

Brunswick Organic Nurseries Ltd ('Brunswick')

Complaints Policy and Procedure

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Introduction

We view feedback and complaints as an opportunity to learn and improve as well as offering the chance to put things right to the best of our ability for the person or organisation affected. This policy sets out our approach to complaints and is intended for use by anyone who has an interaction with Brunswick as a worker, parent, carer, volunteer, member of the public or partner organisation.

If a staff member wishes to make a complaint about any matter relating to their employment, they should use the Grievance Policy.

Definition of a complaint

A complaint is an expression of dissatisfaction, whether justified or not, about any aspect of Brunswick.

Our policy is to:

- Provide a complaints procedure which is clear and easy to use.
- Publicise the existence of our complaints procedure so that people know how to make a complaint.
- Make sure all staff and Board members know what to do if they receive a complaint.
- Make sure all complaints are listened to, acknowledged and responded to and that this is done impartially, objectively and professionally. If investigations are required, that these are done in a fair and timely manner.
- Ensure we keep complainants informed about timescales and progress when we investigate their complaint.
- Maintain confidentiality wherever possible. Normally, the identity of complainants will be known only to those who need to consider the complaint and will not be revealed to any other person or made public. When this isn't possible because of allegations involving third parties or relevant legislation, we will let the complainant know.
- Ensure that where possible, complaints are resolved and relationships repaired.
- Use information gathered from complaints to improve what we do and prevent similar reoccurrences as far as possible.
- Guarantee that no one will receive adverse or discriminatory treatment as a result of making a complaint.

How to make a complaint

- Complaints can be made in person to a staff member or a member of the Board, by telephone, by e-mail or by letter using words or pictures.
- Complaints can be made by the person directly affected or on someone's behalf e.g. someone supporting a worker or acting on behalf of a worker for example a relative, friend or carer, or with the assistance of advocates from citizens' advocacy service user groups such 'York People First'. If a complaint is made on someone's behalf, we may need to confirm if they have given consent for this and if they are happy for information to be shared.

- Please provide sufficient initial information to help us understand what the complaint is about, who it has affected and when it happened.
- Please tell us what outcome or remedy the complainant is seeking. This could involve one or more of the following:
 - An apology
 - An explanation of what happened
 - An assurance that the same thing will not happen again
 - The complainant getting the service they would like
 - Another remedy that provides a reasonable response to the complaint
 - Changes to Brunswick's practices and procedures resulting from the complaint.

The procedure for complaints is explained below and also identifies who has lead responsibility in each stage.

Stage 1 – Informal resolution

Where possible, we encourage feedback and concerns to be shared with the most relevant person as concerns can often be quickly resolved informally with a conversation. For instance, a worker or family member may wish to share concerns directly with the staff member they were working with.

Regardless of whether the complaint has been resolved, the staff member must record the complaint in the Complaints Log and notify the Operations Manager of this.

When receiving a complaint, the complainant will be asked to provide detail and what they think should be done to put things right.

If the complaint can be resolved immediately, the member of staff who receives the complaint will be expected to deal with it if they are able, otherwise they will pass it on to another member of staff who **is** able to deal with it. This could be a colleague in a different work area or a manager. The person dealing with the complaint will make the Operations Manager aware of the complaint and the way in which it was resolved.

Any complaint in writing or complaint presented to staff as a formal complaint must be taken directly to the Operations Manager.

Stage 2 – Resolution led by Director

If you do not feel comfortable speaking to the staff member involved or it is not possible to resolve the complaint informally or the complaint is of a serious nature, please contact the Director. If the complaint is about the Director, please contact the Chair of the Board of Trustees.

The Director will acknowledge the complaint within 3 working days of receipt. This will be by letter or email and it will include:

- The name and contact details of who to contact whilst the complaint is being investigated.
- What will happen next in the procedure.
- Information about timescales. We will usually ensure complaints are investigated and responded to within 15 working days of the date of Brunswick's acknowledgement letter. If this is not possible, reasons will be given together with a date by which a full response can be expected.

The Director may delegate the investigation to an appropriate manager such as the Operations Manager or Service Manager. Following investigation, the complainant will receive a response in writing from the Director detailing the action taken following the complaint. This response will include a summary of the complaint, what has been done to investigate the complaint, the conclusions reached and any actions taken as a result of the complaint.

If the complaint is not resolved at this level, the complaints log should be updated and the complaint should be escalated to Stage 3.

