

Branching Out Complaints Handling Policy and Procedure

NB. This policy is available on the internal computer system and it should be noted that any printed copies are uncontrolled and cannot be guaranteed to constitute the current version of the policy.

POLICY SCHEDULE	
Information, Policies, Procedure, Forms, example letters contained in the document	<ul style="list-style-type: none"> • Background • Complaints Procedure and Complaints Form • Persistent Complaints and Harassment Policy • Branching Out Actions in Cases of Persistent Complaint or Harassment • Review • Model Letters
Approval	Board of Trustees
Date of Approval:	<i>January 2012</i> <i>Please note other strategies and policies may be added to this document as required during the year or at the annual review as legislation changes.</i>
Date of implementation	2012
	V1.0
Related Guidelines, procedures, codes of practice in accordance with current legislation etc.	Safeguarding, Data Protection Policy, Company Values, Volunteer and Employee Handbooks.
Review interval	Annually

Background

Branching out is a registered charity (number 1047403), since 1994 and a Company Limited by Guarantee.

Branching Out has a Management Committee of volunteer members who meet regularly with the responsibility for the strategic direction and policy of the charity. The General manager is employed to have the day to day responsibility for the operational management of the charity and its functions.

Complaints Procedure

We welcome all types of feedback and are pleased to receive comments. If we are getting things wrong we need you to tell us so that we can do our best to make things right. You can do this verbally to a member of staff or in writing following the stages below.

Stage 1: You tell us your complaint

The easiest way to do this is to complete a complaint form available from a member of staff or write to The General Manager, 27 Grange Lane, Littleport, Ely, Cambridgeshire, CB6 1HW.

If you need help making a complaint a member of staff and/or a manager will help you to do this.

Stage 2: We acknowledge your complaint

All complaints are forwarded to the General Manager and you will receive an acknowledgment in writing within 10 working days of receipt of that complaint.

We will tell you the name and job title of the person who is investigating your complaint and they will respond to you within 10 working days of our first letter.

Stage 3: We will keep you informed

If they are unable to complete their investigation within 10 working days, they will contact you, to let you know how long they think it will take.

Stage 4: We will tell you the outcome of our investigation by letter

Stage 5: We hope your complaint will not reach this stage, but

If you are not happy with the outcome you may write to The General Manager at the address given in stage 1.

If you are still not happy with the outcome you may contact the Board of Directors on the above address.

Please note persistent complaints will be subject to the Branching Out Persistent Complaints and Harassment Policy

COMPLAINTS FORM – WITHOUT PREJUDICE

Branching Out aims to provide a high standard of service to all its service users, customers and visitors. If you are not satisfied with our service or facilities we need to know. Please tell us by completing this form below or talking to one of our staff.

Details of the person making the complaint.	
Name:	Email
Address:	
Postcode:	Tel No:
Please give a brief description of your complaint stating any relevant facts including date, time, location where applicable and names of any people involved:	
Please use a separate sheet of paper if required.	
Is this complaint about our Provision or a Service User who attends Branching Out: YES / NO	
If yes, please follow the Safeguarding procedure and contact Cambridgeshire Customer Services on: <u>0345 045 5202</u>	
Signature:	Date:
Please return the completed form to: Branching Out, 27 Grange Lane, Littleport, Ely, Cambridgeshire, CB6 1HW	
We will normally acknowledge your complaint within 10 working days of receiving it and give you a more detailed response within 10 working days of our first letter.	

Persistent Complaints and Harassment Policy

1. Aims of Policy

The aims of this policy are to:

- Uphold the standards of courtesy and reasonableness that should characterize all communication between Branching Out and persons who wish to express a concern or pursue a complaint
- Support the well-being of service users, staff and everyone else who has legitimate interest in Branching Out including the Board of Trustees and parents or carers.
- Deal fairly, honestly and properly with persistent complainants and those who harass members of staff while ensuring the other stakeholders suffer no detriment.

