

Complaints Policy

Department: Core Services

Approval Route: Board

Frequency of Revision: Biennial

Associated Procedures:

Version (POL002)	Date Approved	Reason for Update
5.0	14.12.2023	Review and change of regulation
6.0	10.12.2025	Strengthening procedures

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1. Policy Statement

- 1.1 YMCA Derbyshire (the "Association") aims to provide a good standard of services for its clients and for others with whom it may come into contact.
- 1.2 The Association recognises the need for a fair, accessible, open and accountable process that encourages clients and others to make their views known, to make complaints which will be taken seriously and for a process that facilitates a timely response leading wherever possible to a satisfactory resolution. Our complaints policy will be published on our website along with details of the Housing Ombudsman.
- 1.3 For the purposes of enabling monitoring, reporting and evaluation of complaints received, complaints are divided into nine main categories:
 - Housing (including Support, Tenant services and Community Café)
 - Training and Education
 - Property Services
 - Health & Safety
 - Health and Wellbeing
 - Community and external
 - Central Services (including Conference facility/Operations)
 - Data Protection Complaints
 - Early Years and SEND Complaints

2. Purpose

- 2.1 This Complaints Policy aims to:
 - provide a consistent and positive approach to complaints handling;
 - deliver satisfaction to the client or members of the community and for others who may complain; and
 - use the experience as an aid to improve service delivery.

3. Scope and Implementation

- 3.1 This policy covers complaints by clients of the Association, other individuals, external organisations or groups and from members of the local community.
- 3.2 The policy applies to all of YMCA Derbyshire's services and activities. It is the duty of YMCA Derbyshire's managers and staff to ensure the policy is implemented and followed.
- 3.3 All formal complaints must be written, recorded and kept on file; their outcomes must also be recorded.
- 3.4 The procedure for making a complaint should be clearly outlined and promoted across all services.

- 3.5 Complaints will be responded to using a 2-stage process. This allows for appeals against decisions or outcomes if the complainant is not satisfied. This is achieved by a process of escalation once the relevant stage in the procedure has been exhausted.
- 3.6 All complaints will be accepted unless there is a valid reason to decline this. There are various reasons that a complaint may be declined for consideration, these include but are not limited to, **service users making complaints about other service users and complaints made after 12 months of the incident or issue occurring or when the individual became aware.** Where a complaint has been declined for consideration, the reasons will be provided, and the Housing Ombudsman details given to the complainant.
- 3.7 YMCA Derbyshire is not responsible for complaints regarding third parties. Any complaints received regarding third parties will be passed along but will be responded to in line with the Housing Ombudsman code and the two-stage process.
- 3.8 YMCA Derbyshire will not tolerate abuse or unacceptable behaviour from complainants or their representatives. Restrictions may be implemented if the above occurs and these will be reviewed annually. Restrictions will be proportionate and in line with the Equality Act 2010.

4. Definitions

- 4.1 A complaint is defined as:
"An expression of dissatisfaction, however made, about the standard of service actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or group of individuals."
- 4.2 Feedback from non-formal complaints is captured via client surveys, exit surveys, regular residents' meetings, through client focus groups and communications with the Local Authority anti-social behaviour team.
- 4.3 A complainant is anyone who makes a complaint. This applies to individuals, organisations, or groups. Complaints may be internal or external. Complaints submitted via a third party or representative are handled in line with our complaints policy.

5. Process

Stage One

The Association allows for complaints to be dealt with directly by the service department to which the complaint relates in the first instance. This should be done by writing a letter of complaint or completing the Stage 1 Section of the Complaints form and either handing it to a member of reception staff, or by sending it to: Compliance Manager, YMCA Derbyshire (Campus), 770 London Road, Derby, DE24 8UT, or emailing complaints@ymcaderbyshire.org.uk. Should any assistance be required to complete the form, please contact us at complaints@ymcaderbyshire.org.uk.

A written acknowledgement of receipt of a complaint will be made to the complainant within 5 working days of receipt. That letter will detail who will be reviewing the complaint and when the complainant can expect to receive a response.

As soon as the Service Manager has thoroughly investigated the complaint a written reply will be made within 10 working days of receipt. Where the matter involved is complex, more time may be needed, and the complainant will be kept informed of progress and the reasons why more time is needed. This shall not exceed a further 10 working days without exceptional circumstances. At the notice for extension, the Housing Ombudsman details will be provided to the complainant.

We deal with additional complaints raised during the investigation or after a stage 1 response has been issued in line with the requirements of the Housing Ombudsman code and as a new complaint.

