




Foreland Fields Charity

Complaints Policy and Procedures

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| Date of Last Review | 6 th May 2025 |
| Review Cycle | Three Years |
| Date (Month / Year) of Next Review | 6 th May 2028 |
| Date Policy was Ratified by CIC | 6 th May 2025 |
| Named Lead for Writing/Review | Jeremy Edwards |
| Category of the Policy | General |
| Signed – Chair | 6 th May 2025 |
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Introduction

Whilst we make every effort to meet peoples' expectations, circumstances may arise where an individual has a concern and wishes to bring this to our attention. We will take all reasonable steps to resolve the situation, in everyone's best interests.

For very serious concerns, such as individual's safety being placed at immediate risk, we will take such action as is appropriate. For example, by calling the emergency services.

Who Can Make a Complaint?

Any person, including members of the public, may make a complaint to the Charity about any provision of facilities or services that we provide. Unless complaints are dealt with under separate procedures (see below) we will use this complaints procedure.

The Difference between a Concern and a Complaint

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage.

Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The Charity takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular trustee, we will respect your views. In these cases, the complaints co-ordinator Adrian Mount. Similarly, if the complaints co-ordinator involved feels unable to deal with a concern, they will refer you to another trustee. The ability to consider the concern objectively and impartially is important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, the Charity will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Informal Complaints

Anyone who has a concern should initially raise this with a member of our board at the time, as this enables us to respond and deal with an issue quickly.

We will seek to resolve this and meet any reasonable expectations the individual may have, ideally to his or her satisfaction. If unable to, make a note of:

- The complainant's name and contact details, unless he/she is unwilling to provide these.
- The nature of his/her concern and anything that he/she wished to be done about it.
- The circumstances surrounding the complaint, including when, where any action that was taken and the details of others who were present/involved.
- Advise the complainant that their concern will be passed to the complaints co-ordinator.

Mediation

Mediation can:

- provide a helpful mechanism for discussion when a concern is raised.
- help to rebuild the relationship between all parties.

It must not be used as a substitute for an investigation during the formal stages of the complaints procedure.

If neither the complainant nor the Charity considers that mediation will serve any practical purpose at this point, the complainant will not be prevented from moving to the next investigative stage of the complaints procedure.

If the issue remains unresolved, the next step is to make a formal complaint.

Formal Complaints

Where an individual wishes to make a formal complaint, they should be provided with the email address of the Complaints co-ordinator, Adrian Mount, responsible for complaints, and/or our registered address, as they wish. Complaints that involve or are about the complaints co-ordinator must be addressed to Andy Bull. Correspondence should be marked private and confidential. You will be provided with a copy of this policy by post or email.

For ease of use, a template complaint form is included under Appendix 1. If you require help in completing the form, please contact the complaints co-ordinator. You can also ask third party organisations like Citizens Advice to help you.

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

To help resolve the complaint as quickly and effectively as possible, the individual making the complaint should do so as soon as possible and should include in it:

- Name, organisation (if relevant), address, telephone number and email.
- If you do not wish to be contacted in a particular way, please let us know and we will of course respect this.
- As much information as possible, such as what happened, where, when (date/time), who was present and any action taken, and by whom.
- What it is you felt to be unsatisfactory.
- What you believe should be done to address your concern.

Timescales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Receipt will be acknowledged, if possible, within 7 working days.

Stage 1

The complaint will then be investigated. If necessary, specialist advice will be sought. Where clarification or further information is felt to be necessary, the complaints co-ordinator will contact the person complaining to request this (if contact details and consent have been provided).

A response will be sent within 14 working days. If this is not possible, a holding reply will be sent after 14 days advising when we estimate the investigation will be completed. The complaint response will explain our findings and what action we will be taking/have taken, subject to the constraints of the Data Protection Act, which will almost certainly not allow us to disclose sensitive personal information.

Stage 2

If the complainant is not satisfied with the Stage 1 response, they may appeal the decision, by writing to Andy Bull, the Chair, the contact details of whom will be included in our response. Appeals must be submitted within 28 days of our initial response to the complaint (from Stage 1).

The appeal should be specific about why the individual feels the decision made was wrong and provide the facts and information necessary to demonstrate this. Complainants will be notified of a decision within 28 days.

This is the final stage of the internal complaints procedure. If the complaint is still not satisfied they should contact Trading Standards which can be accessed via Citizens Advice on Freephone 0808 2231133.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by the Charity, other than complaints that are dealt with under other procedures, including, but not necessarily limited to, those listed below:

- Matters likely to be of a safeguarding nature - these will be handled under our safeguarding policy and in accordance with statutory guidance.
- Freedom of information – for subject Access Requests and Freedom of Information Requests, please refer to our Data Protection and GDPR Policy.
- Whistleblowing – please refer to our Whistleblowing Policy.
- Grievances – please refer to our Grievances Policy.
- Trustee conduct – these will be dealt with under the Charity's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
- Complaints about services provided by other providers - Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.