In implementing this policy Branching Out will seek to ensure that its actions are in accordance with its obligations under the Human Rights Act 1998, and Safeguarding legislation in order to protect the rights of both persistent complainants and all other stakeholders.

2. Who is a Persistent Complainant?

2.1

For the purpose of this Policy, a persistent complainant is a parent/carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of Branching Out and whose behavior is unreasonable. Such behavior may be characterized by:

- a. Actions which are obsessive, persistent, harassing, prolific, repetitious and/or
- b. Prolific correspondence or excessive e-mail or telephone contact about a concern or complaint
- c. An insistence upon pursuing unmeritorious complaints and/or unrealistic or unreasonable outcomes
- d. An insistence upon pursuing meritorious complaints in an unreasonable manner

2.2

For the purpose of this Policy, harassment is the unreasonable pursuit of such actions as in (a) to (d) above in such a way that they:

- a. Appear to be targeted over a significant period of time on one or more members of staff and/or
- b. Cause ongoing distress to individual member(s) of staff and/or
- c. Have a significant adverse effect on the whole/parts of the Branching Out community and/or
- d. Are pursued aggressively

3. Parents/Carers/Members of the Public Expectations of Branching Out

Parents/carers/members of the public who raise either informal or formal issues or complaints with Branching Out can expect Branching Out to:

1. Regularly communicate in writing
 - (i) How and when problems can be raised with Branching Out
 - (ii) The existence of the Branching Out's Complaints \procedure and
 - (iii) The existence of the Persistent Complaints and Harassment Policy
2. Respond within a reasonable time
3. Be available for consultation within reasonable time limits bearing in mind the needs of the service users within Branching Out and the nature of the complaint
4. Respond with courtesy and respect
5. Attempt to resolve problems using reasonable means in line with Branching Out's complaints procedure and other Policies and practice.
6. Keep complainants informed of progress towards a resolution of the issues raised

6. Branching Out's Expectations of Parents/Carers/Members of the Public

Branching Out can expect parents/carers/members of the public who wish to raise problems with Branching Out to:

1. Treat all staff with courtesy and respect
2. Respect the needs and well-being of service users and staff within the Branching Out
3. Avoid any use, or threatened use of violence to people or property
4. Avoid any aggression or verbal abuse
5. Recognise the time constraints under which members of staff in Branching Out work and allow Branching Out a reasonable time to respond
6. Recognise that resolving a specific problem can sometimes take some time
7. (In the case of a complaint) follow the Branching Out's Complaints Procedure

Branching Out Actions in Cases of Persistent Complaint or Harassment

Branching Out will take the following consecutive steps as necessary if the complainant's behaviour is not modified:

1. Verbally inform the complainant that his/her behaviour is considered to be becoming unreasonable/unacceptable and may be considered to fall under the terms of this Policy
2. Inform the complainant in writing that his/her behaviour is now considered by Branching Out to be becoming unreasonable/unacceptable (Model Letter 1)
3. Inform the complainant in writing that his/her behaviour is now considered by Branching Out to fall under the terms of this Policy (see Model Letter 2)
4. Inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interest of all parties (see Model Letter 3)
5. Inform the complainant that, except in emergencies, all communication from the complainant to Branching Out should be carried out in writing (see Model letter 4)

6. (In the case of physical or verbal aggression) refer to Branching Out's risk assessment and consider warning the complainant about being banned from the Branching Out site; or proceed straight to a temporary ban.

Legitimate new complaints will still be considered even if the person making them is, or has been, subject to the Persistent Complaints and Harassment Policy.

If the complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, Branching Out may resume the process identified above at an appropriate level.

Review

Branching Out will review as appropriate, and at a minimum once in a year, any sanctions applied in the context of this Policy.

Model Letter 1

Informing a Complainant that his/her behaviour is considered to fall below a reasonable/acceptable standard

Dear.....

This letter is to inform you that the Branching Out considers your actions in on.....when you.....to be below the standard expected of visitors. * We would ask you to bear in mind the fact that such behaviour on a Branching Out Site can be disruptive and distressing to service users, staff and parents/carers.

We are aware that you have raised some concerns, and would advise you that these can be addressed by/Branching Out is addressing these by *

At the moment we are dealing with these issues at stage * of the Branching Out's Complaints Procedure.

Please note that the Branching Out's Persistent Complaints and Harassment Policy sets out standards of behaviour expected of all people on the Branching Out Site. These include:

- Behaving reasonably
- Treating others with courtesy and respect
- Resolving complaints using the Branching Out Complaints Procedure
- Avoiding physical and verbal aggression at all times

The Policy also indicates the steps that we may take if these standards are breached. These include:

- Making special arrangements for meetings and communication with Branching Out
- Considering a ban from the Branching Out Premises

- Considering applying for an Anti-Social Behaviour Order
- Considering legal action

I would ask that you allow Branching Out time to resolve the issues according to the correct procedures, and would assure you that we shall take every possible step to move this process forward as quickly as possible.

I am confident that you will respect our need to maintain a calm and welcoming environment at all times.

Yours sincerely
General Manager

- Fill in as appropriate

Model letter 2:

Informing a Complainant that his/her behaviour is now considered to fall under the terms of the Persistent Complaints and Harassment Policy

Dear.....

You will recall that I wrote to you on* telling you that we felt your behaviour inon.....when you.....* was below the standard we expect of visitors.

I am now writing to inform you that your behaviour inon..... when you* has now led us to apply for the foreseeable future the Branching Out Persistent Complaints and Harassment Policy.

Please be aware that, should you be responsible for any further unacceptable behaviour in connection with Branching Out, some or all of the following, actions may be taken:

- Making special arrangements for you to meet staff and communicate with Branching Out
- Considering banning you from the Branching Out Premises
- Considering applying for an Anti-social Behaviour Order
- Considering legal action against you

If you wish to make a representation about the contents of this letter, please do so in writing to me at Branching Out by*

I do hope that the difficulties can now be quickly resolved.

Yours sincerely
Branching Out

- Fill in as appropriate

Model letter 3:

Informing a Complainant that special arrangements will be made for him/her to meet members of staff

Dear*

Following my letter to you of* informing you that we felt your recent behaviour in connection with Branching Out to be unacceptable/unreasonable *, and that we now considered you to be subject to the Branching Out's Persistent Complaints and Harassment Policy, I am now writing to outline for you the arrangements we have made regarding meetings at the Branching Out.

For the foreseeable future, should you wish to meet with a member of staff, we would ask you to note:

1. This meeting will be arranged with a written appointment as soon as possible, and with a third party present
2. In the interests of all parties, formal notes of this meeting may be made

These arrangements do not, apply, of course, to any emergencies concerning *, which should be reported to Branching Out in the usual way.

I thank you for your forbearance in this matter, and do hope that the difficulties we are currently experiencing can soon be resolved.

Yours sincerely

General Manager

* Fill in as appropriate

Model Letter 4:

Requesting that future communication should be by letter only

Dear*

You will recall that I wrote to you on* informing you that we felt your recent behaviour in connection with Branching Out to be unacceptable/unreasonable *, and that we now considered you to be subject to the Branching Out's Persistent Complaints and Harassment Policy.

I am now requesting that, for the foreseeable future, all routine communications with Branching Out should be by letter only. Please address all letters to* at the Branching Out. We shall respond as quickly as possible.

This request does not apply, of course, to any emergency involving *----- in which case you should contact Branching Out in the usual way-----or to reviews, which will continue as in the past, but with a third party present.

I do hope that we can resolve the ongoing difficulties as soon as possible.

Yours sincerely

General Manager

* Fill in as appropriate