

# COMPLAINTS POLICY & PROCEDURES

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## 1. Purpose

1.1 JigsawPlus has produced this Complaints Policy and Procedures to:

- demonstrate its commitment to building and maintaining effective relationships with learners, parents, customers, employers, partners, contractors, local residents, visitors and other stakeholders
- help identify areas for improvement in order to provide the best possible services
- establish a clear framework within which complaints can be raised and satisfactorily addressed

## 2. Definitions

2.1 'Jigsaw' means Jigsaw Trust, JigsawPlus, Jigsaw Trust and Jigsaw Trading 2013 Limited (Café on the Park)

2.2 An informal concern is any expression of dissatisfaction, whether justified or not, about any aspect of Jigsaw.

2.3 For the purposes of this policy, a complaint is defined as either:

- a formal (verbal or written) expression of dissatisfaction that has been specifically labelled as a complaint by the dissatisfied person, or,
- an informal concern that has not been satisfactorily resolved and has escalated to a Stage One complaint

2.4 Heads of Divisions are as follows: Support Services Director (JigsawPlus); Chief Executive Officer (Trust Shared Services)

## 3. Scope

3.1 This policy and related procedures applies to learners, learners' representatives and members of the public.

3.2 This policy does **not** cover complaints procedures relating to:

- Admissions
- Safeguarding matters
- Whistle-blowing
- Staff grievances
- Staff discipline

3.3 Please see our separate policies for procedures relating to these types of complaint.

## 4. The Policy

4.1 It is our policy to receive complaints as a source of information and feedback, and look upon them as an opportunity to learn, adapt, improve and provide better services.

4.2 If any individual wishes to make a complaint or register a concern they should find it easy to do so.

- 4.3 This policy is intended to ensure that complaints are properly and fairly investigated and that all complaints or comments are taken seriously.
- 4.4 The policy is not designed to apportion blame, to consider the possibility of negligence or to provide compensation. It is NOT part of the employee Discipline & Capability Policy.
- 4.5 Jigsaw recognises that failure to listen to or acknowledge complaints may lead to an aggravation of problems, dissatisfaction and possible litigation. Jigsaw supports the concept that most complaints, if dealt with early, openly and honestly, can be sorted out at a local level between just the complainant and Jigsaw.
- 4.6 It is our policy to, wherever possible, resolve problems and repair relationships if required.

## **5. Complaints Procedures**

### **Publicised Contact Details for Complaints:**

- 5.1 Written complaints may be sent to JigsawPlus, Building 203, Dunsfold Park, Stovolds Hill, Cranleigh, Surrey GU6 8GA or by e-mail at [reception@jigsawplus.co.uk](mailto:reception@jigsawplus.co.uk).
- 5.2 Verbal complaints may be made by phone to 01483 277366 or in person to any member of Jigsaw staff.

## **6. Receiving Complaints**

- 6.1 Complaints received by telephone or in person need to be recorded. The person who receives a phone or in person complaint should:
  - Write down the facts of the complaint
  - Take the complainant's name, address and telephone number
  - Note down the relationship of the complainant to Jigsaw (for example: learner's representative, member of the public)
  - Tell the complainant that we have a Complaints Policy and Complaints Procedure
  - Tell the complainant what will happen next and how long it will take
  - Where appropriate, ask the complainant to send a written account by post or by email so that the complaint is recorded in the complainant's own words.
- 6.2 For further guidelines about handling verbal complaints, see Guidance for Handling Verbal Complaints (Appendix 2)

## **7. Resolving Complaints**

### **Stage One**

- 7.1 In many cases, a complaint is best resolved by the person responsible for the issue being raised. If the complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate.
- 7.2 Whether or not the complaint has been resolved, the complaint information should be passed to the Head of Division within two days.

- 7.3 On receiving the complaint, the Head of Division will record it in the complaints log. If it has not already been resolved, the Head of Division will investigate it and take appropriate action.
- 7.4 If the complaint relates to a specific person, they should be informed and given a fair opportunity to respond.
- 7.5 Complaints should be acknowledged by the person handling the complaint within five working days. The acknowledgement should say who is dealing with the complaint and include a copy of the Complaints Policy and Procedures.
- 7.6 Ideally complainants should receive a definitive reply within four weeks. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.
- 7.7 The reply to the complainant should:
  - dismiss the complaint as unfounded, giving reasons; or, uphold the complaint in whole or in part
  - confirm actions taken, or to be taken, to resolve the complaint
  - recommend changes to policies, procedures or processes to ensure that problems of a similar nature do not recur
  - advise the complainant what to do next if they are not satisfied with the outcome of the Stage One investigation

