**Policy Document**

|  |  |
| --- | --- |
| Title | Complaints |
| Agreed by | Board of Trustees |
| Date | March 2023 |
| Signature | Lisa Winward |
| Name | LIsa Winward, Chair of Trustees |
| Next review process to be completed by | March 2026 |

This document will remain valid during the review process

**COMPLAINTS POLICY**

1. **Purpose**

To set out the approach of Kyra Women’s Project in relation to recording, responding to and reviewing complaints.

1. **Scope**

This policy applies to all Kyra’s staff, volunteers and the Board of Trustees.

1. **Policy Statement**
* Kyra is committed to providing the highest standard of services and to learning from mistakes when standards fall short.
* We recognise that our members (service users) and agencies have the right to raise concerns or complaints about our services and we will take these seriously.
* Kyra views all feedback, including feedback received via complaints, as a useful mechanism for learning and for improving.
* We will deal with complaints quickly, consistently and fairly. We will seek a resolution wherever possible and will provide clear feedback to complainants.
* All complaints are managed in accordance with our confidentiality procedures.
* Kyra staff, volunteers and trustees are required to understand and comply with this policy in the handling of complaints.
1. **Roles and responsibilities**

**4.1 Board of Trustees**

The Kyra Board is ultimately responsible for ensuring that our services are delivered to a high standard and in accordance with the law. Complaints can indicate that there are deficiencies in the delivery of a service or services and therefore the Board will:

* Monitor, review and update this policy at least every three years.
* Monitor complaints on a quarterly basis.
* Ensure that serious incidents / complaints are reported to the Charity Commission in accordance with guidance.

**4.2 Chief Executive**

The CEO is responsible for the operational implementation of Kyra Complaints Procedure.  The CEO may delegate duties and responsibilities to Project Managers to ensure full implementation of the policy within their respective areas.

The CEO will ensure that:

* Systems are established and maintained to report complaints.
* The Board receives regular reports about complaints received and their outcomes
* The Board is alerted in the case of serious, reportable complaints and incidents.
* Any lessons learned are embedded in future practice.
* Effective training is given to staff and volunteers.

**4.4 Project Managers**

Project Managers are responsible for ensuring that complaints and concerns about their project are resolved / dealt with at the earliest opportunity. They will:

* Ensure that their line reports and volunteers are provided with training on handling complaints and dealing with disputes and concerns.
* Report complaints to the CEO
* Investigate complaints and concerns in accordance with these procedures.

**4.5 Staff and volunteers**

All staff, including relief, casual and temporary employees and volunteers should:

* Ensure they are familiar with this policy.
* Take complaints seriously and report them to their Project Manager or the CEO
* Handle concerns and attempt to resolve these at the earliest possible stage.
* Attend and participate in any training courses.
1. **Procedural Guidance**
	1. **Definition of a complaint**

A complaint is an expression of dissatisfaction by a person, whether justified or not.

An individual may complain about:

* An experience of services
* The decisions taken by staff
* Kyra’s relationships and communications
* Any other matter relevant to Kyra and its personnel.

We welcome complaints and comments from members of Kyra, and members of the public or local community. We also welcome comments and/or complaints from other stakeholders such as partner agencies, officers and members of local authorities or funders. However, where a complaint relates to a third party, we will require the consent of that person to investigate the complaint and to provide feedback.

In exceptional circumstances, we may need to investigate a comment as a complaint without the person’s consent, especially where this exposes, or appears to expose, a significant risk or staff misconduct.

* 1. **Raising a concern**

Sometimes members using our services have informal concerns about the support they are receiving. If a person raises a concern:

* This should be taken seriously. It is important to try to resolve the concern as soon as possible.
* The person raising the concern should be provided with information about the complaints procedure if the concern raised cannot be resolved.
* All concerns should be logged and reported to a line manager or project manager. Serious concerns should be brought to the attention of the CEO.
	1. **How to complain**

There are several ways to complain. These are:

* Complete a complaints form and return via email or post.
* Approach a member of staff / volunteer and explain your complaint. They will take a record of this and ensure it is dealt with in accordance with this policy.
* Contact us using our public telephone number and ask to speak to the CEO
* Contact us via email: contact@kyra.org.uk
* If the complaint is about the CEO, you may email our Board at boardsecretary@kyra.org.uk
* If the complaint is about the Chair, an individual Trustee, or the Board as a whole, you may email the Board Secretary at boardsecretary@kyra.org.uk so that an appropriately independent investigation can be arranged.
* Write to us at Kyra, CMC, St Saviourgate, York YO1 8NQ.
	1. **Dealing with complaints**

There are three stages to the Kyra complaints procedure.

STAGE ONE – upon receipt of a complaint

* All information about complaints will be passed to the relevant Project Manager or the CEO.
* Complaints will be logged on Kyra’s complaints register and the complainant will receive an acknowledgement.
* The CEO will identify the most suitable person to investigate the complaint within three working days of receiving the complaint. This will normally be the relevant Project Manager of the service / staff member named by the complainant.
* Where a complaint is made about a project manager, the CEO will investigate this. If it relates to the CEO, the Board will investigate. A complaint about the Chair or an individual Trustee will usually be investigated by another Trustee not involved in the issue. We may also appoint an independent investigator where this would be most appropriate.