Stage 3 – Resolution led by Board

If a complainant is still dissatisfied, the complaint will be referred to the Board. The complainant must tell Brunswick that they are still dissatisfied within 20 working days of the Director's letter. The complainant must outline why they wish to have the complaint reviewed.

The Chair of the Board will send a letter of acknowledgement to the complainant within 5 working days. The Chair or a delegated Board member will conduct a review to see if the investigation was reasonably conducted and if the response provided was adequate. They will provide a full response to the complainant within twenty working days of the referral. With the agreement of the complainant, this time period may be extended if the complaint is of a particularly complex nature.

The Chair will send a letter to the complainant advising of the outcome of their review. This will include any actions that will or have been taken following the review.

If the Board response does not satisfy the complainant we will tell the complainant how they can pursue their complaint further, if at all. This may be contacting the local authority that is funding care if the complaint is about a worker.

At the end of this stage, the complaints log should be updated.

Learning from complaints

All data from complaints will be discussed by senior managers and where appropriate, an action plan agreed to implement any changes required and allow opportunity to notice any trends.

The Board and senior management team will review complaints annually. This will include:

- The numbers and categories of complaints
- Comparisons with previous years
- Lessons learned/suggested actions for improvement.

Publicising the complaints policy and procedure

We know that people will not use the Complaints Procedure if they don't know it exists, so we aim to publicise our policy and the procedure widely. We need to ensure that workers, staff and volunteers as well as people and organisations outside Brunswick are all aware of how to raise complaints.

There are many ways by which we can achieve this including:

- Telling all our volunteers about the process at induction and repeating this at volunteer training and meetings with the volunteer coordinator.
- Telling workers about the process on induction, as part of their six-week trial review and reminding them in annual reviews, using an accessible reminder sheet.
- Including information about our complaints process in information for families and carers
- Including information on the process in our Staff Handbook and by training our staff to deal with complaints.

Anonymous complaints

It is helpful if complainants say who they are so that we can get in touch with them to clarify issues and give feedback on the outcome of their complaint. However, Brunswick believes everyone has the right to complain and anonymous complaints which are not persistent or vexatious will be thoroughly investigated.

Persistent and vexatious complaints

Where a complainant persists in pursuing a complaint, which has no reasonable basis, or when Brunswick has already taken reasonable action in response to the complaint, the Board will exercise its discretion as to when a matter will be regarded as closed and will not be investigated further.

Whistleblowing

If a complaint meets the specific criteria of Whistleblowing as outlined in the Public Interest Disclosure Act 1998 (PIDA) then our Whistleblowing policy should be followed.

Qualifying concerns are one or more of the following:

- A criminal offence
- A failure to comply with legal obligations to which they are subject
- A miscarriage of justice
- A danger to the health and safety of an individual
- Damage to the environment
- Deliberate attempt to conceal any of the above.

Other relevant Brunswick policies

Whistleblowing Policy

Confidentiality Policy

Policy review

This policy is due for review every two years.

The Director will be responsible for ensuring that the policy and procedure are updated when necessary and that this is communicated to staff, volunteers and workers as needed.

A record of revisions will be kept using a version control table. This is linked on the first page of this document.

Appendix A – Guidance for staff on what to do when a complaint is raised

In the moment:

- Listen and allow the person to describe the complaint in their own words
- Be calm, respectful and professional throughout the conversation.
- Be aware that sometimes people need to 'let off steam' or will be feeling emotional. This can feel hard whether it is aimed at you personally or not. If their emotions step over a line into feeling unsafe for you at work, politely explain that you need to get a manager to support with the complaint.
- Acknowledge the person's feelings e.g. 'I understand that you are feeling frustrated by this'.
- Obtain more details if needed
- Ask what outcomes the person would like e.g. an apology, an explanation.
- Reflect back your understanding of their complaint and what they are seeking. This will help the complainant feel heard, give both of you reassurance that you have understood the issues raised and be helpful if it needs passing onto a colleague or manager.
- If it is clear that an apology should be given, then please do so.
- If you need to refer it onto a colleague or manager, be clear about this and reassure them that you will do it. You need to do this by the end of your shift or if this is not possible, by the next day at the latest.
- Don't make promises that you can't keep.
- If there is information that can be shared to resolve the complaint informally, be clear and factual.
- Check that the person understands information that you have given.

You also need to:

- Be clear about who you may need to inform in the management team that a complaint has been received. This is outlined in the three different stages of the complaints procedure.
- Update the Complaints Log. This is saved in Globalshare – type 'Complaints' into the search function to check the current saved location as this may change if files and folders are reorganised.