

THE OUTDOOR PARTNERSHIP
EXPERIENCE • ENJOY • ACHIEVE • TOGETHER



Y BARTNERIAETH AWYR AGORED
PROFIAD • MWYNHAU • LLWYDDO • GYDA'N GILYDD

COMPLAINTS PROCEDURE 2023

TRACEY EVANS
CHIEF EXECUTIVE OFFICER

1. Policy Statement

This procedure is for service users who wish to complain about an Outdoor Partnership employee or Trustee, or the service that they have received from The Outdoor Partnership (TOP). Any member of TOP staff wishing to make a complaint should use the Grievance Procedure as the appropriate mechanism for resolving their concerns.

TOP seeks to maintain an excellent standard of service for all service users but recognises that in any organisation things can sometimes go wrong. Where the service user is not satisfied with the service they have received it may be helpful to discuss it informally with the appropriate member of staff or their manager to see if the concerns can be resolved informally. If this is not possible then the next step is to lodge a formal complaint.

2. Initial Step

At the earliest possible stage, where somebody has notified a member of TOP staff that they wish to make a complaint, or are considering making a complaint they will be given a copy of this complaints procedure in order to assist them with the process.

3. Step one

The first step in making a formal complaint is to write to the Chief Executive Officer, at Plas Menai National Outdoor Centre, Caernarfon, LL55 1UE, marking the envelope 'personal and confidential'. Alternatively the complaint can be made through email, making it clear that the matter is to be dealt with as a formal complaint. The complaint can be made in either Welsh or English.

In lodging the complaint, as much detail as necessary should be provided about the nature of the complaint, what efforts have been made to resolve the complaint, why the complainant is not happy with the service received and what they would consider to be a reasonable resolution. The CEO will aim to acknowledge receipt of the complaint in writing or by email within three working days but may wish to discuss the concerns in more detail, and to speak to any members of TOP staff or Trustee involved, before responding formally. The CEO will seek to send a formal response to the complaint within 14 working days of receipt.

4. Step two

If the complainant is still not happy with the outcome they can ask for the matter to be considered by a member of the Trustee Board. This should be done in writing, addressing the letter to 'The Chair of the Trustee Board' c/o Plas Menai National Outdoor Centre, Caernarfon, LL55 1UE marking the envelope 'personal and confidential' or by sending an email to the Chair of the Trustee Board.

The Chair will identify a Trustee to investigate the complaint and will notify the complainant as to who this will be within 3 working days. The Chair may undertake the investigation personally. The Trustee undertaking the investigation may wish to speak with the complainant to discuss the complaint and will also interview the members of TOP staff or Trustee concerned, including the CEO. They will seek to respond to the complaint within twenty working days.

5. Step three

If the complainant is still dissatisfied with the outcome, or if the complaint is about the CEO, they may ask for the matter to be considered by the full TOP Trustee Board. This can be done either by writing to 'The Chair of Trustees' c/o Plas Menai National Outdoor Centre, Caernarfon, LL55 1UE marking the letter 'personal and confidential' or by sending an email to the Chair of the Trustee Board. Acknowledgement of receipt of the complaint will be given in 3 working days at which point they will be notified of the intended timescale for the complaint to be considered, although the Board will consider the complaint at the earliest opportunity.

The Trustee who investigated the complaint at the previous stage may take part in the discussion at the Board meeting but will not participate in any ensuing vote on the matter. The Board may invite the complainant to the meeting to make a representation about the complaint.

The complaint will be considered at the first Board meeting following the receipt of the complainant's letter by the Chair of Trustees (provided this is received at least five working days before the date of the meeting) and they will be informed in writing of the outcome within five working days of the meeting. The Board's decision at this stage will be final.

If the complaint is upheld at any stage TOP will seek to remedy the unsatisfactory service received in the most appropriate way. This may for example be by way of an apology, or it may invoke or review the organisation's systems and procedures.

TOP hopes that, at the end of the process, whatever the outcome, the complainant will feel that their complaint has been taken seriously and received fair and appropriate treatment. TOP will maintain a record of all complaints received, the procedure followed, and the outcome, and this will be considered by the TOP Trustee Board on an annual basis.

6. Malicious and/or Persistent Complaints

TOP is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We do not, however, expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including

that which is abusive, offensive or threatening. This extends to malicious and / or persistent complaints.

There is no one single feature of malicious and / or / persistent complaints, however TOP considers the following to constitute such behaviours:

- Persist in pursuing a complaint when the procedures have been fully and properly implemented and exhausted.
- Do not clearly identify the precise issues that they wish to be investigated, despite reasonable efforts by staff, and where appropriate, the relevant independent advocacy services
- Continually make unreasonable or excessive demands in terms of process and fail to accept that these may be unreasonable e.g. insist on responses to complaints being provided more urgently than is reasonable or is recognised practice.
- Continue to focus on a matter to an extent that it is out of proportion to its significance. It is recognised that the significance of a matter is subjective and careful judgment will be applied and recorded.
- Change the substance of a complaint or seek to prolong contact by continually raising further issues in relation to the original complaint. Care will be taken not to discard new issues that are significantly different from the original issue.
- Consume a disproportionate amount of time and resources.
- Threaten or use actual physical violence towards staff.
- Have harassed or been personally abusive or verbally aggressive (this may include written abuse e.g. emails).
- Repeatedly focus on conspiracy theories and/or will not accept documented evidence as being factual.
- Make excessive telephone calls or send excessive numbers of emails or letters to staff.
- Any other actions regarded as malicious and / or persistent following a discussion with the TOP Board of Trustees

6.1 Restricting Contact

If a complainant's contact persistence adversely affects TOP and the service it provides to others, the unacceptable behaviour may be managed by restricting their contact. Any restrictions applied will be appropriate and proportionate and may include:

- Placing time limits on telephone conversations and personal contact
- Restricting the number of telephone calls that will be taken (for example one call on one specified morning/afternoon of any week)
- Limiting the complainant to one medium of contact (telephone, letter, email etc).
- Requiring a complainant to communicate only with a named employee.

- Involving the police in cases where it is believed the complainant has committed a criminal offence (for example, harassment, assault on staff or criminal damage)
- Prohibiting the complainant from visiting TOP premises unless agreed by prior appointment
- Setting out what will and will not be considered under its complaints process and how future complaints with the same content or theme will be responded to.

Before contact is restricted, it will be considered whether:

- the complainant is raising legitimate concerns
- communications with the complainant have been adequate
- any circumstances that relate to the complainants mental health, age, gender, sexual orientation, belief or disability have been considered
- the complainant is providing any significant new information that might affect TOP's view on the complaint.

In deciding which restrictions are appropriate, careful consideration will be given to balancing the rights of the individual with the need to ensure employees do not suffer any disadvantage and that TOP's resources are used effectively as possible.

Where contact is restricted, the complainant will be sent a copy of the policy and told in writing why a decision has been made to restrict future contact; detailing any restricted contact arrangements: and the length of time that these restrictions will be in place.

Policy updated: March, 2023

Approved by:



Policy review: Every three years. However, the policy will be reviewed earlier should there be legislative changes.