Complaints Policy

Hogarth Youth & Community Centre, Duke Road, Chiswick, London W4 2JR
Charity Number: 1084019

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Introduction

The Hogarth Charitable Trust Company Limited ("Hogarth Charitable Trust") aims to provide its service users with a fair and high-quality service, within its stated aims and priorities and welcomes feedback from service users, members, other individuals and organisations we work with, on all aspects of our services. Such feedback is invaluable in helping us to improve our work.

The purpose of this complaints policy and procedure is to:

- Provide a formal means for feedback, both compliments and complaints, to be dealt with.
- Ensure that everyone knows how to make a complaint.
- Ensure that complaints are dealt with consistently, fairly and quickly.
- Ensure that complaints are monitored and contribute to changes to improve our services.

The Hogarth Charitable Trust will:

- Listen carefully to complaints
- Wherever possible treat complaints as confidential
- Ensure that wherever possible, and except for reasons of legality or confidentiality, its management of complaints is open and transparent
- Record and store all information in accordance with the Data Protection Act
- Fully investigate the complaint quickly
- Write to the complainant with the results of the investigation, inform them of any actions implemented to prevent a re-occurrence and to tell them of any right of appeal

This Policy and Procedure does not replace any legal rights an individual or organisation may wish to explore.

Definitions

A complaint is any expression of dissatisfaction by anyone using our services whether justified or not. An individual or other organisation may make a complaint if they feel that Hogarth Charitable Trust has:

- Failed to provide a service or an acceptable standard of service
- Delayed in providing a service
- Made a mistake in the way it has provided a service
- Provided an unfair service
- Failed to act in a proper way

Compliments

Any verbal or written compliment will be recorded by the person receiving the compliment and be passed to the Denny Anthony for recording in the Compliments Register. Feedback on compliments will be shared with staff when appropriate.

Legal issues

There may be occasions when the Hogarth Charitable Trust is required by law to refer a complaint to law enforcement or statutory agencies, or the Hogarth Charitable Trust is informed about a complaint by a law enforcement agency, solicitors or bodies with statutory powers of investigation. At all times legal, statutory or professional investigations will take primacy over the Complaints Policy and Procedure and the Hogarth Charitable Trust will not undertake any actions that may compromise any external investigations. In such cases:

- The Complaints Policy and Procedure will be initiated, and the Trustees may take such action to protect clients, users, or the Hogarth Charitable Trust through suspension of a member or other volunteer until such a time as any legal procedures or investigations are completed to the satisfaction of the external agencies concerned. If the complaint involves a paid member of staff then the Disciplinary and Grievance Procedure will be used.

- Once immediate actions have been taken the Complaints policy will become suspended until such a time as any legal procedures or investigations are completed to the satisfaction of the external agencies concerned.

- The Hogarth Charitable Trust will keep full and accurate records of its actions in respect of such a complaint.

Data Protection

To process a complaint the Hogarth Charitable Trust will hold personal data about a complainant, which the individual provides, and which other people give when investigating the complaint. The Hogarth Charitable Trust will hold this data securely and only use it to help to address the complaint. The identity of the person making the complaint will only be made known to those needing to consider the complaint and will not be revealed to other people or made public by Hogarth Charitable Trust. However, it may not be possible to preserve confidentiality in all circumstances, for example, where relevant legislation applies or allegations are made which involve the conduct of third parties.

Under the Freedom of Information Act 2000, individuals have a right to obtain a copy of their personal data. However, there are exceptions to this right. Hogarth Charitable Trust will normally destroy its compliments and complaints files in a secure manner 6 years after the compliment has been made or the complaint closed.

Monitoring

Compliments and complaints are an important tool, which alongside other user feedback and evaluations will allow the Hogarth Charitable Trust to learn about the services we provide. They provide a useful source of information about how individuals see our services and how we are serving them. To ensure that we learn from compliments and complaints the following information will be collected:

Compliments

- Name and address
- Nature of compliment
- Date compliment received
- Action(s) taken and recommendations made in response to the compliment (where appropriate)

Complaints

- Name and address of complainant
- Date complaint received
- Name of person dealing with the complaint
- Date of response to the complaint
- Nature of the complaint
- Action(s) taken and recommendations made in response to the complaint (where appropriate)
- Lessons learnt

Compliments and complaints information will be considered on a regular basis and reported quarterly to the Management Committee. Wherever possible the information will be used to improve and develop services.

