

Version1 June 2024

Active Black Country Limited

Company Number – 14537800

Registered Charity Number – 1210894

Complaints Policy & Procedure

Active Black Country Complaints Policy

1. Introduction

1.1 Active Black Country (ABC) Limited is the Active Partnership (AP) for the Black Country region, providing the strategic leadership for physical activity, sport and movement across the areas of the Metropolitan Boroughs of Dudley, Sandwell, and Walsall, the City of Wolverhampton, and surrounding areas.

1.2 ABC Ltd is registered with Companies House as a company limited by guarantee under company number; 14537800 and a registered charity with the Charity Commission under charity number; 1210894.

1.3 All individuals appointed onto the ABC Ltd Board of Trustees are simultaneously:

- a) The Trustees of the Charity under charity law and registration with Companies House;
- b) The Trustees under charitable law and regulation by the Charity Commission for England & Wales.

1.4 The ABC Ltd Board of Trustees have established the strategic plan – ‘Creating an Active Black Country’ – that provides the direction for the business.

2. Active Black Country

2.1 Active Black Country (ABC Ltd) is the Active Partnership (AP) for the Black Country region, providing the strategic leadership for physical activity, sport and movement across the areas of the Metropolitan Boroughs of Dudley, Sandwell, and Walsall, the City of Wolverhampton, and surrounding areas.

2.2 ABC Ltd is registered with Companies House as a company limited by guarantee under company number; 14537800 and a registered charity with the Charity Commission under charity number; 1210894. Active Black Country.

- a) Is committed to providing a good standard of quality services to service users, other agencies and organisations;
- b) Will take seriously any concern or complaint and will look into it promptly, for resolution as quickly as possible;
- c) Recognises that all service users, agencies and organisations;
 - i. have the right to raise concerns or complaints about our services
 - ii. have access to clear information on how to voice complaints and concerns;
- d) Will deal with complaints in line with ABC Ltd Confidentiality policy;

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- e) Will keep a register of all complaints, which will be reviewed regularly by the Board of Trustees;
- f) Complaints procedure will be part of the process of monitoring the quality, effectiveness and non-discriminatory nature of its services;
- g) All staff, volunteers and Board of Trustees members are required to read, understand and comply with this policy and its procedures.

3. Introduction to Policy

3.1 ABC Ltd strives for high standards in service delivery and welcomes feedback from individuals, users of our services, stakeholders, funding bodies and anyone who works with us, on all aspects of our services. Such feedback is invaluable in helping us evaluate and improve our work.

3.2 The objectives of ABC Ltd complaints policy and procedures are to:

- a) Ensure everyone knows how to make a complaint and how a complaint will be handled;
- b) Ensure that complaints are dealt with consistently, fairly and sensitively within clear time frames;
- c) Provide individuals with a fair and effective way to complain about our work;
- d) Ensure that complaints are monitored to improve our services.

3.3 ABC Ltd will ensure that we:

- a) Listen carefully to complaints and treat complaints as confidential, where possible;
- b) Record, store and manage all complaints accurately and in accordance with the Data protection Act;
- c) Investigate the complaint fully, objectively and within the stated time frame;
- d) Notify the complainant of the results of the investigation and any right of appeal;
- e) Inform the complainant of any action that will be implemented in order to ensure that there is no re-occurrence;
- f) Report on an annual basis, the number of complaints received, the outcomes and any actions taken.

4. Definition of a complaint

4.1 A complaint is any expression of dissatisfaction by an individual, whether justified or not.

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4.2 An individual may make a complaint if they feel ABC Ltd has:

- a) Failed to provide a service or an acceptable standard of service or made a mistake in the way the service was provided.
- b) Failed to act in a proper way.
- c) Provided an unfair service.

4.3 This policy and procedure relates only to complaints received about ABC Ltd and its services.

5. Concern or Complaint

5.1 It is important to establish the difference between a concern and a complaint.

Taking informal concerns seriously at the earliest stage will reduce the likelihood of their developing into formal complaints.

5.2 If you have any concerns about our work, please tell a staff worker or their manager as soon as possible, so they can quickly understand your concerns and try to put things right.

5.3 If you are not happy with the response to your concern and/or you want to make a formal complaint, please follow the procedure below.

6. Complaints Procedure

6.1 ABC Ltd aims to settle the majority of complaints quickly and satisfactorily by the member of staff who provides the service. The complaint may be resolved quickly by way of an apology or by an acceptable explanation to the individual.

