

# YMCA WORCESTERSHIRE COMPLAINTS POLICY

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# 1 Policy Statement

- 1.1 YMCA Worcestershire recognises the importance of an affective and transparent complaints policy.
- 1.2 This policy applies to all departments within YMCA Worcestershire and relates to all complaints received via persons not employed by YMCA Worcestershire. Internal complaints are processed via our Whistleblowing or Grievance policy.
- 1.3 Our aims:
  - Promote – a visible policy, which is transparent, inclusive, simple.
  - Respond – in a timely manner, be empathetic, fair, consistent.
  - Reflect – be humble, open-minded, honest, strive to improve.
- 1.4 This policy meets all our obligations set out by the Housing Ombudsman and Ofsted.

# 2 Definitions

- 2.1 We define **a complaint** as – *an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action taken by YMCA Worcestershire, its own staff, or those acting on its behalf, affecting a service user or group of service users.*
- 2.2 Not all issues brought to our attention by service users meet the definition of a complaint. Some issues may fall into the category of a service request.
- 2.3 We define **a service request** as – *a request from a service user or a representative of a service user for YMCA Worcestershire to provide a service or fix a problem.*
- 2.4 **Service user** – any individual who uses the services of YMCA Worcestershire. Examples - a tenant living in one of our properties, a parent whose child is looked after in one of our early years settings.
- 2.5 **Complainant** – an individual who has raised a complaint with YMCA Worcestershire.

# 3 Accessibility and Equal Opportunities

- 3.1 We are committed to treating everyone fairly, and recognise the protected characteristics set out in Equalities Legislation.
- 3.2 We promote the complaints policy and procedures in a way to ensure awareness for all service users.
- 3.3 We make adjustments, where necessary, to make sure all service users can access the complaints process and that no one is discriminated against. These adjustments will be actively monitored.
- 3.4 Each setting has copies of the Comments, Compliments and Complaints document available, as well as a poster with a QR code (see appendix page 27) taking service users to the online complaints form. A copy of this policy is available on our website.

# 4 Safeguarding

- 4.1 Where a complaint concerns a safeguarding issue relating to people in the care of YMCA Worcestershire, our safeguarding policy applies.

## 5 How to Make a Complaint

- 5.1 Whenever we are aware of a service user expressing dissatisfaction regarding our service, something we have done, or something we should have done, we give them the option of making a complaint.
- 5.2 Complaints can be reported using the following methods -
- By phone, email or in writing -
    - o Housing -Office 01527 61643, Tenancy Liaison 07711786084, Gordon Anstis House, Loxley Close, Redditch, B98 9JS.
    - o Youth and communities – 07716 637042, [youthengagement@ymcaworcestershire.org.uk](mailto:youthengagement@ymcaworcestershire.org.uk)
    - o Prison related services – 07718 707453
    - o Little Treasures Nursery – 01905 356208
    - o First Class Nursery – 01562 755733
    - o Willow Trees Nursery – 01527 65688
  - Online via our website - <https://ymcaworcestershire.org.uk/about-us/feedback/>
  - In person, if the complainant presents at the appropriate location or informs a YMCA staff member of their complaint.
  - Via email - [enquiries@ymcaworcestershire.org.uk](mailto:enquiries@ymcaworcestershire.org.uk)
  - Or contact the CEO – Annette Daly – for complaints regarding members of the senior management team – 07927 672970, [annette.daly@ymcaworcestershire.org.uk](mailto:annette.daly@ymcaworcestershire.org.uk) .
  - A comments, compliments or complaints form can be used, if the complainant wishes. These are visible and available at all locations.
- 5.3 We also allow a complainant to be represented or accompanied by someone else, if they feel this will be to their benefit. We advise the complainant of this right in our acknowledgment letter, when we have received a complaint.
- 5.4 A complaint made in a different way to those set out above may not be seen. For example, we will not always see complaints voiced via social media. We encourage service users to contact us using one of the above, more direct methods, to ensure that we receive their feedback and can act on it.

