

## Complaints Policy

Date	Review Date	Chairman	Vice-Chair	Centre Manager
01.08.18	01.08.19	Neil Jones	Anne Everitt	Sally Mills

The following are important telephone numbers that must be kept up to date:

Contacts	Home	Mobile
Chairman of Trustees Neil Jones		
Vice-Chair Anne Everitt		
Centre Manager Sally Mills	01483 813846	

The purpose of this document is to communicate the procedure in place to deal with any received complaints and an action plan to be followed in such circumstances.

### 1. Policy Statement

The Therapy Garden seeks to promote excellent employee relations throughout the organisation and it is our policy to treat all complaints seriously.

This procedure aims to provide employees, volunteers, clients and third parties who consider that they have a complaint a clear procedure to follow to ensure it is examined quickly and effectively with the possibility of resolution at the earliest opportunity.

### 2. Employee Complaints

Complaints relating to the following will be dealt with under this procedure -

- A personal issue
- Another employee
- A manager
- Employment or conditions of service

Complaints that concern disciplinary issues, harassment or complaints that relate to any other The Therapy Garden policies will be dealt with under a separate procedure.

A complaint should be first informally raised with the Centre Manager. If the complaint cannot be settled informally, the employee should raise it formally following the procedure below.

#### Stage 1

The employee should put their complaint in writing to the Centre Manager (in the case the complaint is against the Centre Manager, this should be written for the attention of the Board of Trustees)

The Centre Manager/ Board of Trustees will invite the employee to a meeting to discuss the complaint which the employee must make all reasonable steps to attend. The employee has the right to be accompanied by a trade union official or fellow employee.

The Therapy Garden will respond to the complaint within at least 5 working days following the meeting. If this is not possible the employee will be notified with an explanation and date of an expected response.

The employee will be informed of the decision in writing and notified of their right to appeal against the decision if they are not satisfied.

### Stage 2

Following Stage 1, if an employee does not feel their complaint has been satisfactorily resolved, they can appeal in writing to the Board of Trustees within 5 working days of the complaint decision.

An appeal meeting will be arranged by the Board of Trustees, which the employee must make all reasonable steps to attend. The employee has the right to be accompanied by a trade union official or fellow employee.

The Therapy Garden will respond to the complaint within at least 5 working days following the meeting. If this is not possible the employee will be notified with an explanation and date of an expected response.

The employee will be informed of the decision in writing and this is the final stage of the complaints procedure. The Therapy Garden's decision shall be final. Full details of the complaint together with all correspondence will be included in the employees employment file.

Complaints made by former employees shall follow the procedure above unless both parties agree in writing that a modified procedure will apply.

## 3. Volunteer Complaints

Volunteers with a complaint should first speak with the Centre Manager or Garden Manager. If the issue remains unresolved, the procedure below should be followed.

### Complaints From A Volunteer

#### Stage 1 - Oral Complaint

Volunteers should first request a meeting with the Centre Manager to discuss the complaint. The volunteer has the right to be accompanied to this meeting if they wish.

#### Stage 2 - Written Complaint

If the complaint cannot be resolved in the meeting, the volunteer should make a formal complaint in writing to the Centre Manager. A response to the complaint will be given within 10 working days of receiving the letter.

#### Stage 3- Right To Appeal

If the volunteer is not satisfied with the outcome they can appeal to the Board of Trustees in writing. A response will be given within 10 working days and the volunteer has the right to be accompanied to any meetings that may be called. The Trustees decision is final.

### Complaints Against A Volunteer

#### Stage One - Oral Discussion

The Centre Manager should discuss the complaint with the volunteer. This meeting should include identifying goals to help the volunteer fulfil their role and offer extra support/supervision if deemed necessary.

A deadline should be set to meet to review the situation and the person raising the complaint should be kept updated.

### Stage Two – Written Warning

If the situation is not resolved at the time of the review meeting taking place, a written warning can be issued by the Centre Manager outlining the complaint.

The volunteer has the right to state their case, either to the Centre Manager or the Chairman of Trustees, and has the right to be accompanied to the meeting. Further objectives may be set and help offered to the volunteer, dismissal should be a last resort.