STAGE TWO – the investigation

* The person dealing with the complaint will gather all relevant information within fourteen working days of receiving the initial complaint. This might include clarifying information with the complainant.
* Where it will take longer than this to gather information (e.g. if a key member of staff is on leave) the person handling the complaint will feed this back to the complainant and provide an appropriate timescale for investigating the complaint.
* Ordinarily, complaints will be fully investigated, and a written response provided to the complainant within twenty-one working days.
* The complainant will receive written confirmation of the outcome of the investigation, including any recommendations / remedies made, such as reviewing policies, staff development or training.
* Where a complaint is upheld, an apology should be offered and lessons learned identified, communicated to all staff/volunteers and put into practice.
* The complaints log will be updated.
* If an individual is dissatisfied with the outcome from STAGE TWO they can appeal within fourteen working days of the date of the outcome and progress to STAGE THREE.

STAGE THREE – appeal

* The complainant should let us know that they wish to appeal and the grounds for this.
* The CEO will identify who will hear the appeal. This will be a member of the Board
* If the complaint is about the CEO, the Board will hear this.
* The appeal will be considered, and the complainant notified of our decision within 14 working days.
* The complainant will be informed about the appeal decision in writing.
* The decision reached at this stage is final. However, there are other options open to the complainant which are listed below. These should be stated in our final letter to the complainant.

OTHER OPTIONS

Complainants who are not satisfied with the outcome of their complaint can do one or all of the following:

* Seek advice from a solicitor or Citizen’s Advice York.
* Contact the Charity Commission.
1. **Data protection**

In accordance with Kyra’s Data Protection Policy, we hold case records for a limited amount of time. Therefore, we are normally only able to respond to complaints that relate to services / events within the last 12 months but will consider each complaint on a case-by-case basis.

1. **Learning from complaints and concerns**
* We provide feedback to staff members, trustees and stakeholders regarding complaints, compliments and comments received.
* Where a complaint exposes a lack of knowledge or staff misconduct, this will always be addressed.
* Comments and complaints are used to inform the way in which we provide and develop our services.
1. **Complaint closures**

A complaint will be considered closed for the following reasons.

* The complainant is satisfied by the outcome.
* The complainant does not respond to investigating manager within twenty-eight days of receiving a response.
* Kyra has discharged the duty to investigate and communicate the outcome/outcomes to the complainant. The complainant may however continue to be dissatisfied.
1. **Monitoring complaints**
* Kyra maintains a complaints register as a record of all complaints.
* The CEO has overall responsibility for monitoring complaints and reporting all complaints to the Board. They are reviewed by the Board on a quarterly basis.
1. **Related procedures and policies**
* Code of Conduct
* Confidentiality
* Data Protection
* Equality and Diversity
* Health and Safety policies and procedures
* Safeguarding Policies

**Kyra Complaints Form**

Please complete this form as fully as possible. Kyra will take your complaint seriously and the information you provide will be treated sensitively and investigated thoroughly. Where necessary we will contact external agencies to verify the information you provide. If we need to do this, we will gain your consent first.

|  |  |
| --- | --- |
| Your name and contact details: | Today’s date |
| Date when incident / problem occurred |

|  |
| --- |
| Please outline details of your complaint  |

|  |
| --- |
| Please give details of any similar incident. |

|  |
| --- |
| Have you mentioned your complaint or reported it to anyone else before? |

|  |
| --- |
| What action would you like Kyra to take? |

Please return this form to:

**Kyra Women’s Project**

CMC, St Saviourgate, York YO1 8NQ

Or email: contact@kyra.org.uk

-------------------------------------------------------------------------------------------------------------------------

**For office use only:**

|  |  |
| --- | --- |
| Date received |  |
| Person handling  |  |
| Further actions taken (include dates) |  |

See below for Kyra Privacy Notice

**Privacy Notice**

***What information about you do we collect?***

The information you provide to the Kyra Women’s Project helps us to support women while meeting our legal responsibilities, and helps women access the help they need. The data we collect can include personal details, such as your name, contact details or ethnic group and any additional access needs, medical information or personal circumstances.

***How do I consent to share my information?***

Our legal basis for collecting and processing your data is based on consent. Before we collect any data, we ask that service users provide their positive and informed consent to allow us to do so.

Informed consent means that the you clearly understand why your information is needed, who it may be shared with, and the possible consequences of agreeing or refusing the proposed use of the data before you opt-in and give consent. You may withdraw your consent at any time.

***How do we use your personal information?***

When we ask for your personal information, we will:

* let you know why we need it,
* only ask for the information necessary for us to work with you and provide the support you request,
* protect this data and make sure nobody has access to it who shouldn’t, and
* make sure we don’t keep it any longer than necessary. If you choose to stop your membership with Kyra we will remove your personal information from our system. We may keep any anonymous statistics relating to the work we did with you so that we can meet our reporting obligations to funders and other bodies.

We ask that you:

* give us accurate information,
* tell us as soon as possible about any changes, and
* tell us as soon as possible if you notice any mistakes in the information we hold.

We use this information to:

* support women with appropriate services and courses,
* measure whether our support is having an impact on individual women’s lives,
* create anonymous statistics to measure our performance,
* help us develop and improve our service, and
* report to funders on how we have spent funds to achieve our charitable aims.

***Who do we share data with?***

We may be required or permitted under the General Data Protection Regulation (GDPR) to disclose your personal information without your explicit consent, e.g. if we have a legal obligation to do so for crime prevention, or in some circumstances, feel that you or others are at risk. In most circumstances we will discuss this with an individual first, but where the law allows or requires us to share information without the data subject’s consent we may disclose information without permission.

***Your rights***

The GDPR provides the following rights for individuals:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling.

If you would like to make a complaint about the way we have handled your data, you have the right to contact the Information Commissioner’s Officer to do so at [www.ico.org.uk](http://www.ico.org.uk/).

**If you have any questions about this Privacy Notice, your rights, or would like to ask any questions about why your information was collected and how it will be stored and used, contact us on 01904 632332 or****contact@kyra.org.uk****.**