## Stage Two

- 7.8 If the complainant feels that the problem has not been satisfactorily resolved at Stage One, they can request that the complaint is reviewed at Trust level. At this stage, the complaint will be passed to the Chief Executive Officer or a Trustee.
- 7.9 The request for a Stage Two level review should be acknowledged within five working days of receiving it. The acknowledgement should say who will deal with the case and when the complainant can expect a reply.
- 7.10 The person who handled the original complaint at Stage One should be kept informed of what is happening.
- 7.11 If the complaint relates to a specific person, they should be informed and given a further opportunity to respond.
- 7.12 The Chief Executive Officer or Trustee may investigate the facts of the case themselves or delegate a suitably senior person to do so; his/her role is to ensure that the complaint has been acknowledged and handled appropriately. S/he will review the investigation and evidence and, ideally, communicate the findings to the complainant within four weeks.
- 7.13 If it is not possible to complete the investigation within four weeks because, for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.
- 7.14 The Chief Executive Officer or Trustee will respond in writing the complainant to either:
  - confirm that the investigation is being reopened, or

- uphold the findings at Stage One and advise the complainant what to do next if they are not satisfied with the outcome

7.15 The decision taken at this stage is final, unless Jigsaw decides it is appropriate to seek external assistance with resolution, or the complainant wishes to appeal the outcome.

### Stage Three

7.16 If the complainant is not satisfied with the Stage Two outcome, Jigsaw will convene a Complaints Panel to hear the complaint and make a final decision.

7.17 The Complaints Panel will consist of three trustees plus one person who is independent of the management or running of any division of Jigsaw.

7.18 Members of the Complaints Panel must not have previously been involved in investigating the complaint.

7.19 Every effort should be made to assemble the Complaints Panel within four weeks of receipt of the appeal request.

7.20 The primary function of the Complaints Panel is to decide on the merits or otherwise of the complaint. However, the Complaints Panel will also play an important role in attempting to resolve the complaint.

7.21 The Complaints Panel should reach a decision on whether the complaint is upheld or rejected and may call for certain action to be taken by Jigsaw or the complainant.

7.22 The Complaints Panel should invite written evidence from the complainant and the Head of Division who investigated the complaint at Stage Two, and the action taken to resolve it. Any written evidence should be circulated to all parties before the Complaints Panel hearing.

7.23 The complainant will be invited to the hearing and bring someone to accompany them if required. The Head of Division and/or investigating Trustee will also attend the hearing.

7.24 The Complaints Panel should follow a formal procedure for the hearing – see 0 Guidance for Complaints Panel Hearing

7.25 A suitable clerk should be appointed to take minutes for the Complaints Panel Hearing. This may be a member of the Administration Team but should not be a Trustee. Consideration must be given to the type and sensitivity of the complaint when appointing a clerk.

7.26 The decision reached by the Complaints Panel will be notified to the complainant and, if relevant, other persons involved in the complaint, in writing within 10 working days of the Complaint Panel Hearing. It will also be reported at the next Trustees meeting.

7.27 The Complaints Hearing Panel will:

- dismiss the complaint in whole or in part, or uphold the complaint in whole or in part
- decide on the appropriate action to be taken to resolve the complaint
- recommend changes to policies, procedures or processes to ensure that problems of a similar nature do not recur

7.28 The Complaints Log will be updated to record the stage at which the complaint was resolved.

## **8. Further Action**

- 8.1 If the complainant remains dissatisfied with the Stage Three outcome, there are further steps that may be taken.
- 8.2 Complaints may be referred to the Local Authority. However, the Local Authority has no power to investigate complaints about general matters and may refer back to Jigsaw's own Complaints Policy and Procedures. That said the Local Authority may be willing to mediate between the complainant and Jigsaw Trust to help reach a mutual understanding or agreement.
- 8.3 The complainant can contact the Charity Commission at any stage. Information about the kind of complaints the Commission can involve itself in can be found on their website at: [www.charitycommission.gov.uk/publications/cc47.aspx](http://www.charitycommission.gov.uk/publications/cc47.aspx)

## **9. Variation of the Complaints Procedure**

- 9.1 Jigsaw may vary the procedure for good reason. This may be necessary to avoid a conflict of interest, for example, a complaint about a Head of Division should not also have the same Head of Division leading a Stage Two review.