Stage Two

If, after receiving the written reply the individual remains dissatisfied, they may request that their complaint be referred to Stage 2. This should be done within 15 working days of receipt of the stage one letter, by completing the Stage 2 section of the complaints form and handing it to a member of reception staff at Campus, or by sending it to: Compliance Manager, YMCA Derbyshire (Campus), 770 London Road, Derby, DE24 8UT, or emailing to complaints@ymcaderbyshire.org.uk.

Should any assistance be required to complete the form, please contact us at complaints@ymcaderbyshire.org.uk.

An acknowledgment of receipt of the Second Stage complaint will be made to the complainant within 5 working days. If it is deemed necessary, the letter will invite the individual to meet with the relevant Senior Manager to discuss the complaint in more detail. The complaint will then be reviewed thoroughly, and a reply will be sent within 20 working days from the date of the meeting (if any) or the date of the acknowledgement or receipt (whichever is later). Where the matter involved is complex and more time may be needed the individual will be kept informed of progress and the reasons why more time is needed. This shall not exceed a further 20 working days without exceptional circumstances. At the notice for extension, the Housing Ombudsman details will be provided to the complainant.

The Stage Two investigation is in regard to the handling of the complaint at Stage One and is not a more thorough investigation of the complaint.

Should the complaint be found to be justified, then YMCA Derbyshire will aim to restore as far as possible the position had things not gone wrong. This may include:

- an apology for any distress and inconvenience caused;
- an explanation of why things went wrong;
- an assurance that our systems and services will be reviewed in order to try and prevent the same thing happening again; and/or
- an update of what action has been taken to put things right.

6. Data Protection Complaints

Complaints relating to data protection will be managed in line with our standard Complaints Process, which follows the two-stage process as outlined above. To raise a data protection complaint, individuals should follow the Stage One process by either submitting a written complaint (this could be a letter or a completed Stage 1 complaints form), handing this to reception, sending it to the Compliance Manager at the details listed above, or emailing complaints@ymcaderbyshire.org.uk. In some instances we may be required to ask for proof of Identification to verify the complaint. In line with our Stage Two process, if the complainant remains dissatisfied, they can escalate their complaint to the Information Commissioners Office. Information on how to do this can be provided on request.

7. Training and Education Complaints

In the first instance, any initial complaints or issues raised will be treated as causes for concern and addressed informally by the Lifelong Learning Management Team. All such concerns will be managed directly by the Centre Manager, who will aim to resolve matters promptly and effectively through appropriate means such as telephone conversations and face-to-face meetings with the individuals involved. This proactive approach ensures that issues are addressed at the earliest opportunity, and, where possible, resolved without the need to escalate to a formal Stage 1 Complaint.

8. Early Years and SEND Complaints

Parents/carers who are dissatisfied with the special needs provision for their children should direct complaints to Jenny Seagrave, the Nursery Manager and Special Educational Needs Co-Ordinator (SENCO) in the first instance before following the YMCA Formal procedure.

9. Unresolved Complaints

In line with our Stage 2 process, if the complainant remains dissatisfied, they can escalate their complaint to the relevant authority. Before contracting the relevant authority, YMCAD encourages every individual to ensure that:

- They have fully completed our internal complaints process (Stage 1 and Stage 2)
- They have received a written outcome, explanation, update, final decision or apology from us including any actions that have been taken to resolve the matter.

It is important to note that different Ombudsman offices and regulatory authorities may have separate procedures, timeframes and criteria for handling complaints. It is of the responsibility of the individual escalating the complaint to adhere to specific requirements of the relevant authority before logging a complaint.

We are committed to co-operating with the Ombudsmen or Authority during any investigation and will adhere to any recommendations or advice provided by higher authorities.

The complainant may request a review of the final decision made in the stage 2 process if they believe there was a:

- Procedural error
- If new evidence has emerged
- If the outcome does not address the core issues raised

If the complainant is not satisfied with the outcome of their complaint after following our internal complaints process (Stage 1 and Stage 2), they have the right to escalate the matter to the relevant Ombudsmen or regulator for an external and independent review. To do this the complainant may contact the Compliance manager at Complaints@ymcaderbyshire.org.uk for details of the relevant authority or ombudsmen.

10. Persistent or Unreasonable Complaints

While we aim to resolve all complaints fairly and constructively, there are rare occasions where a complainant's behaviour becomes unreasonable, persistent, or disruptive. This section outlines how we manage such behaviour to protect staff, maintain service standards and ensure operational efficiency.