The Centre Manager can meet with the volunteer after the consultation to discuss the decision made.

### Stage 3 – Right To Appeal

If a volunteer has been dismissed they can appeal against the decision to the Chairman of Trustees. The response must be within 10 working days and their decision is final.

### Immediate Suspension

There can be some occasions on which volunteers can be suspended immediately while an investigation is carried out. These include, but not limited to acts that constitute gross misconduct e.g. theft, sexual harassment, act of violence, malicious damage, deliberate falsification of documents, harassment or being under the influence of drugs or alcohol.

The decision to suspend a volunteer must be confirmed to the volunteer in writing.

## 4. Client Complaints

### Stage 1 – Oral Discussion

If a client has a complaint it should initially be discussed with the Centre Manager who will –

- Try to resolve complaint
- Speak to relevant third parties (other clients, support workers, employees etc) where necessary
- Keep the client updated with how the situation is being resolved

### Stage 2 – Written Complaint

If the client is not satisfied with the outcome they, or their parent or representative, can submit a written complaint to the Centre Manager or the Chair of Trustees who will respond within 10 working days. The response will include suggestions to solve the complaint if it is deemed to be valid.

### Stage 3 – Board of Trustees

If a client remains unsatisfied, a written complaint can be made to the Board of Trustees who will review the previous communications and decide on an appropriate course of action. Once the Trustees have agreed next steps, this decision is final.

If this is not to the client's satisfaction, it may be required to end the clients place at The Therapy Garden.

## 5. External Complaints

If a third party has a complaint it should initially be discussed with the Centre Manager who will try and resolve the issue informally. If this is not possible, the next stages should be followed.

## Stage 1 – Written Complaint

A complaint by a third party should be submitted in writing to the Centre Manager or the Chair of Trustees who will respond within 10 working days. The response will include suggestions to solve the complaint if it is deemed to be valid.

## Stage 2 – Board of Trustees

If the third party remains unsatisfied, a written complaint can be made to the Board of Trustees who will review the previous communications and decide on an appropriate course of action. Once the Trustees have agreed next steps, this decision is final.

## 6. Malpractice

Malpractice is any activity or practice that deliberately violates regulations and compromises the integrity of the charity. It covers any deliberate actions, neglect, default or other practice that compromises, or could compromise the reputation and credibility of The Therapy Garden

For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain employees, volunteers or clients.

## 7. City & Guilds

The City and Guilds document 'Managing cases of suspected malpractice in examinations and assessments' (Version 6.1, January 2018) details City and Guilds requirements when dealing with, or wishing to report suspected malpractice. It covers the malpractice process for approved City & Guilds centres as well as providing guidance on the reporting and conducting of investigations.

The procedures set out in this document must be followed should malpractice or maladministration be suspected at The Therapy Garden and can be found in the Whistleblowing Policy.

## 8. Fundraising Regulator

The Therapy Garden is a member of the Fundraising Regulator and is committed to following their guidance, which provides a standard for ethical fundraising practice.

The Fundraising Regulator document 'Complaints Handling Guidance for Charities and Third Party Fundraising Organisations' details the Fundraising Regulator's procedures when investigating fundraising complaints.

## 9. Linked Policies

- Bullying and Harassment Policy
- Disciplinary Policy
- Whistleblowing
- City & Guilds Malpractice Procedure
- Recruitment Policy

## 10. Raising Awareness of this Policy

The Therapy Garden will raise awareness of this policy via:

- The Therapy Garden policy folder located in the Centre Manager's office containing all the charity's policies. Clients and third parties can request a copy of the policy if required.
- During staff and volunteer induction
- Through emails to staff and volunteers when policies are updated
- The Therapy Garden policies can be accessed via the charity's website

## 11. Policy Reviews

Any questions regarding the policy should be directed to the Centre Manager. The policy may be amended at any time.

The policy should be reviewed in the light of any trends or new legal changes and at least once every two years.

This policy was adopted on the 01 August 2018 by:

Chair of Trustees Neil Jones		Date:	
Vice-Chair Anne Everitt		Date:	
Centre Manager Sally Mills		Date:	