## **10. Monitoring and Learning from Complaints**

- 10.1 Complaints are reviewed annually to identify any trends which may indicate a need to take further action.
- 10.2 Jigsaw will report complaints and their outcomes to the trustees of Jigsaw annually.

## **11. Records & Confidentiality**

- 11.1 All complaint information will be handled sensitively, telling only those who need to know and following any relevant data protection requirements.
- 11.2 Confidentiality will be respected as far as possible but some disclosure of details to relevant staff may be required in order to resolve the issue.
- 11.3 Heads of Divisions will maintain a confidential Complaints Log which will contribute to Jigsaw's quality improvement processes. The Complaints Log will record all appeals and outcomes.
- 11.4 The Complaints Policy and Procedures will be made available:
  - to all learners and/or their representatives
  - on all Jigsaw websites

## **12. Responsibilities**

- 12.1 All staff have a responsibility for receiving complaints, treating them seriously and dealing with them promptly and courteously.
- 12.2 Heads of Divisions are responsible for recording complaints and their outcomes, and leading or contributing to investigations in complaints when required.
- 12.3 The Board of Trustees is responsible for resolving Stage Three complaints.

12.4 In the event that the complaint relates to a Division Head, or is of a serious nature, the complaint will be automatically referred to the Chief Executive Officer or a trustee of Jigsaw for investigation and management.

12.5 The Heads of Divisions are responsible for reviewing and, if necessary, amending this policy at least annually.

12.6 The Jigsaw Board of Trustees is responsible for approving any amendments or changes to this policy.

### **13. Training**

13.1 All employees will be made aware of the Complaints Policy and Complaints Procedure during their inductions.

13.2 Heads of Divisions are responsible for organising and co-ordinating training in how to respond to, and manage, complaints. All staff will attend In-house refresher training on handling complaints at least annually.

### **14. Policy Review**

14.1 This policy will be updated as necessary to reflect best practice and to ensure compliance with any changes or amendments to relevant legislation.

14.2 This policy was last reviewed in March 2024.



## 15. Version History

No.	Date	Amendment
1.2		
1.3	June 2020	No fundamental changes, role title changed
1.4	June 2021	No fundamental changes
1.5	May 2022	No changes
2.1	March 2024	Scope updated

