

COMPLAINTS POLICY AND PROCEDURE

Author	Natasha Di Carlo
Date created	September 2021
Next review date	September 2023

The policy has been endorsed by Sport for Confidence Directors and will be reviewed every two years to ensure it remains current and up to date.

Policy Statement

The aim of this policy is to ensure that all client and participant complaints, either written or verbal, are handled in a consistent manner. Where a client or participant has cause to complain, the complaints handling procedure will be followed in every instance and a record will be made of the complaint nature and details to help improve our services and reduce the occurrence of similar complaints.

Sport for Confidence are committed to delivering a fair, open and clear process for complaints and ensure a satisfactory outcome for all clients and participants who raise a complaint.

The policy relates to all employees (permanent, fixed term, and temporary staff, any third-party representatives or sub-contractors, volunteers and students with Sport for Confidence) and has been created to ensure that employees deal with any complaints in accordance with legal, regulatory, contractual and business expectations and requirements.

Definitions:

Client – refers to any external organisation and/or external professional who has involvement with a Sport for Confidence service provision

Participant – refers to an individual taking part in a Sport for Confidence provision delivered by an Occupational Therapist and/or a coach

Complaint - any client or participant contact whereby a negative communication or outcome has occurred. The client or participant does not have to formally address their communication as an official complaint or to request a response for Sport for Confidence to treat the incident as a complaint and to follow the related procedures. If

the participant is unable to raise the complaint themselves, their representative (support person) will take the role of complainant

Objectives

For the purposes of this policy, a complaint is defined as any client or participant contact whereby a negative communication or outcome has occurred. The client or participant does not have to formally address their communication as an official complaint or to request a response for Sport for Confidence to treat the incident as a complaint and to follow the related procedures.

Sport for Confidence commits to:

1. Provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint
2. Ensure that our complaints procedure is fully accessible so that people know how to contact us to make a complaint
3. Make sure everyone at Sport for Confidence knows what to do if a complaint is received
4. Make sure all complaints are investigated fairly and in a timely way
5. Gather information which helps us to improve what we do and how we do it
6. Ensure that any complaints relating to personal data are dealt with according to GDPR guidelines

Sport for Confidence will ensure that:

7. Complaints will be investigated and responded to within 8 weeks from the initial client contact
8. Complainants will be sent a copy of the formal complaints procedure
9. Complaint responses will always be provided in writing (unless the complainant makes a specific request for an alternate form of communication, which will be provided in addition to the written format)
10. Complaint procedures will be available via the company website as well as upon written and/or verbal request
11. All complaints will be investigated by a trained member of staff and a full outcome summary provided to the Directors
12. Complaint records will be used to revise company procedures and to improve communication and business practices where applicable

Procedures & Guidelines

Raising a Complaint

Clients or participants who request Sport for Confidence's complaint handling procedure will be provided a copy of the procedure either by email, in a .pdf format or in the post, and will be asked to raise their complaint in writing as soon as possible after the incident.

NOTE: Complaints are to be raised in writing, however verbal complaints will be accepted and dealt with as per the same procedures.

If a client or participant telephones Sport for Confidence and wishes to raise a complaint, they should be directed to the Operations Director who will try to resolve the complaint then and there.

Even if the complaint is resolved at the time, the client must still be offered the option of receiving the complaints handling procedure prior to ending the call must be logged in the complaints record.

Data Protection Related Complaints

Where a complaint is related to the processing of personal data, this policy ensures that Sport for Confidence complies with the data protection laws and notification requirements.

Every individual has the right to lodge a complaint with the supervisory authority (ICO) where they consider that the processing of personal data relating to them infringes the General Data Protection Regulation (GDPR) or we have breached data protection law.

The supervisory authority with which the complaint has been lodged, is responsible for informing the complainant on the progress and the outcome of the complaint, including the possibility of a judicial remedy where the supervisory authority does not handle a complaint or does not inform the data subject within three months on the progress or outcome of the complaint lodged.

Informal Complaint Resolution

Sport for Confidence considers and responds to all complaints and issues, no matter how they are raised or what they refer to. Some issues and complaints we can resolve immediately or within a 3-working day timeframe and are referred to as **informal complaints**. Such instances are where an investigation is not required because the nature of the complaint is clear, and a resolution can be obtained without further review of the facts. Where we resolve a complaint within the timeframe, the details are still logged on our complaint register, and the complainant is still informed of their rights.