6.2 There are three stages to the complaint's procedure:

6.2.1 Stage One – the complaint

6.3.1 Stage Two – investigation

6.4.1 Stage Three – appeal

6.2.1 Stage One – Complaint

6.2.2 The complaint can be written or if the individual prefers, they can tell someone at ABC Ltd, or someone else, who will write it down for them. The complainant will need to sign it. A complaint form is available to use at appendix 1

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- 6.2.3 Individuals wishing to make a complaint should contact the person who provided the service, or their line manager. Alternatively, they can contact us by writing to:

ABC Ltd,
1st Floor Neville House,
Steelpark Rd,
Halesowen,
B62 8HD.

- 6.2.4 The complaint should include the complainants name and address, the nature and date of the complaint and how they want to see it resolved. The complaints form can be requested and can be sent to the complainant or collected by the complainant.

- 6.2.5 Complainants must receive an acknowledgement within 3 working days of receipt of a signed complaint.

6.3.1 Stage Two – Investigation

- 6.3.2 All complaints at this stage should be dealt with by a member of ABC Ltd Leadership & Management Team. If they need to meet with the complainant, they will do so within seven working days of receiving the written complaint.

- 6.3.3 Complaints will be fully investigated, and a written response provided to the complainant within ten working days by the investigator.

- 6.3.4 The complainant will receive written confirmation of the outcome of any investigation any recommendations/remedies made, such as reviewing of policies, staff development and training or appropriate improvement to our services.

- 6.3.5 Where the complaint is upheld, an apology should be offered.

- 6.3.6 Occasionally investigations may take longer, particularly if the complaint is complex. Should this be the case a holding letter will be sent after ten working days and a final date given for a conclusion to be reached.

- 6.3.7 If an individual remains dissatisfied with the outcome from Stage Two, they can appeal within fourteen working days of the date of the outcome and progress to Stage Three.

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6.4.1 Stage Three – Appeal

6.4.2 If the complaint cannot be resolved to the complainant's satisfaction at stage two, or if the manager feels that the complaint is of a very serious nature or concerns a service leader then it will be referred to the Chief Executive.

6.4.3 If the complaint is about the Chief Executive, then the matter will be discussed with two Trustees.

6.4.4 The Chief Executive and/or Trustees will acknowledge receipt within three working days; they will review the Stage Two investigation and recommend one of the following actions within ten working days (from the date the complainant stated they wanted to take the complaint to stage 3):

- a) Uphold the action taken at Stage Two
- b) Make changes to the Stage Two recommendation/actions

6.4.5 The complainant should be informed in writing of the outcome of stage three; the decision reached about this complaint will then be final but other options available to the complainant (as listed below) should be detailed in the letter.

6.4.6 If after ABC Ltd has been through the three stages and the complainant is still not satisfied with the result, they should be advised that there is no further right of appeal with ABC Ltd, but they could approach any of the following agencies for advice:

- a) A solicitor
- b) Citizens Advice Bureau

6.4.7 This should be done within one month of receiving the outcome from the appeal.

7. Anonymous complaints

7.1 Complaints received anonymously will be recorded and considered, but action may be limited if further information is required to ensure a full and fair investigation.

8. Data protection

8.1 To process a complaint ABC Ltd will hold personal data about the complainant, which the individual provides, and which other people give in response to the complaint. We will hold this data securely and only use it to address the complaint.

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The identity of the person making the complaint will only be known to those who need to consider the complaint and will not be revealed to other people or made public. However, it may not be possible to preserve confidentiality in some circumstances, for example, where relevant legislation applied or allegations are made which involve the conduct of third parties.

ABC Ltd will normally destroy complaints files in a secure manner six years after the complaint has been closed.

9. Monitoring

9.1 Complaints are an important tool which, alongside data provided by exit surveys, stakeholder surveys, user feedback and focus groups, will allow us 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 we can learn from complaints the following data will be collected:

- a) Name and address
- b) Name of person dealing with the complaint
- c) Date of complaint and response
- d) Nature of complaint
- e) Action(s) taken/recommendations made in response to the complaint

9.2 Complaints information will be considered on a regular basis by the ABC Ltd Leadership Management Team and reported annually to ABC Ltd Board of Trustees. Wherever possible the data will be used to improve and develop the service.