If other bodies are investigating aspects of the complaint, for example the police or local authority (LA) safeguarding teams, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If a complainant commences legal action against the Charity in relation to their complaint, we will suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded. If a complainant contacts the Charity again in relation to their complaint, the correspondence may then be viewed as 'serial' or 'persistent' and the Charity will not respond but will continue to complete the initial complaints procedure in full.

Duplicate Complaints

After closing a complaint at the end of the complaints procedure, if the Charity receive a duplicate complaint the Charity will inform the new complainant that the Charity has already considered that complaint and the local process is complete. The Charity must advise the new complainant to contact the Regulator (see below) should they be dissatisfied with the handling of the original complaint.

Any new aspects to the original complaint will be investigated and dealt with to the full extent of the complaints procedure.

Resolving Complaints

At each stage in the procedure, the Charity wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation.
- an admission that the situation could have been handled differently or better.
- an assurance that we will try to ensure the event complained of will not recur.
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made.
- an undertaking to review policies and procedures in light of the complaint.
- an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Managing Serial and Unreasonable Complaints

The Charity is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. Anyone has the right to raise a new complaint at any time. We will not normally limit the contact complainants have with the Charity. However, we do not expect our trustees' to tolerate unacceptable behaviour and will take action to protect them from that behaviour, including that which is abusive, offensive, or threatening. The Charity defines unreasonable complaints as 'those who, because of the frequency or nature of their contact with the Charity, hinder our consideration of their or other people's complaints'.

Complainants must limit the numbers of communications with the Charity while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the complaints co-ordinator will discuss any concerns with the complainant informally before applying an 'unreasonable' marking including suggesting that the complainant asks a third party to act on their behalf such as the local Citizen's Advice.

If the behaviour continues, the complaints co-ordinator will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the Charity causing a significant level of disruption, we may specify methods of communication (such as restrict the complaint to a single point of contact via an email address) and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of harassment, aggression or violence, the concerns and actions taken will be put in writing immediately (including the decision to stop responding) and the police informed. This may include barring an individual from school premises.

Barring from Charity Premises

The public has no automatic right of entry. We will therefore act to ensure that the Charity remains a safe place for the community.

If an individual's behaviour is a cause for concern, we will ask them to leave the premises. In serious cases, we will notify them in writing that their implied licence to be on Charity premises has been temporarily revoked subject to any representations that the person may wish to make. We will always give that person the opportunity to formally express their views on the decision to bar in writing. Anyone wishing to complain about being barred can do so, by letter or email, to the complaints co-ordinator. The decision to bar should then be reviewed, taking into account any representations and either confirmed or lifted. If the decision is confirmed the person must be notified in writing, explaining how long the bar will be in place and when the decision will be reviewed, usually after 6 months.

Wider Action

Irrespective of the outcome of any complaint, we will consider if there is any requirement in respect of wider action and/or statutory reporting to any regulators or the Police.

Consideration will also be given to whether any changes should be made to policies, procedures, training etc to see if anything might reasonably be done to prevent a similar issue arising in future.

Anonymous Complaints

Anonymous complaints will be recorded and any facts available looked in to. However, in doing so we will be mindful that anonymous complaints can sometimes be malicious. Everyone involved in our work, even incidentally, has a right to complain and we will hold anyone accountable but, equally, individuals have a right to be protected from unsubstantiated and, potentially, malicious allegations.

Consequently, anyone wishing to complain is strongly encouraged to provide the information requested above and their contact details. This will also allow us to liaise with them.

Complaints to the Regulator

Complaints that the Regulator will normally take up are ones where there is a potential breach in the Community Interest Company Regulations 2005, and where this represents a balanced response to the issue(s) that fall within the Regulator's responsibility.

If you want to make a complaint which meets the above criteria, please complete the CIC Complaints Pro-Forma form via the link below:

[Complaints procedure - Office of the Regulator of Community Interest Companies - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complaints-procedure-office-of-the-regulator-of-community-interest-companies)

Potential Compensation Claims

If a complaint may potentially result in a claim for compensation, such as damage or loss to property, or personal issue, our insurers are to be notified.

Confidentiality

The complaint will be treated as confidential and any communication on this issue, including responding to the complainant, will be subject to compliance with the Data Protection Act and our associated policies.

Availability

This policy is to be made publicly available and given to anyone who advises that they wish to submit a complaint.

Version Control - Approval and Review

| Version No. | Approved by | Approval Date | Main Change | Review Period |
|-------------|-------------|--------------------------|-------------------------|---------------|
| 1.0 | Andy Bull | 6 th May 2025 | Initial policy approved | Three Years |
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Appendix 1 – Complaint Form

Please complete and return to Emily Hollis MBE, Director of Operations, who will acknowledge receipt and explain what action will be taken.

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| Name: |
| Address: |
| Phone: |
| Email: |
| Please provide of your concern, including whether you have spoken to anybody at the CIC about it: |
| What actions do you feel might resolve the problem at this stage? |
| Are you attaching any paperwork? If so, please give details. |
| Signature: |
| Date: |

Official Use

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| Date received: |
| Date acknowledgement sent: |
| By whom: |
| Complaint referred to: |
| Date: |