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## Document Title: Complaints Policy and Procedure

### Document Description:

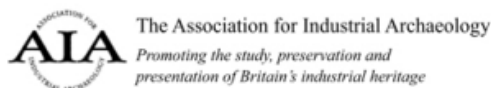
This policy sets out the procedure for handling concerns and complaints regarding Sudbury Gasworks Restoration Trust (SGRT). It details the way in which complaints can be made and the procedure that the Trust will follow for investigating them and putting things right where they have gone wrong. SGRT aims to welcome, inspire, and engage all audiences and we aspire to providing an excellent service.

If your concern relates to any aspect of Safeguarding or allegations of abuse, please refer to the Trust's Safeguarding Policy and Procedure.

If you are a member of staff and would like to raise a complaint, please refer to the Trust's Grievance Policy and Procedure.

If you are an employee or ex-employee and would like to disclose a cause of wrongdoing, please refer to the Trust's Whistleblowing Policy and Procedure.

Sudbury Gasworks Restoration Trust is a company limited by guarantee and registered as a charity in England and Wales. Registered charity number 1161410. Company registration number 08878132. V.A.T number GB280202737



Version	Review Date	Created By	Adopted by Trustees	Signed (Chair)	Comment
01	23/09/2021	Rachael Cooksey – Gasworks	23/09/2021	T. Webber	
2	June 2023	Noel Fowler - Secretary	19/06/2023	T Webber	

## Contents

1. Introduction
2. Overview of the Policy
3. Scope of the Policy
4. Key Responsibilities
5. Principles on which the Policy is based
6. Processes
7. Procedures
8. Timeframes and exceptions to cut-off timeframes
9. Amendments to this policy
10. Appendix 1 – Complaints Log Entries
11. Appendix 2 – Good practice for those investigating a complaint

## 1. Introduction

The purpose for this Complaints Policy and Procedure document is to provide a means by which the Trust, and anyone connected with the Trust, can attempt to resolve issues which may arise.

SGRT believes that most problems can, and should, be resolved informally wherever practicable. However, SGRT also recognises that there may be occasions when the informal approaches are inadequate. In such instances, the Trust believes that it is appropriate to have formal procedures through which the Trust, and/or individuals working with and for the Trust, can attempt to resolve problems in a fair and transparent manner.

The difference between a concern and a complaint:

- **Concern** - A concern is an expression of worry or doubt over an issue considered to be important for which reassurances are sought.
- **Complaint** - A complaint is an expression of dissatisfaction about something that happens at Sudbury Gasworks Restoration Trust (SGRT), or about something that anyone working with the Trust has done. It can be made by any person, internal or external, about the Trust's action, lack of action or quality of service.

Sometimes, different procedures are used to follow up specific expressions of concern or dissatisfaction. Please see the section below on Scope for a brief description of the Grievance and Whistleblowing procedures.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## 2. Overview of the Policy

SGRT supports the rights of every member of Staff, Trustee, Volunteer, partner organisation or member of the public to raise issues or make complaints about our work. SGRT believes that complaints are a valuable means of getting feedback about what we do and how we do it and that they help us to assess and improve our services.

This document details the way in which complaints can be made and the procedures that SGRT will follow for investigating them and putting things right where they have gone wrong.

The purpose of this document is to:

- Ensure that the Trust has effective procedures to investigate complaints and that, in doing so, it treats everyone fairly, openly, and impartially.
- Ensure that complaints are investigated with minimum delay.
- Ensure that those making a complaint know how to do this and are fully supported in doing so.
- Ensure that those responding to a complaint or are the subject of a complaint are fully aware of the procedures and their own rights.
- To establish a system for learning from feedback, both immediately and in the longer term.
- Clarify the circumstances for which use of this policy is not appropriate.

