

**Complaints Policy**

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| Issue Date: | 15/08/2024 |  |
| Version: | 5 |  |
| Status: | Final |  |
| Review Period | 3 Years |  |
| Author: | HR and SLT |  |
| Applies to: | Staff / Volunteers / Contractors / Visitors / Clients / Members of the Public |  |

Pentreath Ltd is committed to achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

If you require this document in other formats or languages please contact the author.

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| **EQUALITY IMPACT ASSESSMENT** | | | |  |
| Who does the policy affect? | Staff / Clients / Referrers / Public | | |  |
|  | | Yes | No |  |
| 1. Will the proposal have any impact on discrimination, equality of opportunity or relations between groups? | |  | X |  |
| 2. Is the proposal controversial in any way (including media, academic, voluntary or sector specific interest) about the proposed work? | |  | X |  |
| 3. Will there be a positive benefit to the users or workforce as a result of the proposed work? | | X |  |  |
| 4. Will the users or workforce be disadvantaged as a result of the proposed work? | |  | X |  |
| 5. Is there doubt about answers to any of the above questions  (e.g. there is not enough information to draw a conclusion)? | |  | X |  |

If the answer to any of the above questions is Yes (other than question 3) or you are unsure of your answers to any of the above, you should provide further information using the Equality Impact Assessment form

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| If an equality assessment is not required briefly explain why:  This policy provides a process for all employees, patients and their carers/family members and other parties to raise complaints about their experiences of Pentreath Ltd.  Reasonable adjustments will be made to the Complaints process for any complainant with a disability or long-term health condition to ensure that everyone has equal access to, and can participate fully in, the complaints process. |  |

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| **DOCUMENT CHANGE HISTORY** | | |  |
| **Version** | **Date** | **Comments (viewed / reviewed / amended etc)** |  |
| Five | 15/08/2024 | Moved to new policy template, clarified process, renamed Complaints Policy from Complaints Procedure |  |
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| Ratification Body | CEO / SMT |  |

1. **INTRODUCTION** 
   1. Pentreath Ltd is committed to delivering a high quality service to its staff, clients, volunteers and partners.
   2. Pentreath welcomes comments, complaints and recommendations about our services, and we treat them as an opportunity to develop.
   3. The complaints procedure provides a framework for staff, clients, referrers and the public to raise concerns about any aspect of Pentreath Ltd and its services.
2. **PURPOSE AND RATIONALE**

The purpose of this policy and procedure is to provide a process for handling complaints in relation to:

* + - the behaviour of a staff member
    - the behaviour of any person using Pentreath’s services
    - a failing in a Pentreath service
    - any discrimination by Pentreath Ltd on the grounds of race, sex, pregnancy and maternity, marital or civil status, gender reassignment, religion or belief, age, sexual orientation or disability. This could be direct discrimination (against an individual person) or indirect discrimination (affecting a group of people with the same protected characteristic).

1. **POLICY STATEMENT**

**Pentreath’s values are at the core of everything we do. We are:**

***Approachable - Inspiring - People Centred - Knowledgeable - Diverse***

***Trustworthy - Encouraging - Adaptable - Creative***

* 1. Pentreath Ltd is committed to achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation
  2. Pentreath aim to ensure that making a complaint is as straightforward as possible
  3. Pentreath aim to handle complaints in a way that is fair and efficient
  4. Pentreath will treat a complaint as any clear expression of dissatisfaction with its service which calls for a timely response, and treat it with appropriate seriousness, sympathy and confidentiality
  5. Pentreath aim to learn from complaints and use them to improve our service
  6. Pentreath aim is to achieve an early resolution to all complaints

1. **DEFINITIONS**

**4.1 Complainant** is a person who makes a complaint

**4.2 Complaints Manager** is the person who oversees complaints at Pentreath

1. **DUTIES AND RESPONSIBLITIES** 
   1. **Complaints Manager:** 
      1. Is responsible for managing complaints from stakeholders
      2. Supports management and staff to implement this policy
      3. Understands this policy and when it is applicable
   2. **Managers:**
      1. Understand this policy and when it is applicable
   3. **Staff:**

5.3.1 Understand this policy and when it is applicable

1. **COMPLAINTS PROCEDURE**

Employees who wish to raise a complaint regarding their own employment should use Pentreath’s Grievance Procedure rather than this procedure.

Where Safeguarding concerns are raised, these will be handled under Pentreath’s Safeguarding Policy.

Where concerns are raised about bullying and harassment, this policy will be used in conjunction with Pentreath’s Harassment and Bullying Policy.

Where concerns are raised in the Public Interest, these will be treated as Public Interest Disclosures and handled under Pentreath’s Whistleblowing Policy.

