



Dandelion Time

POLICY AND PROCEDURES

Complaints Policy

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INTRODUCTION

1. Dandelion Time has always endeavoured to provide a high quality of therapeutic, managerial and pastoral care. However, if anyone has reason to complain, they can expect the complaint to be treated diligently and in accordance with this procedure.

WHAT CONSTITUTES A COMPLAINT?

2. A complaint is an expression of a real or perceived dissatisfaction expressed verbally, behaviourally or in writing. A member of staff, volunteer, client family, learner or an organisation or individual with whom Dandelion Time holds a contract to provide or receive a service may make it. It may be made about Dandelion Time as a whole, about a specific department or about an individual person. A complaint is likely to arise if an individual believes that Dandelion Time has done something wrong, failed to do something that it should have done, or acted unfairly. Any matter about which an individual is unhappy and seeks action by Dandelion Time is a complaint and lies within the scope of this procedure.

3. **All concerns and complaints will be treated seriously and confidentially. No one will be penalised for a genuine complaint that is raised in good faith.**

4. However, where repeated attempts are made to raise the same complaint where it has previously been considered at all three stages set out in this policy, this may be regarded as vexatious and outside the scope of this policy.

5. Regular analysis of complaints received, and actions taken to address them, will enable Dandelion Time to develop and improve. Where appropriate, Dandelion Time will look beyond any immediate complaint to ensure that it does not represent a deeper problem that needs to be remediated.

LINKS TO OTHER POLICIES

6. This policy should not be considered in isolation but, where appropriate, should be actioned in conjunction with other Dandelion Time Policies including (but not limited to):

- [Safeguarding Children Policy](#)
- [Safeguarding of Vulnerable Adults Policy](#)
- [Bullying Policy](#)
- [Equality and Diversity Policy](#)
- [Staff Code of Conduct](#)

THE THREE STAGE COMPLAINTS PROCEDURE

STAGE 1 - INFORMAL RESOLUTION

- If an individual has a complaint, they should normally contact their Caseworker, Coordinator or Line Manager in the first instance. We hope that the matter can be resolved swiftly and informally. If not then the appropriate Director or the CEO should be consulted. The staff member should report all incidences raised to them to their line manager as a matter of course.
- Where appropriate, a written copy of the complaint will be forwarded to the appropriate Director and the CEO and included in the Complaints Log. Should the matter not be resolved **within 10 working days**, or in the event that a satisfactory informal resolution cannot be reached, then complainants will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.
- If, however, the complaint is against the CEO, complainants should make their complaint directly to the Chair of Trustees.
- Although all formal complaints are made in writing, for example, by email, this does not mean that the formal stage is automatically triggered whenever a concern is expressed in writing. Complaints will usually only proceed to the formal stage after first being considered at the informal stage, and only then if the complainant intends to escalate a matter to the formal stage.

STAGE 2 - FORMAL RESOLUTION

- If the complaint cannot be resolved on an informal basis then the complainant(s) should put their complaint in writing to the CEO. The CEO will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the CEO, or a nominated Director/Trustee will meet the individual(s) concerned, normally **within 10 working days** of receiving the formal complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the CEO to carry out further investigations.
- The CEO, or a nominated Director/Trustee will **keep written records** of all meetings and interviews held in relation to the complaint.
- Once the CEO is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and complainant(s) will be informed of this decision in writing. The CEO will also give reasons for his/her decision. In most cases, the CEO will make his/her decision and provide the complainant(s) with reasons within 15 working days of the complaint being put in writing.
- If the complaint is against the CEO, Stage 2 of this procedure will be conducted by the Chair of Trustees. The Chair of Trustees or their nominee will call for a full report from the CEO and for all the relevant documents. The Chair of Trustees or their nominee may also call for a briefing from members of staff, and will, in most cases, speak to or meet with the complainant(s) to discuss the matter further. Once the Chair of Trustees or their nominee is satisfied that, so far as is practicable, all of the relevant facts have been established, the complainant(s) will be informed of the decision in writing. The Chair of Trustees or their nominee will give reasons for his/her decision.
- If complainant(s) are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

STAGE 3 - PANEL HEARING

- If complainant(s) seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing to the HR Manager (“the Convenor”) within 30 days of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting evidence which the complainant(s) wish to rely on should also be provided with their grounds of appeal.
- The HR Manager (The Convenor), who has been appointed by the Trustees to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of at least three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of Dandelion Time. The Convenor will appoint one Panel member to act as Chair of the Panel. The Convenor, on behalf of the Panel, will then acknowledge the complaint **within 5 working days** and schedule a hearing to take place as soon as practicable and normally **within 10 working days** of the complaint reaching Stage 3.
- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties normally **not later than 5 working days** prior to the hearing.
- **The complainant(s) may attend the hearing and be accompanied to the hearing by one other person if they wish.** This may be a relative, advisor or friend. Legal representation will not normally be appropriate. The Panel will decide whether it would be helpful for witnesses to attend.
- The manner in which the hearing is conducted shall be at the discretion of the Panel.
- If possible, the Panel will resolve the complaint without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.
- After due consideration of all facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and accordingly decide whether to:
 - Dismiss the complaint(s) in whole or in part;
 - Uphold the complaint(s) in whole or in part; and
 - May make recommendations.
- The Panel will write to the complainant(s) informing them of its decision and the reasons for it, normally **within 5 working days of the hearing**. The decision of the Panel will be final. A copy of the Panel's findings and recommendations (if any) will be sent by email or otherwise given to the complainant, and, where relevant, the person complained about and will be available for inspection by the Trustees and the CEO.

TIMEFRAME FOR DEALING WITH COMPLAINTS

7. All complaints will be handled seriously, sensitively and within clear and reasonable timescales. They will be acknowledged within 5 working days.

8. It is in everyone's interest to resolve a complaint as speedily as possible: Dandelion Time's target is to complete the informal stage of the procedure (Stage 1) **within 10 working days** if the complaint is lodged during term time and as soon as practicable during holiday periods, and the formal stage of the procedure (Stage 2) **within a further 10 working days**.

9. Stage 3, the Appeal Panel Hearing, will be completed within a **further 20 working days** if the appeal is lodged during term time, and as soon as practicable during holiday periods.

10. Please note that, for the purposes of this procedure, **working days** refers to weekdays (Monday to Friday) during term time, excluding bank holidays. This means that during holiday periods it may take longer to resolve a complaint although Dandelion Time will do what is reasonably practicable to avoid undue delay.

RECORDING COMPLAINTS AND USE OF PERSONAL DATA

11. Dandelion Time will keep a written record of all formal complaints, whether they are resolved at the Informal Stage (stage 1), Formal Stage (Stage 2) or proceed to a Panel Hearing (Stage 3), and the action taken by Dandelion Time as a result of these complaints (regardless of whether they are upheld).

12. Dandelion Time processes data in accordance with its [Privacy Statement](#). When dealing with complaints Dandelion Time (including any Panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following:

- Date the issue was raised
- Name of complainant
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name and contact details of member(s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Notes/minutes of the hearing, and
- The Panel's written decision

13. This may include 'special category personal data' (as further detailed in Dandelion Time's [Data Protection Policy](#), but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with Dandelion Time's [Data Protection Policy](#).

14. Dandelion Time will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its [Privacy Statement](#) and [Data Protection Policy](#).

15. Records of complaints will be retained for a minimum of 7 years. Records concerning allegations of abuse will be retained for the term of the Independent Inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age, or for 10 years from the date of the allegation if it is longer.