### **3. Scope of the Policy**

The following are not in the scope of this policy and are covered in other SGRT policies and guidance:

- Safeguarding concerns or issues relating to children or vulnerable adults - How to respond to these is outlined in the Trust's Safeguarding Policy and Procedure.
- Allegations of abuse - Procedures for responding to allegations about abuse are also outlined in the Trust's Safeguarding Policy and Procedure.
- Grievances raised by staff members - Grievances are 'concerns, problems or complaints that employees raise with their employers' (ACAS Code of Practice on discipline and grievance procedures). The kind of issues that may cause grievances include terms and conditions of employment, health and safety, work relations, bullying or harassment, new working practices, working environment, organisational change, discrimination. Details of how staff members should raise a grievance are laid out in the Trust's Grievance Policy and Procedure.
- Whistleblowing - The term "whistleblowing" is commonly used to describe the disclosure of a wrong-doing within an organisation by an employee or ex-employee. Officially this is called 'making a disclosure in the public interest'. Details of the Trust's procedures in respect of staff members, or ex-staff members making such a disclosure can be found in the SGRT Whistleblowing Policy and Procedure.

### **4. Key Responsibilities**

The Gasworks Manager, on behalf of the Board Trustees, will

- Monitor and review the Complaints' Policy.
- Maintain reports analysing trends and detailing any issues arising and recommendations to be addressed. These will be presented to the Trustees annually.
- Make key decisions following recommendations made in response to complaints

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- Ensure that the Complaints Policy and Procedures are communicated, understood, and applied, including training for key staff and volunteers.
  - Establish record keeping systems to capture and track information related to complaints.
  - Ensure that this policy and these procedures are followed effectively

Staff, Trustees and Volunteers are expected to

- Become familiar with the policy and procedures and to put the procedure into practice when required.
- Ensure that all complaints are reported according to the complaint's procedure to the Gasworks Manager within one working day of receiving it.
- Ensure that all complaints, actions, and resolutions are recorded appropriately in accordance with this guidance.

## **5. Principles on which the Policy is based**

This policy will be available to view on our website for the public. It is also available for employees, volunteers and external contractors and partner organisations.

The Trust will respond and act openly and objectively in relation to all complaints received. Faced with criticisms or complaints, we will be impartial, and we will not be defensive. The Trust seeks to act fairly, not to apportion blame, but to identify problems or weaknesses, to address these and to identify remedies and improvements.

We recognise that residents, retailers, providers of facilities, contractors and suppliers of services to the Trust may wish to make complaints about the Trust's activities or the conduct of its staff, trustees or volunteers. This complaints policy and procedure is open to them all and applies equally to external complaints.

The Trust will treat those who complain or are the subject of a complaint with sensitivity. We will not take any form of punitive action against anyone making a complaint unless it is found to be malicious.

The Trust will treat both those who complain and those who are the subject of a complaint with dignity and respect, equally irrespective of race, ethnic origin, gender, gender re-assignment, marital or parental status, sexual orientation, religion or belief, disability, age, or political belief.

Persistent or serial complaints which the Trust considered to have already been thoroughly investigated and about which appropriate action has been taken to remedy the situation, will not be

pursued. However, should circumstances change or new information emerge in connection with the case, the investigation may be re-opened.

## 6. Processes

When someone complains about something that happens in relation to the service which SGRT provides, a three-stage process will be used to make sure the complaint is dealt with appropriately and that an acceptable resolution is found in a suitable period.

The three stages are as follows:

- **Stage 1: Informal.** This is where the complainant discusses the situation, they wish to complain about with the Gasworks Manager or someone else within the Trust who has the necessary seniority to reassure the complainant that their concern is taken seriously and that something will be done to address the issues raised. If the complainant is not satisfied with the response they receive at this stage, their complaint will be raised to Stage 2.
- **Stage 2: SGRT investigation.** This is where the complaint is set out in writing to the Trust Secretary, who will ensure that the matter is investigated. The findings of this stage are final.

Stage 3 is available to a complainant who believes that our procedures have not been followed correctly.

- **Stage 3: Investigation carried out on behalf of the SGRT Trustees.** The Chair of Trustees will appoint a panel consisting of at least three people, who are not directly involved in the matters detailed in the complaint, to investigate whether the charity has followed published procedures correctly. The investigation will make recommendations for any further action. The complainant will receive a written response explaining the investigation's outcome. The findings of the panel are final.

