confirm I have received and read the above policy as requested.

Print Name: .....

Signed: .....

Date: .....



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**CONFIRMATION OF REQUESTED POLICY (Individual's Copy)**

I confirm I have received and read the above policy as requested.

Print Name: .....

Signed: .....

Date: .....



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