### Confidentiality

All complaints will be dealt with sensitively and in confidence. It is Pentreath’s expectation that the confidentiality of the documentation generated by a complaint will be respected by all parties and stored in a secure environment.

The complainant and anyone accompanying the complainant to meetings, must not make electronic recordings of any meetings conducted under this procedure.

### Reasonable Adjustments

Reasonable adjustments will be made to the Complaints process for any complainant with a disability or long-term health condition to ensure that everyone has equal access to, and can participate fully in, the complaints process.

### Stage 1 - Informal Resolution

Complaints of a minor nature can be raised with the person responsible, with the aim of resolving the problem directly and informally if this is possible.

Concerns raised at the earliest opportunity can often be resolved at an informal stage.

If informal resolution is not successful or if the course of action is not satisfactory, the following information is provided to take the matter forward as a Formal Complaint.

### Stage 2 – Formal Complaint

Where it has not been possible to resolve matters at a Stage 1 Informal Resolution, a Stage 2 Formal Complaint can be made.

Any complaint must be made within 3 months of the date of the alleged incident.

* + 1. **How to make a Formal Complaint:**
* Email admistrator@pentreath.co.uk for the attention of the Complaints Manager, or
* Write to Pentreath Ltd, St Enoder Barns, Glebe Farm, Summercourt, Newquay TR8 5EE for the attention of the Complaints Manager, or
* Call the office 01726 862727 between the hours of 9.00am – 5.00pm Monday to Friday, and ask to speak to the Complaints Manager

A Formal Complaint should include:

* + - * The complainants name and address, and
      * Any relevant documentation, dates, locations and witnesses as appropriate, and
      * Details of any previous unsuccessful attempts at resolution

If the complainant makes their complaint verbally, a record of their complaint will be made and they will be provided with a written copy.

**6.4.2 Investigating a Formal Complaint**

A Formal Complaint necessitates an investigation. An appropriate manager will be designated to investigate a Formal Complaint.

The complainant will receive an acknowledgement of their Formal Complaint, and the offer of a discussion about the handling of the complaint within 3 working days.

During the discussion, the investigating manager may ask the complainant to clarify any details of their complaint and their desired outcome(s). The complainant is welcome to be accompanied during this discussion, which can take place in person, via video call or by phone. A written, non-verbatim record of the discussion will be made.

**6.4.3 Outcome of a Formal Complaint**

After the investigation, the complainant will receive a written response. This will usually be within 10 working days but can be extended to 20 working days from when the content of the complaint was agreed with the complainant.

The response will detail the findings, the outcome of the Formal Complaint and, where appropriate, provide an apology. It will also detail how to appeal the outcome.

### Stage 3 - Appeal

If the complaint was not resolved satisfactorily at Stage 2 Formal Complaint, the outcome can be appealed by writing to Pentreath’s Board of Trustees explaining why this is so, and seek an enquiry.

To appeal an outcome, write to Pentreath Ltd, St Enoder Barns, Glebe Farm, Summercourt, Newquay TR8 5EE for the attention of the Chair of Trustees, Mark Steer

A Complaints Committee will be formed from at least three of the Trustees of the Company who will investigate further. Further written evidence from the complainant may be required to clarify matters.

The Complaints Committee will decide if the evidence justifies upholding the outcome of the Formal Complaint without further investigation.

The Complaints Committee may decide to further interview the complainant and the person who is the subject of the complaint and any witnesses. The complainant may be accompanied to any further meetings. The person who is the subject of the complaint may also be accompanied. A non-verbatim, written record will be made of the proceedings.

The Complaints Committee will notify the complainant in writing of the decision reached and the reason for it, together with any consequent action. This will usually be provided within 10 working days of the Stage 3 Appeal, but can be extended to 20 working days for complex complaints or due to unavailability of the parties.

### External Complaints Procedure

To make a complaint about a partner organisation or funding body, contact Pentreath’s Complaints Manager:

* Email admistrator@pentreath.co.uk for the attention of the Complaints Manager, or
* Write to Pentreath Ltd, St Enoder Barns, Glebe Farm, Summercourt, Newquay TR8 5EE for the attention of the Complaints Manager, or
* Call the office 01726 862727 between the hours of 9.00am – 5.00pm Monday to Friday, and ask to speak to the Complaints Manager

1. **MONITORING COMPLIANCE AND EFFECTIVENESS**
   1. The effective implementation of this policy will be monitored by the Complaints Manager in conjunction with HR.
   2. This procedure may be reviewed and updated from time to time.
2. **TRAINING AND COMPETENCY REQUIREMENTS** 
   1. Training for managers who will be involved in handling complaints will be provided on how to apply the policy consistently and fairly
3. **ASSOCIATED DOCUMENTS**

* Grievance Policy
* Safeguarding Policy
* Harassment and bullying Policy
* Whistleblowing Policy