



Complaints Policy and Procedure

Version	2.0 (6 pages)
Agreed by	Brockenhurst Village Trust Board
Date ratified	24 January 2020
Next review due	January 2021
Responsible trustee	Chair
Related documents	

1. Purpose of this policy and procedure

- 1.1.** To ensure that complaints, concerns and comments from users of our facilities, or from the general public, are investigated and dealt with in a timely manner.
- 1.2.** To provide information to trustees, village hall staff, hall users, and visitors about their responsibilities in relation to problems that might arise or feedback received.

2. Application

- 2.1.** This policy and procedure applies to all trustees, members of staff, facility users and volunteers.
- 2.2.** The aim of the policy is to:
 - Provide a fair procedure which is clear and easy to use for anyone wishing to make a complaint
 - Ensure that complaints are handled in a fair and consistent manner
 - Provide a process for the resolution of complaints
 - Assist with the gathering of information to help us improve what we do

3. Definitions used in this policy

- 3.1.** A complaint is an expression of dissatisfaction by any one or more users of our facilities or by members of the public about the standard of service they have received
- 3.2.** Complaints may come from any person or organisation that has a legitimate interest in the BVT through use of the Hall or its services as delivered from the Highwood Road site.
- 3.3.** Vexatious and unreasonably persistent complainants. Complaints may be designated as unacceptable, unreasonably persistent or vexatious when complainants hinder the consideration of their own or others people's complaints because of the frequency or nature of their contact with the BVT. Examples are given in the appendix to this policy.

4. Policy statement

- 4.1.** Brockenhurst Village Trust Board of Directors has overall responsibility for the effective operation of this policy and to ensure that it is publicised appropriately.
- 4.2.** The designated trustee shall review this policy annually and ensure it is updated as required.
- 4.3.** The Board shall ensure that it details of complaints received are included in the Hall Manager's report to trustees at each board meeting
- 4.4.** The Board is responsible for ensuring that any breaches of this policy are investigated.

5. Principles

- 5.1.** All users have a duty as part of their involvement with the Trust to do everything they can to ensure that the policy works in practice.
- 5.2.** All complaint information will be handled sensitively, telling only those who need to know and following any relevant data protection requirements.

5.3. All complaints and concerns will be dealt with in a timely manner as detailed in the Procedure below.

6. Responsibilities

6.1. The Chair of trustees is the designated trustee for this policy.

6.2. The Hall Manager is responsible for providing trustees with details of complaints received and for ensuring complaints are recorded in the Complaints log.

6.3. The Hall Manager is responsible for undertaking Step 1 of the procedure

6.4. The Company Secretary is responsible for undertaking Step 2

7. Procedure

7.1. Step 1 – Initial contact

- In all cases the matter should initially be referred to the Hall Manager, or if she/he is not present then to member of staff on duty. Contact details are included in Section 8 below.
- The complaint will be registered in the complaints/concerns log.
- An acknowledgement will be sent as soon as possible and at any event within three working days.
- The Hall Manager shall seek to resolve the issue informally with the complainant and will make initial contact with the complainant within five working days
- The Hall Manager will provide the complainant with a written/email confirmation of the outcome within five working days of the conclusion of this step.
- The Hall Manager will provide Trustees with details of the complaint at the next board meeting.

7.2. Step 2 – Formal Complaint

- If a complainant is not satisfied with the outcome at the end of the informal process they may make a written/email request that it be passed on to the BVT Company Secretary.
- Receipt of the written request will be made as soon as possible and at any event within three working days.
- The complaints/concerns log will be updated with this information.
- The Company Secretary shall arrange a further investigation, which may involve meeting with the complainant.
- The Company Secretary will respond directly to the complainant within five working days of the investigation being completed, notifying them of the outcome.