## 6 Not Accepting a Complaint

- 6.1 Complaints are looked at on their own merits, but there are some circumstances under which we may not accept a complaint.
- 6.2 Examples of these are –
- The incident occurred over 12 months prior to the complaint being made.
  - The complaint has already been dealt with, and we do not believe circumstances have changed sufficiently to accept a further complaint.
  - Legal proceedings have started.
  - The complaint is from a YMCA staff member or volunteer (these complaints are handled in line with the grievance or whistleblowing policies).
- 6.3 Anonymous complaints are accepted and investigated as thoroughly as is reasonably possible.
- 6.4 When a housing complaint is not accepted, the reason is explained, and the Housing Ombudsman’s contact details are provided to the complainant –
- o 0300 111 3000

- Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ
  - [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)
- 6.5 If the complaint is regarding early years settings, Ofsted's details are provided, should the complainant wish to seek advice –
- 0300 123 4666
  - [Contact us | Ofsted](#)
  - [Complaints procedure - Ofsted - GOV.UK \(www.gov.uk\)](#)
- 6.6 For complaints that are unrelated to housing or early years settings, the Charity Commission's details are provided –
- [Raising Concerns - Starter Portal \(charitycommission.gov.uk\)](#)
  - 0300 066 9197

## 7 Responding to a Complaint – Stage 1

- 7.1 If we deem the feedback to be a service request and not a complaint, a letter is sent to the service user confirming this. See section 9 for more information.
- 7.2 Within five working days of a complaint being received, a letter of acknowledgment is sent to the complainant.
- 7.3 Once logged, a complaint is at Stage 1 of the complaints process.
- 7.4 Our managers for each department oversee the complaints process. The managers do not always have to investigate the complaint themselves; they can ask another member of staff to help investigate the complaint if they deem it to be appropriate.
- 7.5 Our target timeframe for responding to complaints at stage 1 is 10 working days.
- 7.6 Our Complaint Handlers are aware of the value of quick resolutions to complaints and take this into account when prioritising responses. Whether a service user is vulnerable or at risk is also taken into account.
- 7.7 If we need more time to investigate a complaint, then this is communicated to the complainant, along with the reason that the extension is required. The standard extension time is a further 10 working days and timeframes are agreed with the complainant for us to keep them informed of our progress.
- 7.8 Further extensions are avoided unless absolutely necessary, but if we do need more time to investigate, then we inform the complainant as to when they can expect a response.
- 7.9 If extensions are needed in cases related to housing, the Ombudsman's details are provided (6.4) should the complainant wish to seek advice.

## 8 Responding to a Complaint - Stage 2

- 8.1 If a complainant is not fully satisfied they may decide to escalate the complaint to Stage 2 of the process.
- 8.2 Our target timeframe for logging a complaint at Stage 2 and sending an acknowledgement letter, is five working days after the complainant informs us that they wish to escalate the complaint to Stage 2 of the process.
- 8.3 If the complainant has not provided a reason for their dissatisfaction with our response at Stage 1, the complaint is still investigated at Stage 2.

- 8.4 If the complainant requests to move to Stage 2 more than 3 months after we sent the response at Stage 1, then a new complaint is opened.
- 8.5 A different staff member will investigate the complaint at stage 2, than investigated the complaint at stage 1. The complaint handler at Stage 2 is also supported by a member of the senior management team.
- 8.6 Our target timeframe for responding to complaints at stage 2 is 20 working days from when the complaint escalation is logged and acknowledged.
- 8.7 If we need more time to investigate a complaint, then this is communicated to the complainant, along with the reason that the extension is required. This extension should be no more than 20 working days and timeframes are agreed with the complainant for us to keep them informed of our progress.
- 8.8 Further extensions will be avoided unless absolutely necessary, but if we do need more time to investigate, then we inform the complainant as to when they can expect a response.
- 8.9 If extensions are needed in cases related to housing, the Ombudsman's details are provided (6.4) should the complainant wish to seek advice.
- 8.10 Stage 2 is the final stage of our complains process. Complainants are given contact details for the relevant regulator (6.4-6.6) - as appropriate - if they are unhappy with the outcome.

