

 **LANE END FARM TRUST COMPLAINTS POLICY AND PROCEDURE**

The Trust endeavours to make every persons experience of their visit or working on the farm as positive as possible however remain mindful that there may be incidences where this is not the case. Wherever possible staff and Trustees would wish to resolve any complaints quickly and to everyone’s satisfaction however are mindful that there may be occasions where a more formal complaint may take more investigation and resources to resolve.

In order to ensure that all persons visiting or working at the Trust feel able to voice any issues of concern or make a complaint the following information is available to ensure that any complaints are dealt with in a timely and efficient manner and that all people are treated with respect during any such process.

The Trust’s definition of a complaint within the terms of the procedures referred to here is an expression of dissatisfaction by parents, carers or service users who attend the Trust, or by professionals working with our service users, neighbours of the Trust or any community affected by the services the Trust provides, as well as employees, volunteers and Trustees.

**Advice to professionals/Parents/Carers/service users about making a complaint**

In the event of a criminal matter you should contact 101

 If you have comments or concerns please let a member of staff know as soon as possible, this can be by telephone, email, visit or letter. We always welcome suggestions for improving our services at the Trust.

We understand a common fear is that the Trust’s relationship with you and/or our service users will be affected if you express dissatisfaction. We would wish to assure you that by having an effective complaints procedure, we would hope to be able to minimise problems, provide the Trust with helpful information and to treat complaints as constructive suggestions to improve standards and prevent cause for further complaint.

FIRST STEPSIRST

Many concerns arise from misunderstandings and are best dealt with positively in discussion with a member of staff on site. All staff will make every effort to resolve your concern quickly and informally. They will make sure that they understand what you feel went wrong and they will explain their own actions to you. They will ask what you would like the Trust to do to put things right. Of course, this does not necessarily mean that in every instance they will agree with your point of view, but the response should help both you and the Trust to understand both viewpoints. It may also prevent a similar problem arising in the future.

IF THIS DOES NOT RESOLVE THE PROBLEM

Should you remain dissatisfied with the member of staff’s initial response, you can make a complaint to the Farm Manager. This is best done in writing or by making an appointment to discuss the problem.

The Farm Manager will ask to meet with you for a discussion of the problem and you may take a friend or someone else with you if you wish.

The Farm Manager will conduct a full investigation of your complaint and may interview members of staff or others involved. You will then receive a written response to your complaint. This will hopefully resolve the matter. However, should you remain dissatisfied, the Farm Manager should give you detail and of ways to take matters further. Formal complaints must be detailed in writing (a complaints form is attached for this purpose). To ensure that the complaint is properly investigated it must be as clear as possible. If necessary clarification will be sought from the complainant about any aspect of the complaint which is unclear;

The Farm Manager will send an acknowledgement of receipt of the compliant within 5 working days of receiving the written complaint and will confirm:

* details of the complaint to be investigated;
* who will be investigating the complaint;
* that a substantive response to the complaint will be given within 20 working days of receipt. If this timescale cannot be met an explanation will be given with a revised timescale;
* The complaint will be recorded;
* The Farm Manager will investigate the complaint in accordance with the principles of the Complaints Policy;
* The Farm Manager will write to the complainant within 20 days of receipt of the complaint (or by date given in the acknowledgement letter) and advise him/her of the outcome of the investigations;
* If the complaint is upheld the complainant will be informed accordingly and given an indication of the steps that will be taken to put matters right. The Trust will seek guidance from The Charity Commission or seek legal advice if appropriate before making any admissions which may lead to a legal claim. If, on the basis of the information available, it is not possible to arrive at a definitive decision on the complaint the complainant will be informed accordingly with the reasons why;
* The complainant will also be informed that if they are dissatisfied with the outcome of the investigation then they have the right to appeal against the outcome to the Board of Trustee’s or Charity Commission.

IF YOU ARE STILL UNHAPPY

If you are still not satisfied, you may wish to contact one of the Trustees. Their details are available from the Farm Manager, who will provide names and contact details. The Trustees, at your request, will look again at your complaint and the Farm Manager’s response. The Trustees will seek to clarify your concerns and undertake their own independent investigation; this may well involve speaking with members of staff and others. Once their investigation has been concluded, you will then receive a written response to your complaint. This will hopefully resolve the matter.