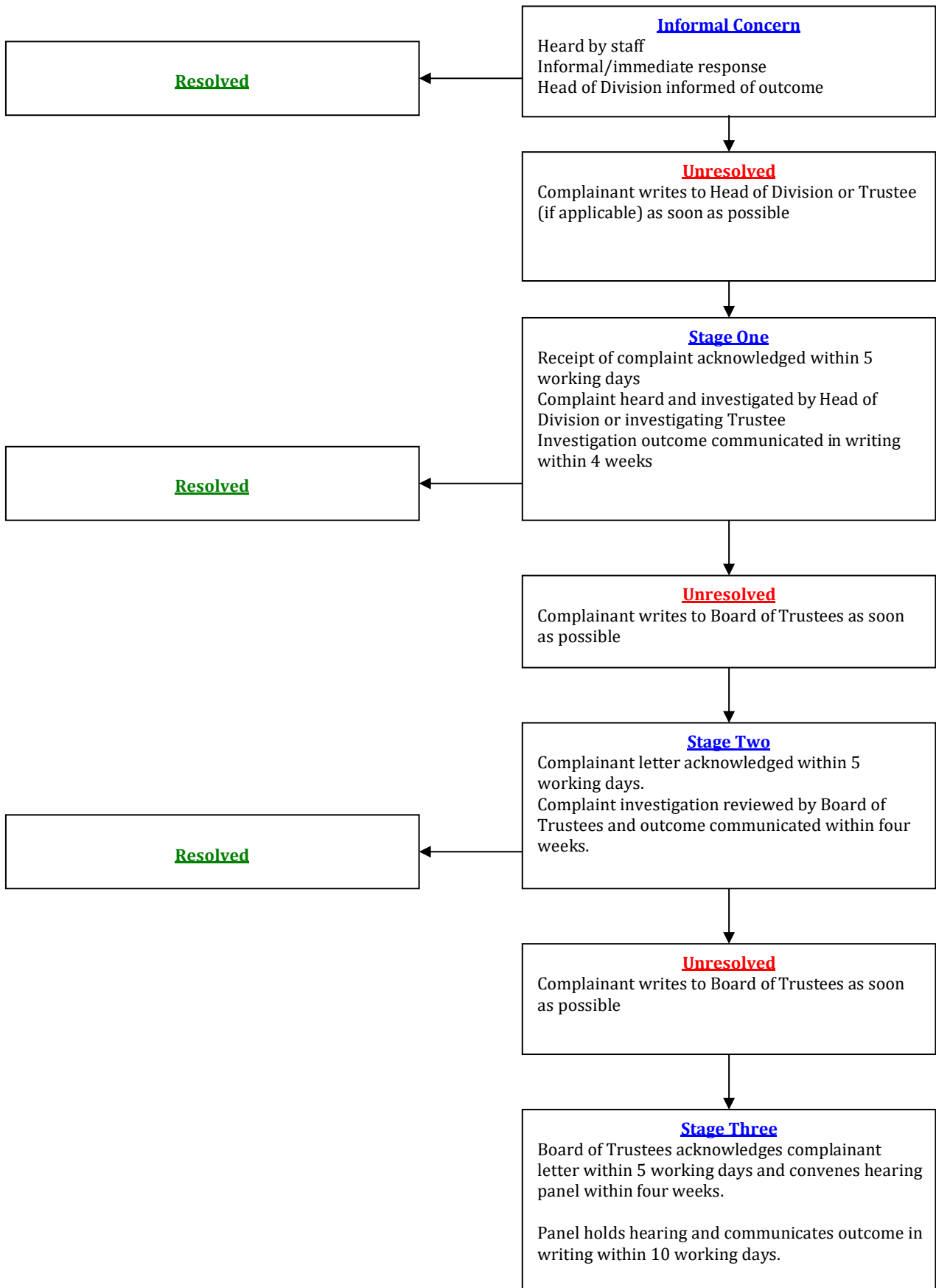
## 16. Related Legislation & Guidance

Document	Location

## 17. Related Internal Documentation

Document	Electronic Copy Location
Accident, Incident & Injury Procedure	Home page (common) / POLICIES / Trust
Safeguarding Adults Policy	Home page (common) / POLICIES / Plus
Safeguarding Adults Procedure	Home page (common) / POLICIES / Plus
Admissions	Home page (common) / POLICIES / Plus
Whistleblowing	Home page (common) / POLICIES / Trust / HR
Discipline & Capability	Home page (common) / POLICIES / Trust / HR
Grievance	Home page (common) / POLICIES / Trust / HR

**APPENDIX 1 – Complaints Procedure Flowchart**



## APPENDIX 2 - Guidance for Handling Verbal Complaints

- Remain calm and respectful throughout the conversation
- Listen - allow the person to talk about the complaint in their own words.
- Sometimes a person just wants to "let off steam"
- Don't debate the facts in the first instance, especially if the person is angry
- Show an interest in what is being said
- Obtain details about the complaint before any personal details
- Ask for clarification wherever necessary
- Show that you have understood the complaint by reflecting back what you have noted down
- Acknowledge the person's feelings (even if you feel that they are being unreasonable) - you can do this without making a comment on the complaint itself or making any admission of fault on behalf of the organisation e.g "I understand that this situation is frustrating for you"
- If you feel that an apology is deserved for something that was the responsibility of your organisation, then apologise
- Ask the person what they would like done to resolve the issue
- Be clear about what you can do, how long it will take and what it will involve.
- Don't promise things you can't deliver
- Give clear and valid reasons why requests cannot be met
- Make sure that the person understands what they have been told
- Wherever appropriate, inform the person about the available avenues of review or appeal

## APPENDIX 3 - Guidance for Complaints Panel Hearing

A suggested procedure for a Complaints Appeal Hearing is as follows:

- Introductions by the Chair of the Complaints Panel
- Statement by Complainant, including outcome sought
- Questions to complainant by Panel members
- All parties hear and question any witnesses called by complainant
- Statement by Head of Division and/or investigating Trustee
- Questions to Head of Division and/or investigating Trustee by Panel members
- All parties hear and question any witnesses called by Head of Division and/or investigating Trustee
- Complainant makes final statement
- Head of Division and/or investigating Trustee makes final statement
- Panel withdraws to reach a decision

## APPENDIX 4 - Complaints Log

Complaint made by:		Date:	
Details of complaint:			
Outcome of investigation:			
Date complainant notified of outcome:			
Comments:			
Signature of complainant:		Date:	
Signature of staff member:		Date:	