Sport for Confidence takes every opportunity to resolve complaints at the first initial point of contact where feasible and possible. Informal resolution is always attempted where the issues raised are straightforward and potentially easily resolved, requiring

little or no investigation. The complainant is always offered the option of making the complaint formal if the resolution is not to their satisfaction.

Where an informal complaint is received, it is acceptable for the point of contact or addressed employee to attempt to resolve the issue without involving the Operations Director. However, any issue relating to data protection infringes or breaches, no matter how small or informal, are always brought to the attention of the Operations Director.

Employees with client and participant contact are trained to deal with basic issues and informal complaint resolution and are aware of their obligations and the subsequent reporting lines. Such employees are equipped to attempt to resolve a complaint relevant to their area of service or expertise, wherever possible.

Timeframe for Informal Resolution

It is the aim of Sport for Confidence to resolve informal complaints immediately, or at least within the first 24-hours. Such complaints and issues will have a quick, but informative response and do not need to have an investigation or enter the formal complaint process.

No matter how small or informal the complaint, if a satisfactory resolution has not been achieved within 3 working days of the complaint being raised or identified, the issue is passed to the Operations Director to enter the formal complaint process.

Responding to a Complaint

Where an official complaint has been received or the informal complaint was unable to be resolved at the frontline point of contact, a written acknowledgement is sent to the client within 3 working days. The response should detail the complaint handling procedure and provide approximate timelines and expectations for the investigation and future responses.

The Operations Director or any other Director of the company are the only staff members who should respond to customers regarding formal complaints.

Investigating the Complaint

The designated Director will be assigned the role of investigating complaints and will gather all necessary documents, recordings and information to make an independent review of the incident.

If internal interviews are to be conducted, a copy of the interview notes will be written up and signed by the interviewer and interviewee prior to them being added to the complaint history.

All investigations must take place with 6-weeks of the initial complaint being received so that a final response (decision letter) can be sent to the client within our designated 8-week period.

Investigations must utilise all the facts and any previous, related information to produce an unbiased outcome and an expected course of action. A complaint reference should be assigned and all documents relevant to the complaint should have the reference written on them for continuity.

The reference will also be added to the Complaints Register so that complaint and documents can be audited and traced back in the future.

All employees are provided with clear guidelines of when a complaint is formal and requires an appropriate investigation. **Complaints must be referred to the Operations Director where:**

- The complainant has requested such a referral or investigation
- The complaint involves any type of personal data issue
- The informal complaint resolution stage failed or was inappropriate
- There is a conflict of interest between the complainant and an employee
- The issues are complex and require an investigation
- The complaint represents a high or serious risk to the company
- The facts are unclear, or the complaint will require additional time to resolve
- The complainant is identified as being vulnerable
- There has been any media contact or attention
- Child protection and/or safeguarding issues are involved
- The issues do or may affect more clients (whether identified or not)

Decision Letter (Final Response)

After the complaint has been investigated in full and an outcome and action decision has been reached, the investigating Director will draft a final response letter to the client or participant with their findings and decision regarding any action(s) to be taken.

The final response must be sent within 8 weeks of the initial response being raised and will also specify the complainant's right to refer or lodge the complaint with the appropriate body (where applicable) should the client be unhappy with the decision received.

For complaints related to personal data and/or breaches of the data protection laws and regulations, the final response will reiterate the complainant's right to lodge a complaint with the supervisory authority (the Information Commissioners Office) and will detail the ICO's telephone number and address, along with the possibility of seeking a judicial remedy.

Complaint Recording

All complaints, whether formal or informal, are recorded on a Complaint Register. The register should consist of the below information and should be audited on a frequent basis to ensure that incidents are not being repeated and improvements are being made.

- Date Complaint was raised
- Contact details of Complainant
- Nature of Complaint
- Department(s) Involved
- Complaint Reference
- Lead Investigator
- Decision Letter Sent (Y/N)
- Date Complaint Closed

The log is made available to any relevant authority or body who is entitled to review the Company's complaints.

Responsibilities

Sport for Confidence will ensure that all employees are provided with a copy of this policy and that all understand their own responsibilities with regard to complaints.

The Operations Director will be appointed the role of overseeing, investigating and recording all complaints and is responsible for regular auditing of the complaints log to ensure mitigating actions and improvements are put into place where possible. If there is a conflict of interest with the Operations Director and the complainant, an alternative Director will assume the role of complaint handling.