

CONGREGATION OF JESUS CHARITABLE TRUST (‘THE TRUST’)

Complaints Policy and Procedures

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of the Trust. This could include administration, a staff member, process or service – resulting from the Trust’s failure to meet the individual’s expectations.

Policy Purpose

The Trust views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person or organisation that has made the complaint.

Our policy is:

- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint
- To make sure everyone at the Trust knows what to do if a complaint is received
- To make sure that complaints are investigated fairly and in a timely way
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired
- To gather information which helps us to improve what we do.

Who is this Policy and Procedure for?

An individual or organisation may make a complaint if they feel the Trust has:

- Failed to provide a service or an acceptable standard of service, has made a mistake in the way the service was provided or provided a service which is unfair.
- Failed to act in an acceptable way.
- This policy only covers complaints about the administration, staff, systems, processes or services provided by the Trust. If your complaint is about another organisation that works with the Trust, you should direct your complaint to them, and we can help you do this.

- This policy does not cover safeguarding concerns. If you have a safeguarding concern you should consult our Safeguarding Policy.

This policy **does not** cover complaints from staff, who should refer to the Trust's Grievance Policy.

Confidentiality

We will handle all information connected with a complaint sensitively, telling only those who need to know and following any relevant data protection requirements.

To enable a full investigation to take place, it will be necessary for complainants to provide their name and contact details. However, in some instances, a complainant may wish to remain anonymous.

We always aim to keep a complainant's identity confidential, where asked to do so, but this cannot be guaranteed as there may be situations where we have a duty to disclose identity for example to:

- The police, fraud prevention agencies, or other law enforcement agencies (to investigate or prevent crime, including fraud)
- The courts (court proceedings)
- Relevant authorities where there are safeguarding concerns
- Other third parties, e.g., Regulators

How to make a complaint

There are 3 ways you can let us know that you are not happy:

1. You can call us on 01904 464900
2. You can email us on admin@stbedes.org.uk
3. You can write to us at our Head Office:

Congregation of Jesus Charitable Trust, 17 Blossom Street, York, YO24 1AQ

However you contact us, we will get back to you within 5 working days of receiving your complaint. Let us know how best to contact you (telephone or email) and we will contact you to discuss the matter further and to officially record all the necessary details.

Hopefully, we can resolve the matter immediately. However, if the issue is more complex and an investigation is required, we will take action as follows:

- The person who receives the complaint will:
 - Record the full details of your complaint

- Record the complaint in our Complaints Register
 - Note down your relationship with the Trust, e.g. customer, client, volunteer
 - Take all necessary steps to investigate the matter
 - Contact you again within 15 working days of receiving the complaint to advise you of our findings or to give you an update on progress
 - Continue to keep you informed until the matter is resolved to your satisfaction or until in the Trust's reasonable opinion all appropriate steps to resolve the matter have been taken
- The Trust's Senior Leadership Team ('SLT') is made aware of all complaints and depending on the complexity or severity of the complaint will where necessary, refer the matter to the Board of Trustees.

Resolving complaints

We will always aim to address each complaint in a sensitive, fair, transparent, equitable, professional and unbiased manner using the procedure set out in this document.

We will operate at all times from the premise that any person is entitled to express their views on our services and that those views should be taken seriously and investigated when needed.

There are two stages to the Trust's complaints procedure:

- Stage One – the complaint and investigation
- Stage Two – appeal

Stage 1

In many cases a complaint is best resolved by the person responsible for the issue being complained about. 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. Whether or not the complaint is swiftly resolved, information about the complaint should always be passed to the SLT within five working days of receiving the complaint.

On receiving the complaint, if it has not already been resolved, the SLT will delegate an appropriate person to investigate and to take appropriate action. If the complaint relates to a specific person, that person should be informed and given an opportunity to respond.

Complaints should be acknowledged in writing by the person handling the complaint within five working days. The acknowledgement should say who is dealing with the complaint and when the person complaining can expect a reply. A copy of this complaints procedure should be attached to the correspondence.

Ideally complainants should receive a definitive reply within 15 working days. If this is not possible because for example, an investigation has not been fully completed, a progress report

should be sent to the complainant within 15 working days indicating when a full reply may be expected.

Whether the complaint is justified or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation and any action taken as a result of the complaint.

Stage 2

If the complainant feels that the problem has not been satisfactorily resolved at Stage 1, they can request that the complaint is reviewed at Trustee Board level.

At this stage, the complaint will be passed to the Board of Trustees. The request for a review at Board level 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.

The Board may investigate the facts of the case themselves or delegate a suitably senior person within the Trust to do so. This may involve reviewing the paperwork of the case and speaking with the person who dealt with the complaint at Stage 1. The person who dealt with the original complaint at Stage 1 should be kept informed.

If the complaint relates to a specific person, they should be informed that the complaint has been passed to the Board of Trustees and given a further opportunity to respond.

Ideally complainants should receive a definitive reply within a month of the complaint being referred to the Board of Trustees. 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.

Whether the complaint is upheld or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint. The decision taken at this stage is final.

Withdrawal of the Complaint

At any time during the process, a complainant may withdraw a complaint, by notice in writing to the responsible person handling their complaint. Upon such withdrawal, consideration of the complaint will normally be discontinued, unless the consequences of not following the procedure to its conclusion would result in harm to the individual or the organisation.

Data Protection

To process a complaint, the Trust 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 in line with our current Data Protection Policy and only use it to address the complaint. 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 is applied, or allegations are made which involve the conduct of third parties.

How to contact the Regulators

If after both stages of this Procedure are completed the complainant is still not satisfied with the result, they should be advised within one month of the outcome of their appeal that there is no further right of appeal with the Trust but that they can approach any of the following agencies for advice:

- A solicitor - [Home | The Law Society](#)
- Citizens Advice Bureau - [Citizens Advice](#)
- The Charity Commission - <https://www.gov.uk/complain-about-charity>

Variation of the Complaints Procedure

The organisation may vary this Procedure for good reason such as to avoid a conflict of interest, for example, a complaint about the Chair of the Board of Trustees should not also have the Chair as the person leading a Stage 2 review.

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