



# **OVER THE WALL**

**a seriousfun camp**

## **COMPLAINTS POLICY & PROCEDURES**

### **POLICY STATEMENT**

**Over The Wall has an ethos of openness and continuous improvement. We welcome complaints as a positive opportunity to right any wrongs that may have occurred, win back dissatisfied stakeholders, learn lessons and make changes to prevent recurrence.**

**Complaints will be dealt with quickly and comprehensively and complainants will be treated fairly, honestly and with respect.**

**Policy Date:** Reviewed June 2019

**By:** Kevin Mathieson CEO

**Status:** Live

**First Adopted:** April 2014

**Next Review:** June 2021

## **Complaints Policy & Procedures**

### **1. Policy Statement**

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### **2. The Aims of our Complaints Policy**

- 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 and are confident to use the process.
- To ensure all OTW staff know what to do if a complaint is received
- To ensure all complaints are investigated fairly and in a timely manner
- To ensure that complaints are, wherever possible, resolved and that relationships are repaired, and
- To learn and improve what we do

### **3. Definition of a Complaint**

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of OTW.

### **4. Where Complaints Come From**

A complaint can be received verbally, by phone, by email or in writing from any person. This policy does not cover complaints from staff, who should refer to OTW's Grievance and Discipline policies.

### **5. Confidentiality**

All complaint information will be handled confidentially and with sensitivity. Relevant information will be shared only with those who have a legitimate 'need to know'. Over the Wall will follow and adhere to all relevant data protection requirements.

## 6. Procedures

**6.1 Contact Details for Making a Complaint:** Complaints in the first instance may be sent

**By mail:** Addressed to

The Chief Executive,  
Over The Wall  
Langstone Technology Park, Langstone Road,  
Havant, HANTS PO9 1SA

and marked ***Private and Confidential.***

If the complaint is about the Chief Executive the correspondence should be addressed to the Chair, Board of Trustees, and marked ***Private and Confidential (Complaint).***

**By e-mail:**

To [info@otw.org.uk](mailto:info@otw.org.uk) or [kevin@otw.org.uk](mailto:kevin@otw.org.uk) (CEO)

and marked on the subject line: **Complaint - Private and Confidential.**

If the complaint is about the Chief Executive the e-mail should be sent to [chairman@otw.org.uk](mailto:chairman@otw.org.uk) and similarly marked **Complaint - Private and Confidential.**

**By phone:**

Tel No: 02392 477 110

advising the member of staff who answers that you wish to make a complaint, or you can ask to speak to the CEO. If the CEO is not available, the person receiving your call will take your details and the CEO will call you back as soon as possible. If the complaint is about the CEO you should advise the member of staff answering and ask him/her to pass the information to the Chair of the Board of Trustees.

**In person:**

to any member of OTW staff making clear that you wish to make a formal complaint.

### **COMPLAIN TO EXTERNAL BODIES**

You may also make a complaint to

**Her Majesty's Chief Inspector of Education, via OFSTED,** and can contact them as follows:

**In writing:** OFSTED, Piccadilly Gate, Store Street, Manchester M1 2WD

**By phone:** 0300 123 4666, or

**By email:** [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

**In Scotland, you can make complaint to the Care Inspectorate**, and can contact them as follows:

**By phone:** 0345 600 9527, or

**By email:** [concerns@careinspectorate.gov.scot](mailto:concerns@careinspectorate.gov.scot), or

**Online:** <http://www.careinspectorate.com/index.php/complaints>, or

at any other their offices, details of which can accessed at the online address provided above.

You can also complain to the **Charity Commission** at any stage. Information about the complaints the Commission accepts can be found on their website at

<https://www.charitycommission.gov.uk/search/?q=complaint>

## **6.2 Receiving Complaints**

Complaints may arrive through the variety of channels listed above. Every complaint will be properly recorded. The person receiving a phone or 'in person' complaint should:

- take the complainant's personal and contact details
- ascertain and record details of the complaint
- if the complaint is minor and can be resolved at this time by explanation and/or an apology the person receiving the complaint should do so and pass relevant details to the CEO by e-mail,
- if the complaint cannot be so resolved, the complainant should be notified that the complaint will be forwarded to the CEO who will make return contact as soon as practicable. If the complaint is about the CEO the complainant should be advised the complaint will be forwarded to the Chair of the Board of Trustees who will make return contact as soon as practicable.