Good practice notes in relation to investigations can be found at Appendix 2

## 7. Procedures

### Procedures at Stage 1: Informal

- The person receiving the complaint will contact the Gasworks Manager, who will ensure contact with the complainant and arranges actions to help to understand the reasons the complaint to work towards a resolution.

- The Gasworks Manager will make sure that the complaints log is kept up to date with details of the complaint and action taken to resolve it. They will also keep the Chair of Trustees fully informed of the progress of resolving the complaint.
- The Gasworks Manager will contact the complainant one week after they believe the matter has been resolved to check that the complainant is satisfied with the actions taken.
- Where the complainant is not satisfied with the actions taken, the Gasworks Manager will, in writing, ask them to make a written complaint addressed to the Trust Secretary within 7 calendar days outlining their complaint and the reasons they are not satisfied. This will form the basis of the Stage 2 procedure.

Appendix 1 shows the Complaints Log Entries that must be maintained and the timings for those entries.

### **Procedures at Stage 2: Provision based investigation**

- Following receipt of the written complaint the Chair of Trustees and Trust Secretary will review the complaint and the Stage 1 log.
- The Trust Secretary will be appointed to carry out an investigation of the complaint and write to the Complainant within 7 calendar days of the letter being received and will communicate with the complainant on a weekly basis.
- Copies of all communication will be kept in the complaints log (See Appendix 1 for more details).
- The Secretary will not have been actively involved in looking into the complaint during the Stage 1 procedure.
- When the investigation has been completed, the Trust Secretary will write to the complainant and explain the investigation outcomes and any actions that have been or will be taken as a result. The findings at Stage 2 regarding the complaint are final.
- If the complainant is not satisfied and believes that our procedures have not been followed correctly they should put this in writing to the Chair of Trustees within 14 calendar days of receipt of the outcome letter, outlining which aspect(s) of the procedures have not been followed. A Stage 3 procedure will follow.

### **Procedures at Stage 3: Investigation before a Panel**

- Where a complainant remains dissatisfied about the process that has been followed, a panel hearing will be arranged by the Chair of Trustees. Details of the panel hearing procedures are laid out below. The findings of the panel are final.
- Stage 3 of the SGRT complaints procedures involves a hearing before a panel which will consist of at least three people who are not directly involved in the matters detailed in the complaint.

- Of these individuals, at least one will be independent of the management and running of the Trust.
- The Chair of Trustees is responsible for the appointment of the panel.
- The complainant will be invited to attend the panel hearing and may be accompanied by a friend or advocate if they so wish.
- There will be at least two weeks' notice for the panel hearing.
- The panel will hear evidence regarding the processes that were carried out in response to the original complaint and consider whether procedures have been followed correctly.
- The panel will make findings and recommendations. A copy of these findings and recommendations will be made available to the Chair of Trustees.
- The Chair will write to the Complainant with the findings of the Panel.
- The outcome of the panel is final.

## **8. Timeframes and exceptions to cut-off timeframes**

In all cases we would expect a complaint to be made as soon as possible after an incident arises. Where there is a cut-off timeframe, the Trust will always consider whether there should be an exception to this timeframe.

## **9. Amendments to this policy**

This Complaints Policy and Procedure may be amended, withdrawn, suspended, or departed from at the discretion of the Trust. While it does not form part of any employee's contract of employment and is entirely non-contractual, all employees are required to adhere to the policy and any failure to comply with any aspect of the policy may be treated as a disciplinary matter.

## **10. Appendix 1 – Complaints Log Entries**

The Gasworks Manager will maintain a log where details of all complaints or concerns raised in relation to the Trust will be held. This log should be reviewed by the Gasworks Manager on a regular basis and will form the basis of a formal report.

The following details will be captured for the log and filed.

### **Complaints Log Entries at Stage 1**

#### **Initial stage 1 log entries**

- Date and complaints log reference number (xxx, stage 1)
- Person receiving the complaint: name, role in the Trust, contact details



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- Person making the complaint: name, relationship to SGRT, contact details including preferred means of contact
  - Very brief outline of the matter complained about
  - Any suggestions the complainant has for putting things right
  - Whether the issue has been reported to the Trust on a previous occasion

#### **Subsequent stage 1 log entries**

- Date and log reference
- Action taken. This might include attempts at negotiation, arbitration, and mediation to resolve the complaint.
- At least one action must be recorded each week following the initial complaint being logged. At the very least this must be a message to the complainant to let them know that the issue is being followed up.