If the Hogarth Charitable Trust receives a complaint about another member of the Association the formal complaints procedure will be used, and the Hogarth Charitable Trust will also carry out any actions in accordance with our constitution.

The Procedure

There are two stages to the complaint's procedure.

Stage One: The Complaint

a) What you need to do

Write to Hogarth Charitable Trust explaining your complaint as fully as possible. Your letter should be addressed to the Management Committee at:

Hogarth Youth & Community Centre, Duke Road, Chiswick, W4 2JR

and marked "Private and Confidential". Please include your name, a contact address and telephone number and the name of the organisation you represent, if appropriate. We cannot respond to anonymous complaints**.** The Hogarth Charitable Trust can help you to put your complaint in writing or signpost you to someone who can support you to do this.

b) What we will do

If an individual prefers to make a verbal complaint then the person dealing with it **must** record the details on the Complaints Form. If an individual asks for a copy of the Complaints Policy and Procedure including a Complaints Form Hogarth Charitable Trust will send these out where possible on the **same day or within 3 working days** of the request.

On receiving a complaint Hogarth Charitable Trust will ensure that it is logged on to the complaints register.

The Chair will contact you within 10 days with written confirmation that your complaint has been received and that an investigation has begun. If the Chair is not available, another Trustee will deal with the matter.

The Chair may be able to resolve the complaint quickly by way of an apology, by providing the service required or by providing an acceptable explanation. The Chair will complete a 'Complaints Investigation Report' and send a copy of this to you.

If it is not possible to resolve the complaint quickly then the Chair (or deputy) will fully investigate the complaint by interviewing any relevant staff. The Chair may seek advice from our insurers and/or from external advisers. If the investigation is likely to be time-consuming or complex, the Chair may involve other trustees. Notes will be taken of any interviews, and the interviewees will receive a copy. The Chair will list any evidence seen (e.g. files, emails).

All parties involved in the investigation will be required to keep the matter private and confidential, except the member of staff who may seek the advice of trades unions or other advisers if they consider that the Hogarth Charitable Trust Disciplinary and Grievance Procedure will need to be invoked.

You will receive a copy of our "Complaint Investigation Report" within 21 days. This will be in writing, unless you have requested that we use another medium. It will include a summary of what has been done to investigate the complaint and any proposed action to remedy the situation. Having received the report, you then need to complete the return slip indicating if you are satisfied with the outcome of the investigation or not.

If you are dissatisfied with the outcome, the return slip provides the Hogarth Charitable Trust with details of your intention to move to Stage 2.

Stage 2: Appeal against the Chair's decision

a) What you need to do

If you are dissatisfied with the decision that has been made you can appeal. This must be done within 7 working days of having received the Complaints Investigation Report. You make your appeal by completing the return slip indicating that you are not satisfied and wish to move to Stage 2 of the complaint's procedure.

b) What Hogarth Charitable Trust will do

You will be invited to make your appeal in person to an 'Appeals Panel' consisting of three Hogarth Charitable Trust trustees not previously involved in the investigation. They will have been given a copy of the Complaints Investigation Report but will not have discussed the matter with the investigator or the staff involved.

The role of the Appeals Panel is to see if your complaint has been dealt with properly and fairly and whether an appropriate decision has been reached, not to re-investigate the complaint. Where the complaint is against a member of staff, that person will be given the opportunity to submit a written statement to the Appeals Panel. This will be considered alongside the original complaint, the investigation report and any action suggested to remedy the situation.

You will be given at least 7 days' notice of the date, time and venue of the Appeals Panel meeting and all reasonable efforts will be made to hold the meeting at a time convenient to you. You may bring someone to assist you, or to witness the procedure.

The Appeals Panel will write to you within 7 days to notify you of its decision and any actions to be taken to address the complaint. The Appeals Panel's decision will be final, and no further correspondence will be entered into.