For further guidelines on staff handling of verbal complaints, see Appendix 1

**UNDER NO CIRCUMSTANCES SHOULD DETAILS CONCERNING ANY COMPLAINT BE DISCLOSED OR DISCUSSED BY THE ORIGINAL RECIPIENT WITH OTHER MEMBERS OF STAFF.**

The complaint information should be passed immediately to the CEO or if the complaint is regarding the CEO, to the Chair of the Board of Trustees.

### **6.3 Resolving Complaints**

It is worth reiterating that the purpose of this process is to right any wrongs that may have occurred, win back dissatisfied stakeholders, learn lessons and make changes to prevent recurrence.

If the complaint has been resolved the CEO will write to the complainant with confirmation details.

On receiving an unresolved complaint, the CEO will record the relevant information in the OTW Complaints Log and write to the complainant within 3 working days advising him/her of the next steps and enclosing details of OTW's complaints policy and procedures. The CEO will delegate an appropriate person to investigate.

If the complaint relates to a specific person, they should be informed and given the opportunity to provide an account of their involvement and perspective.

The investigating member of staff will contact the complainant within 3 working days of being given the enquiry, advise of their role and seek to ascertain all the facts. If there is no evidence of misconduct by a staff member, the investigating member of staff should seek to reach an amicable resolution with the complainant.

Upon conclusion of enquiries, which should ordinarily take no more than 2 weeks, the investigating member of staff should submit a short report to the CEO or, if appropriate, the Chair of the Board of Trustees, outlining details of the complaint, the enquiry carried out and their findings together with any recommendations. This should include learning points for Over the Wall.

The CEO or Chair of the Board of Trustees will either accept the report or instruct further enquiries to be carried out to complete the investigation.

Upon receipt of this report the CEO or Chair of the Board of Trustees shall contact and/or write to the complainant within 5 working days describing the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

### **6.4 Further Requests for Resolution**

If the complainant feels that the problem has not been satisfactorily resolved they can request that the complaint be reviewed at trustee level. Should this be requested, the relevant information concerning the complaint and the investigation will be passed by the CEO to the Chair of the Board of Trustees who will allocate to another trustee to review.

The complainant will be contacted by the CEO or the Chair of the Board of Trustees within 5 working days with information concerning who will carry out the review and the format that will take. Members of staff to whom the complaint refers will also be informed this has occurred.

The trustee review will be paper-based with no requirement or expectation to further interview any individual although this may take place but only to seek clarification on any aspect that is unclear.

The trustee carrying out the review should aim to complete the review and notify the Chair of the Board of Trustees within 2 working weeks of the outcome. The Chair of the Board of Trustees will notify the complainant within 5 working days of the outcome of the review. Such an outcome could include instruction to

- make further specific enquiries,
- consider an alternative disposal, or
- take no further action.

The decision taken at this stage is final.

## **7. Disciplinary Proceedings**

Where the findings of an enquiry indicate misconduct by a member of staff, consideration will be given to disciplinary proceedings. The complainant should be notified of the outcome of that deliberation and any proceedings.

## **8. Complaints Log**

The CEO will maintain a Complaints Log and will report quarterly to the Board of Trustees detailing any complaints, the enquiry into them and their outcomes.

## **9. Review**

This policy will be reviewed biennially for currency and accuracy by the CEO and the Board of Trustees. This does not prevent any changes taking place to this policy at any other time due to changes in practice or legislation.

## Appendix 1 - Practical Guidance for Handling Verbal Complaints

- Remain calm and respectful throughout the conversation
- Listen - allow the person to talk about the complaint in their own words. Sometimes a person just wants to "let off steam"
- Don't debate the facts in the first instance, especially if the person is angry
- Show an interest in what is being said
- Obtain details about the complaint before any personal details
- Ask for clarification wherever necessary
- Show that you have understood the complaint by reflecting back what you have noted down
- Acknowledge the person's feelings (even if you feel that they are being unreasonable) - you can do this without making a comment on the complaint itself or making any admission of fault on behalf of the organisation, e.g. "I understand that this situation is frustrating for you"
- If you feel that an apology is deserved for something that was the responsibility of your organisation, then apologise
- Ask the person what they would like done to resolve the issue
- Be clear about what you can do, how long it will take and what it will involve. Don't promise things you can't deliver
- Give clear and valid reasons why requests cannot be met
- Make sure that the person understands what they have been told
- Wherever appropriate, inform the person about the available avenues of review or appeal