FURTHER ACTION

The Trust would always wish to resolve your complaint via the process as detailed above. Should you feel that this course of action has not resolved the matter there are other courses of action you may take.

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**The Charities Commission**

Should you believe that the Trust has acted unreasonably you can take your complaint to the Charity Commission who are the regulator of charities in England and Wales and maintain the [charity register](https://www.gov.uk/find-charity-information). ‘Unreasonably’ for these purposes means that you believe the Trust has acted in such a way that no reasonable charity would act.

They are an independent, non-ministerial government department accountable to Parliament and are responsible for maintaining an accurate and up-to-date register of charities. This includes deciding whether organisations are charitable and should be registered. They also remove charities that are not considered to be charitable, no longer exist or do not operate.

The Charity Commission regulates registered charities in England and Wales, making sure that charities are accountable, well-run and meet their legal obligations. They do this by providing regulatory advice and guidance and will also intervene in matters where there is serious risk of significant harm to, or abuse of, charities, their beneficiaries or assets.

When making their decisions they consider the issue, the risk involved to the charity and its beneficiaries and the likely impact of their involvement and will only take action where it is evidence based and proportionate to do so.

## There is a form on the gov.uk website or you can write or telephone The Charity Commission For England And Wales, Harmsworth House, 13-15 Bouverie Street, London · 0300 066 9197

**Is there a time limit for complaining?**

You should complain to the Trust as soon as possible and certainly within three months. If you do not contact the Trust within that time, normally no further action will be taken in respect of your complaint, unless this of a safeguarding nature. However, any exceptional reasons you may give for not meeting this time limit will always be taken into account and any decision to hear a complaint after this time will be at the discretion of the Trustees.

**Dealing with Unreasonably Persistent Complainants and Vexatious Complaints**

The staff and Trustees are fully committed to the improvement of the Trust. Feedback from professionals, parents and carers is welcomed and the Trust will always do their utmost to resolve issues any that are brought to their attention as quickly as possible. The formal procedure as detailed above should always be followed should you wish to make a complaint.

Occasionally however individuals, in raising issues with staff or others, do so in a way that is unacceptable. Whilst it is recognised that some complaints may well relate to what are considered serious and distressing incidents, threatening or harassing behaviour towards any members of staff, volunteers or Trustees will not be tolerated. The Trust will always seek to work in a positive way with parents, carers and others to resolve complaints at the earliest opportunity. It also gives information about what action may be taken in respect of those complaints which appear unreasonably persistent and instances where the behaviour of the complainant gives cause for concern.

**Guidance on Making a Complaint**

Try to resolve issues with the Trust informally at first. If matters are not resolved to your satisfaction you can make a formal complaint, however, at all times, please remember that matters can often be dealt with more easily if you bear in mind the following:

**•           Speak to the right person:**

Try to speak with the member of staff best able to advise you and best able to deal with your concerns. This is often the worker involved in any incident in the first instance. If they are unable to deal with an issue immediately they may suggest making an appointment at a more convenient time for both parties to discuss matters more thoroughly with the Farm Manager.

**•        Be courteous:** Conduct yourself in a professional manner and try to discuss your concerns in a calm but firm manner. Try to understand the other’s point of view and do not present yourself in an aggressive manner.

**•           Say who you are:** If you are unknown to the member of staff, introduce yourself.

**•           Ask for the member of staff’s name and use it:** If the member of staff you first approach is unable to deal with the matter ask for the name of the member of the Trust staff who will be able to assist you.

**•           Take your time to explain exactly what the issues are:** It is often easy to forget to give all the details of your concern, particularly if you are upset or annoyed. You may wish to write a list of the issues you need to discuss before you approach a member of staff.

**•           Stay cool and calm:** Do not argue with the member of staff who receives your complaint. Be polite and respectful. Try to be clear about exactly what it is that you believe the issue to be.

**•           Check you are being understood:** Make certain that the member of staff understands what you are saying and what the issue is that has given rise to your concerns.

**•            Don’t rush:** Take your time. Try to explain what your concern is and, more importantly, what you would like the Trust to do to resolve this. Try to ensure the Trust understands your viewpoint before demanding a solution or suggesting the next step.

Due for updating January 2021