## 9 Responding to Service Requests

- 9.1 A response to a service request is provided within 20 working days of the request being logged.
- 9.2 As with complaints, service requests can be dealt with by the relevant Complaints Officer or by other YMCA staff members, if deemed appropriate.
- 9.3 Our service request process is a one stage process. If the service user expresses dissatisfaction with our response, or our handling of the service request process, then they are given the option of making a complaint.
- 9.4 Requests regarding housing repairs are dealt with under our repairs policy.

## 10 Managing Complainants' Behaviour

- 10.1 There may be instances whereby we deem the behaviour of a complainant to be unreasonable or non-compliant. Under these circumstances we may take action and impose restrictions on the complainant in order to manage the situation.
- 10.2 Examples of unreasonable behaviour include –
- Abuse, threats or any inappropriate behaviour towards YMCA Worcestershire staff members.
  - An unreasonable amount of contact from a complainant.
  - A complainant consistently raising complaints which we deem not to be in good faith.
  - Refusal to cooperate. For example, a complainant not responding when a reasonable request for information is made.
- 10.3 Examples of action we may take –
- Restricting methods of contact – face to face or phone contact may not be allowed.
  - Restricting a service user from contacting certain staff members.
  - Restricting the amount of communication acceptable from a service user.
  - Restricting when a service user may make contact.

- Restricting a service user to make contact solely through a representative.

10.4 Any restrictions imposed are regularly reviewed.

10.5 Decisions on imposing and ending restrictions are made by line managers.

10.6 Our expectations of service users are always reasonable, and we always ensure to take any disabilities or any other relevant protected characteristics into account.

10.7 A complainant's unreasonable behaviour is never used as a reason to decline a complaint, or not to escalate an ongoing complaint.

## 11 Complaint Feedback and Learning

11.1 We welcome and place great importance on feedback from service user regarding how we have handled their complaints.

11.2 When closing a complaint, line managers will reflect and consider the following –

- Were our actions consistent with our aims outlined in this policy?
- Have we met the timeframes outlined in this policy?
- Were our processes followed as per this policy and the Complaints Procedure document?
- Do any of our processes and procedures need to be updated or reaffirmed?
- Have any staff training needs been identified and conveyed to the relevant manager?
- Are any trends developing that we can learn from?

## 12 Reporting and Analysis

12.1 Complaints are analysed quarterly at Senior Management Team (SMT) meetings, and appropriate changes made to processes and procedures if deemed necessary. Staff meetings also take place to discuss complaints, with best practices shared and employees able to share their thoughts.

12.2 The Housing Ombudsman requires an annual Complaints, Performance and Service Improvement Report. We publish the report on our website (as is required by the Ombudsman), alongside a response to the report from our trustees, and share this with any other regulators requiring it

12.3 The self-assessment part of the report will also be carried out following any significant merger, restructure and/or change in procedures.

## 13 Member Responsible for Complaints (MRC)

13.1 Emma Cartwright is our trustee with lead responsibility for complaints and a supporter of our complaint handling culture.

13.2 A quarterly meeting with the MRC and other trustees is held, discussing complaints data and any lessons we have learnt, feedback from service users and any ongoing Ombudsman investigations (for housing complaints).

13.3 As mentioned previously, the annual Complaints, Performance and Service Improvements report is also be provided to the trustees for them to read and provide a written response to.

## 14 Regulators

- 14.1 The **Housing Ombudsman** resolves disputes between landlords and tenants. Tenants can seek advice from the Ombudsman throughout the process and can escalate their complaint to the Ombudsman at the end of Stage 2 if they are not satisfied with the outcome. We make tenants aware of the Housing Ombudsman's services throughout the complaints process and provide their contact details –
- 0300 111 3000
  - Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ
  - [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)
  - [Home | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk)
- 14.2 **Ofsted** inspect and regulate services that provide education or care for children and young people. Complaints can be made, or advice sought regarding any aspect of our childcare provisions by contacting Ofsted –
- 0300 123 4666
  - [Contact us | Ofsted](https://www.ofsted.gov.uk)
  - [Complaints procedure - Ofsted - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complaints-procedure-ofsted)

## 15 Data Protection and Information Sharing

- 15.1 We share relevant information with appropriate agencies in line with data protection legislation that governs when and how we can share personal information. We also adhere to guidelines on how long we should hold data for.