

# Complaints Policy and Procedure

Last review: January 2017 | Next review: January 2019



## Introduction

### Our commitment

The Democracy School aims to provide high quality services that meet the needs of clients and service users.

In order to ensure our services remain at a high and improving standard, we have a procedure through which clients and service users can let the organisation know if for any reason they are not satisfied with the service they receive.

### What is a complaint?

The Democracy School regards a complaint as:

*"Any written or spoken expression of dissatisfaction about the Democracy School and its services, whether made formally or informally, after a clear explanation of the point at issue has been given."*

### How to make a complaint?

A complaint can be made to the Director or a Fellow and can be made:

- in person
- by phone
- in writing (letter, email or fax)

A complainant can choose to deal with the matter by correspondence or at meetings. A friend or advisor can accompany the complainant at any meetings.

The Democracy School will:

- treat the complaint seriously and in confidence, however it is made;
- deal with it quickly, politely and, where appropriate, informally (for example by phone);
- apologise when the School has got things wrong;

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- explain the Organisation's position or any action taken;
- avoid jargon and get the facts right;
- give explanations which are clear and easy to understand;
- provide a contact phone number for enquiries; and
- tell complainants how to take any complaint further.

After the matter has been settled the School may ask the complainant how similar problems can be avoided in the future.

## Complaints Procedure

If a client or service user is unhappy about any Democracy School service, please speak to the relevant Fellow or the Director.

If a client or service user is unhappy with an individual working for the Democracy School sometimes it is best to tell him or her directly. If the client or service users feel this is difficult or inappropriate then speak to the Director.

Often the School will be able to provide a response straightaway. When the matter is more complicated an initial response will be provided within five working days.

All complaints will be logged and a written acknowledgement provided within five working days.

The aim is to investigate all complaints properly and provide a reply within ten working days, setting out how the problem will be dealt with. If this is not possible, an interim response will be made explaining the action taken to date or being considered.

The complainant will then be kept informed about progress every 15 working days.

All complaints will be treated confidentially.

The complaints log will be monitored regularly and reviewed annually.

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## Dealing with habitual or vexatious complaints

### Defining habitual or vexatious complaints

Complainants may be deemed to be habitual or vexatious when previous or current contact shows that they meet two or more of the following criteria, where complainants:

1. Persist in pursuing a complaint where the Democracy School Complaints Procedure has been implemented and exhausted
2. Persistently change the substance of a complaint, continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response whilst the complaint is being addressed. (Care must be taken, however, not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints)
3. Are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response in spite of correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
4. Repeatedly do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts to help them specify their concerns, and/or where the concerns identified are not within the remit of the Democracy School to investigate.
5. Regularly focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognised that determining what a trivial matter is can be subjective and careful judgement will be used in applying this criteria.
6. Have threatened or used physical violence towards a Fellow or associate at any time - this will, in itself, cause personal contact with the complainant and/or their representatives to be discontinued and the complaint will, thereafter, only be continued through written communication. All such incidences will be documented.
7. Have, in the course of addressing a registered complaint, had an excessive number of contacts with the Democracy School - placing unreasonable demands on Fellows. For the purposes of determining an excessive number, a contact may be in

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person, by telephone, letter, e-mail or fax. Discretion will be used in determining the precise of number of excessive contacts applicable under this section, using judgement based on the specific circumstances of each individual case.

8. Have harassed or been personally abusive or verbally aggressive on more than one occasion towards Fellows dealing with the complaint. The Democracy School recognises, however, that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. All instances of harassment, abusive or verbally aggressive behaviour will be documented.
9. Are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved.
10. Make unreasonable demands on relationships and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the Democracy School's Complaints Procedure or normal recognised practice.

## Handling habitual or vexatious complaints

Where complainants have been identified as habitual or vexatious, the Director of the Democracy School will determine what action to take. The complaint may be dealt with in one or more of the following ways:

- a. In letter, setting out the commitment and responsibilities for all parties involved if the Democracy School is to continue processing the complaint. If these terms are then breached, alternative action may follow
- b. Decline contact with the complainant, either verbally or in writing, providing the same method of communication and contact person is maintained
- c. Notify the complainant in writing that the Democracy School has responded fully to the points raised and has tried to resolve the complaint but that there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising the complainant that they are being treated as a persistent or vexatious complainant and as such the Democracy School does not intend to engage in further correspondence dealing with the complaint.

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- d. Inform the complainant that in extreme circumstances the Democracy School reserves the right to seek legal advice on unreasonable or vexatious complaints.
- e. Temporarily suspend all contact with the complainant, in connection with the issues relating to the complaint being considered habitual and/or vexatious, while seeking legal advice.

Having decided what action to take, this will be communicated to the complainant with an explanation of why their complaint has been classified as habitual or vexatious, and copied to relevant parties.

A record will be kept for future reference of the reasons why a complaint has been classified as habitual or vexatious. Statistical information on all complaints received will be kept with details of complainants who are categorised as habitual and/or vexatious.

## **Withdrawing habitual or vexatious complaints status**

Once a complainant has been determined to be habitual and/or vexatious, their status will be kept under review and monitored by the Director. If a complainant subsequently demonstrates a more reasonable approach for an appropriate period of time or if they submit a further complaint for which the normal Complaints Procedure would appear appropriate their status will be reviewed.