

## **COMPLAINTS & GRIEVANCE PROCEDURE**

### ***For Service Users and Third Party***

#### **Introduction**

At Yada, we believe it is important that if you feel dissatisfied with any matter relating to Yada and its services, you should have an effective means by which such a grievance can be aired and, where appropriate, resolved. This procedure should be used by service users and third party individuals, to settle all disputes and grievances. Yada intends to resolve any grievance fairly, openly and promptly. The complaints and grievance procedure allows Yada to deal with complaints and grievances consistently.

In the first instance, if you have a concern, you should discuss it informally with the Yada manager. Where resolution is impossible via the informal stage, the grievance will be handled under the official procedure.

If it is considered appropriate by the manager, the process may jump to Stage Two.

Yada reserves the right to decline referring a grievance to the procedure if it is a concern that repeats a matter already considered by the procedure, or a situation in which the grievance procedure is considered inappropriate. We may also adapt the procedure to suit particular situations; in this case service users/ third party individuals will be informed of any proposed change.

#### **Procedure:**

##### Stage One

- The service user/ third party must inform a senior member of staff in writing of the specific grievance. Where the grievance is against the immediate staff member then the grievance should be put in writing to the next level of management (safeguarding trustee).
- A meeting will then take place between the manager and the service user/ third party to discuss the grievance. Every effort will be made to ensure this meeting takes place within three days.
- At this meeting the service user/ third party may be accompanied by a person for support, but they must be separate from the grievance .
- Following the meeting, a written statement of the decision of the line manager will be given to the service user/ third party. Every effort will be made to ensure that this decision is given to them within five Yada working days.

##### Stage Two

**Complaints & Grievance Procedure Policy (Users and Third Party) | Created June 2017**

**Updated November 2021**

- If the service user/ third party is unsatisfied with the outcome of the initial meeting, they are entitled to make an appeal.
- The service user/ third party must put the grievance in writing and explain the reasons for appeal.
- The Board of Trustees will then arrange for two members of the Board to attend a meeting where the grievance can be discussed. Every effort will be made to deal with the matter within five Yada working days.
- At the meeting the service user/ third party may bring a person for support, but they must be separate from the grievance.
- After the meeting the members of the Board of Trustees will provide the service user/ third party with the written decision. Where possible, the decision will be given within ten Yada working days. The decision will be final.

### Stage Three

If the matter is not resolved to your satisfaction, you should put your grievance in writing to the Chair of the Board of Trustees. You will receive a reply within seven Yada working days and a meeting will be arranged. The constitution of the meeting will be as in Stage Two except that the director or an authorised deputy will replace the senior manager. The Board of Trustees will give a decision within five working days of the meeting. This decision will be final.

### **Investigations**

The organisation is committed to ensuring that all grievances are investigated fully. This may involve carrying out interviews with the service user/ third party concerned and third parties such as witnesses, colleagues and managers, as well as analysing written records and information. The investigation report will be made available to all the parties concerned. The identity of witnesses will be kept confidential where necessary.

### **Complaint to Charity Commission**

Complaints can be made to the charity commission if it is felt that Yada are:

- Not doing what it claims to do
- Losing lots of money
- Harming people
- Being used for personal profit or gain
- Involved in illegal activity

A link to this can be found here:

<http://forms.charitycommission.gov.uk/contact-us/general-enquiries/report-a-concern-about-a-charity/raising-concerns-about-a-charity/>

## Notes

1. You may raise a complaint directly with a senior manager if it:
  - a. concerns a less senior manager
  - b. is of too personal or sensitive a nature to raise with your immediate manager.
2. Complaints concerning discrimination, bullying or harassment by any member of staff or volunteer may be raised directly with a senior manager. This may be done informally or formally, i.e. at Stage Two of the procedure.

*Note: there is a separate procedure for complaints concerning discrimination, bullying or harassment.*

3. If your complaint concerns an alleged wrongdoing or criminal offence by someone within the organisation, you should raise it immediately with a Trustee i.e. at Stage Three of the procedure. See the Public Interest Disclosure Act 1998 (known as the Whistle-blowers' Act) for details of the additional protection available for protected disclosures.