#### **Final stage 1 log entry**

- Date and log reference
- Resolution of the complaint. This must refer to the action taken by the Gasworks Manager and the response of the initial complainant
- Where the complainant is not satisfied with the actions taken, they will be asked to make a written complaint addressed to the Trust Secretary. This will form the basis of the Stage 2 procedure.

The Gasworks Manager will regularly review the log of stage 1 complaints and will report annually to the Board of Trustees on the number of stage 1 complaints received and how these have been resolved.

### **Complaints Log Entries at Stage 2**

#### **Initial Stage 2 log entry**

- Date and complaints log reference number (xxx, Stage 2).
- Person appointed by the Trust to investigate the complaint (Trust Secretary): name, role in the Trust, contact details
- Person making the complaint: name, relationship to the Trust, contact details including preferred means of contact
- Very brief outline of the matter complained about
- A copy of the complainant's written complaint
- Any suggestions the complainant has for putting things right
- Whether the issue has been reported to the Trust on a previous occasion
- A brief outline of the actions taken at Stage 1

#### **Subsequent stage 2 log entries**

- Date and log reference

- Copy of the message to the complainant indicating who will investigate the complaint. This will be sent by email and post to the complainant within 14 calendar days of the complaint in writing being received
- Copies of messages sent to the complainant at least weekly to reassure them that the investigation is under way.

#### **Final stage 2 log entry**

- Date and log reference
- Outcome of the investigation. This will include recommendations from the investigating Trustee with actions
- Resolution of the complaint. This must identify the response of the initial complainant.
- Where the complainant is not satisfied with the actions taken, escalation to a Stage 3 procedure.

### **Complaints Log Entries at Stage 3**

#### **Initial Stage 3 log entry**

- Date and complaints log reference number (xxx, Stage 3).
- Name of the appointed investigating panel, their roles and contact details
- Person making the complaint: name, relationship to the Trust, contact details including preferred means of contact
- A copy of the complainant's original written complaint, together with the written statement alleging which aspects of the procedures have not been followed properly.
- Whether the issue has been reported to the Trust on a previous occasion
- A brief outline of the recommendations and subsequent action in relation to the Stage 2 investigation

#### **Final stage 3 log entry**

- Date and log reference
- Findings and recommendations of the investigating Panel
- Actions taken in response to the findings and recommendations
- A copy of the letter written by the Chair of Trustees on behalf of SGRT Trustees, to the complainant outlining the outcome of the panel's investigation.

### **Appendix 2 – Good practice for those investigating a complaint**

In each stage of the process there is an "Investigator"; Stage 1 - the General Manager, Stage 2 - the Secretary, Stage 3 - a panel appointed by the Chair. The investigator should check the log and files to

determine whether previous complaints have been made about the matter in question or by the person involved.

Following acknowledgement of receipt of the complaint, or at the same time, the investigator should contact the individual to arrange a meeting or telephone conversation to discuss the complaint in more detail. This will include:

- Clarifying the details of the complaint, including checking understanding of its nature
- Clarifying the individual's requirements for an acceptable outcome
- Checking whether the individual needs support of any kind
- Explaining the investigation procedure

The investigator should:

- Brief themselves and/or take advice from an appropriate senior member of staff or Trustee on the relevant legal, policy and procedural background to the complaint.
- Establish the sequence of events, names of staff and others directly involved and obtain copies of Logbook notes, correspondence etc.
- Carry out interviews with those involved where necessary. Staff have a right to be accompanied by someone not acting in a legal capacity.
- If at any time the investigator believes that the complaint may lead to allegations of wrongdoing or abuse, the complaint should be discussed with the Gasworks Manager, Chair of Trustees and Trustee Lead for Safeguarding in order to ensure that the correct procedures are followed.
- At the end of the interview, summarise the main points and ask whether the interviewee has anything to add. Explain the next stages in the process.
- Ensure that all who are involved are kept informed of progress.
- Ensure that all necessary documentation is stored securely.