We recognise that being assertive or determined does not make someone unreasonable. However, behaviour may be considered unacceptable when it becomes so persistent, demanding or hostile that it:

- Undermines our ability to investigate or resolve a complaint
- Places disproportionate demands on staff or services
- Causes distress, harassment, or intimidation to staff or other service users

Examples of unreasonable behaviour may include (but is not limited to):

- Repeatedly raising the same issue with no new evidence
- Refusing to accept the outcome of a complaint after a full investigation
- Changing the basis of a complaint during the process
- Demanding responses within unreasonable timeframes
- Contacting multiple staff or departments about the same issue
- Excessive communications (e.g high volumes of emails, calls, or social media contact).
- Verbal abuse, threats, or agreements towards staff
- Recording calls or meetings without consent
- Making unfounded or inflammatory allegations

We are mindful that some individuals may face complex challenges, including mental health difficulties, and we will always seek to respond with empathy and flexibility.

Where behaviour becomes unreasonable, we will take a staged and proportionate approach:

a) Informal Warning

We will initially explain why the behaviour is unacceptable and request that it stops.

b) Formal Warning

If the behaviour continues, we may issue a written warning detailing the concerns, examples of the behaviour, and what action may follow if it doesn't change.

c) Reasonable adjustments or Restrictions

If necessary, we may implement one or more of the following measures:

- Assign a single point of contact
- Limit contact to specific times, days, or formats (E.g email only)
- Set limits on the number of issues or frequency of contact
- Pause the complaint process until respectful engagement resumes
- Decline to investigate further unless new evidence is provided

All restrictions will be approved by a senior manager and communicated in writing.

Any restrictions will be reviewed after a defined period (typically 3 – 6 months) and lifted if the behaviour has improved or no longer warrants the measures.

11. Recording, Monitoring, Evaluation and Review

- 11.1 Periodic auditing of the YMCA Derbyshire complaints process and complaints handling performance will take place under the guidance of the Compliance Manager.
- 11.2 An analysis of complaints received, and complaints resolved will be compiled and regularly reported to YMCA Derbyshire's Senior Leadership Team, Lifelong Learning Committee, Housing Committee and the Board.
- 11.3 YMCA Derbyshire will review the content of this policy every two years or earlier in the event that there are changes in legislation or as a result of a change in good practice.

Complaint form

Complainant name:	Telephone number:
Complainant address:	E-mail address:

Summary of the complaint

Stage One

OFFICE USE ONLY

Date complaint received:

Received and logged by:

Complaint category:

- Accommodation Management ☐ Accommodation Support ☐
 Training & Education ☐ Estates & Maintenance ☐ Community & External
☐ Health & Safety ☐ Health & Wellbeing ☐ Central Services ☐
☒ Data Protection ☐ Early Years and SEND Complaints ☐

Other (please state)

Complaint Form

Complainant name:	Telephone number:
Complainant address:	E-mail address:

Summary of the complaint

Stage Two

OFFICE USE ONLY

Date complaint received:

Received and logged by:

Complaint category:

Accommodation Management ☐ Accommodation Support ☐
 Training & Education ☐ Estates & Maintenance ☐ Community & External
☐ Health & Safety ☐ Health & Wellbeing ☐ Central Services ☐
 Data Protection ☐ Early Years and SEND Complaints ☐

Other (please state)

OFFICE USE ONLY

Follow-up actions

Resolved at Stage 1 ☐

Escalated to Stage 2 ☐

Resolved at Stage 2 ☐

Escalated to Housing Ombudsman ☐

Lessons learned

Actions proposed or taken

Signed (manager):

Stage 1

- Letter of complaint or Stage 1 form completed and provided to the Compliance Manager (CM)
- CM to provide acknowledgement letter within 5 working days.
- CM to ensure that service department respond to complaint in full within 10 working days.
- CM to file all responses and associated paperwork and log on spreadsheet.
- CM to close the file after 3 months if no further complaint received.

Stage 2

- Further Letter of complaint or Stage 2 form completed and sent to the Compliance Manager (CM) by the individual within 15 days of receipt of stage 1 outcome letter.
- CM to provide acknowledgement letter within 5 working days.
- Complainant to be invited to meet with Director by CM if required.
- CM to ensure that relevant Director responds to complaint in full within 20 working days.
- CM to file all responses and associated paperwork and log on spreadsheet.
- CM to close the file after 3 months if no further complaint received.