7.3. Step 3 – Complaint to the Charity Commission

You may refer your complaint to the Charity Commission at any stage. Information about the kind of complaints the Commission can involve itself in and how to proceed can be found on their website at: www.charitycommission.gov.uk/publications/cc47.aspx

7.4. Vexatious Complaints. We are committed to dealing with all complaints equitably, consistently, comprehensively and in a timely manner. However, the BVT also needs to ensure that other stakeholders and officers of the BVT do not suffer any detriment from a person making unacceptable or unreasonably persistent or vexatious complaints or behaving in a threatening or demanding way.

If the Company Secretary decides that a complainant is becoming unreasonably persistent or vexatious he or she may decide that should their actions continue their complaint(s) might fall under the scope of the Vexatious Complaints Procedure. (See Appendix).

8. Useful information. Brockenhurst Village Hall contact information:

- Telephone 01590 622580 or Email: trust@brockenhurstvillage.org.uk
- Office hours – Mon-Fri 9am to 1 pm
- Duty caretaker details can be found in the window to the left of the main external hall doors.
- MUGA out of hours complaints may also be referred to:
MUGA@brockenhurstvillage.org.uk
- Also see: www.brockenhurstvillage.org.uk

9. Variation of the Complaints Procedure. The board may vary the procedure for good reasons, for example, to avoid a conflict of interest.

10. Monitoring and learning from complaints. The Board will undertake an annual review of complaints and comments received.

Appendix to Comments and Complaints Policy

Vexatious complaints procedure

1. Where a complaint has been identified by the officer dealing with the complaint (the complaint handler) as being or becoming unacceptable, unreasonably persistent or vexatious, the Company Secretary may choose to discuss the matter with the Chair of the BVT and the Hall Management Committee, who will decide whether to designate the complaint as unacceptable, unreasonably persistent or vexatious and to apply the provisions of this process. This decision will not be taken lightly and the BVT must be satisfied that the proposed action is proportionate and necessary.
2. In reaching this decision we will consider all relevant factors including whether there is another path the complainant could follow, whether procedural time frames have been followed, whether the complainant has been kept advised of any internal delays and communication with the complainant has generally been adequate. They will also consider whether a meeting with the complainant would be appropriate and might assist in resolving the matter, and whether the complainant is now providing any significant new information that might affect the BVT's view on the complaint.
3. The BVT may also decide to take some or all of the following actions:
 - Direct that contact should be directed to our company solicitor and will only be accepted by a named individual
 - Direct that the means or manner of contact should be restricted (e.g. letter only)
 - Place time and frequency limits on telephone conversations and personal contacts
 - Require any personal contacts to take place in the presence of a witness; and/or
 - Refuse to register and process further complaints about the same matter.
4. A restriction that is imposed on the complainant's contact with the BVT will be appropriate and proportionate and the complainant will be advised of the period that the restriction will be in place for.
5. Once a decision on the complaint has been made, officers may, with the agreement of the BVT Company Secretary or Chairperson, write to inform the complainant that further letters on the same subject will be read and placed on file, but will receive no acknowledgement or response.
6. Officers will also explain to the complainant what action has been taken and why, how long any restrictions will last and at what intervals they will be reviewed, and the complainant's right to refer the matter to the Charity Commission.
7. Where a complaint has been designated as unacceptable, unreasonably persistent or vexatious, officers will endeavour to keep this information as confidential as possible, but it may become necessary to disclose this information to others both internally and/or to third parties including the Local Government Ombudsman, the Charity Commission or the Police.
8. If the complainant makes a complaint about a new issue this should be treated on its own merits, and a decision will need to be taken on whether any restrictions that have been applied before are still appropriate and necessary.
9. There is no absolute right to a review of a decision to restrict contact with a complainant or other invocation of the provisions of this process.

Examples of unreasonable actions and behaviours

These are examples of unreasonable or vexatious complaints as cited on the Local Government Ombudsman website. Single incidents may be unacceptable, but more often the difficulty is caused by unreasonably persistent behaviour that is time consuming to manage and interferes with proper consideration of the complaint.

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to cooperate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of a complaints procedure.
- Insisting on the complaint being dealt with in ways that are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements he or she made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising many detailed but unimportant questions, and insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various organisations.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations the complainant insists make these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence