

# Complaints Policy and Procedure

## Introduction

Sheba Arts is a learning organisation, committed to the development and improvement of our services, and the experience of working with us. We are committed to providing our audiences, participants and partners with quality experiences, delivered in line with our values and ethos as an organisation and with best practice. We endeavour to treat everyone equally and with equal respect.

We realise that, even in the best-run organisations, there may be times when things go wrong, and our users may not be happy with their experience or the service they have received. In such circumstances we seek to resolve dissatisfaction as close as possible to the point of service delivery and to have a robust complaints procedure that enables us to conduct thorough, impartial and fair investigations of complaints so that, where appropriate, we can make evidence-based decisions on the facts of the case.

We take the position that complaints give us valuable information we can use to improve. Our Complaints Handling Procedure will enable us to address a complainant's dissatisfaction and may help us prevent the same problem from happening again.

## Overview of the Complaints Handling Process

Anyone can make a complaint, either verbally or in writing, including face-to-face, by phone, letter or email ([admin@shebaarts.com](mailto:admin@shebaarts.com)). We will try to resolve complaints to the satisfaction of the complainant wherever this is possible. Where this isn't possible, we will give the complainant a clear response to each of their points of complaint. We will always try to respond as quickly as we can (and on the spot where possible).

Our complaints procedure has two stages. We expect the majority of complaints will be handled at stage 1. If the complainant remains dissatisfied after stage 1, they can request that we look at it again, at stage 2.

If the complaint is serious, complex or 'high risk' we will proceed directly to stage 2.

<p><b>Stage 1: Frontline response</b></p> <p>For issues that are simple and straightforward, requiring little or no investigation</p> <p>‘On-the-spot’ apology, explanation, or other action to put the matter right</p> <p>Complaint resolved or a response provided within <b>five working days</b></p> <p>Complaints addressed by any member of staff, or alternatively referred to the appropriate point for frontline response</p> <p>Response normally face-to-face or online (though sometimes we will need to put the decision in writing)</p> <p>We will tell the complainant how to escalate their complaint to stage 2</p>	<p><b>Stage 2: Investigation</b></p> <p>Where the complainant is not satisfied with the frontline response, or chooses not to engage at the frontline, or where the complaint is complex, serious or 'high-risk'</p> <p>Complaint acknowledged within <b>three working days</b></p> <p>We will contact the complainant to clarify the points of complaint and outcome sought (where these are already clear, we will confirm them in the acknowledgement)</p> <p>Complaint resolved or a response provided within <b>20 working days</b> following a thorough investigation of the points raised</p>	<p><b>Review by the Board</b></p> <p>Where the complainant is not satisfied with the stage 2 response.</p> <p>The Board of Directors will review the complaint and assess whether there is evidence of service failure or maladministration not identified in the original stage 2 response.</p>
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**Maintaining confidentiality and data protection**

Confidentiality is important in complaints handling. This includes maintaining the complainant's confidentiality and confidentiality in relation to information about staff members or any third parties involved in the complaint. However, this should not prevent us from being open and

transparent, as far as possible, in how we handle complaints. This includes sharing as much information with the complainant (and, where appropriate, any affected staff members) as we can. When sharing information, we should be clear about why the information is being shared and our expectations on how the recipient will use the information.

To ensure that we learn from complaints, the outcome of investigations will normally be shared with those members of staff responsible for taking forward any recommendations resulting from complaints.

Where a complaint has been raised against a staff member and has been upheld, we will advise the complainant that their complaint is upheld, but will not share specific details affecting staff members, particularly where disciplinary action is taken.

## **Part Two – When to use this Procedure**

### **What is a complaint?**

Sheba Arts defines a complaint as:

‘An expression of dissatisfaction by one or more service users and/or members of the public about Sheba Arts’ conduct, action or lack of action, or about the standard of service provided by or on behalf of Sheba Arts.’

A complaint may relate to the following but is not restricted to this list:

- failure or refusal to provide a service
- inadequate quality or standard of service
- dissatisfaction with one of our policies or its impact on the individual
- failure to follow the appropriate administrative process
- conduct, treatment by or attitude of a member of staff, volunteer or contractor

A complaint is **not**:

- a request for information or an explanation of policy or practice
- a grievance by a staff member or a grievance relating to employment or staff recruitment
- a concern raised internally by a member of staff
- a concern about a child or an adult’s safety
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision

We will not treat these issues as complaints and will instead direct people to use the appropriate procedures. Some situations can involve a combination of issues, where some are complaints and others are not, and each situation should be assessed on a case-by-case basis. If a matter is not a complaint, or not suitable to be handled under the **Complaints Handling Process (CHP)** we will explain this to the complainant, and tell them what (if any) action we will take, and why.

## **Supporting the complainant**

Everyone has the right to equal access to our complaints procedure. It is important to recognise the barriers that some people may face complaining. These may be physical, sensory, communication or language barriers, but can also include their anxieties and concerns. Complainants may need support to overcome these barriers.

### **No disadvantage**

No complainant will be disadvantaged as a result of making a complaint.

### **Time limit for making complaints**

The complainant must raise their complaint within two weeks of when they first knew of the problem, unless there are special circumstances for considering complaints beyond this time (for example, where a person was not able to complain due to serious illness or recent bereavement).

Where a complainant has received a stage 1 response, and wishes to escalate to stage 2, unless there are special circumstances they must request this either:

- within two weeks of when they first knew of the problem; or
- within two weeks of receiving their stage 1 response (if this is later).

We will apply these time limits with discretion, taking into account the seriousness of the issue, the availability of relevant records and staff involved, how long ago the events occurred, and the likelihood that an investigation will lead to a practical benefit for the complainant or useful learning for Sheba Arts.

Complaints of, or concerning, sexual misconduct will not be subject to any indicative time limit.

## **Particular circumstances**

### **Complaints by (or about) a third party**

Sometimes a complainant may be unable or reluctant to make a complaint on their own. We will accept complaints from third parties, which may include relatives, friends, advocates and advisers.

### **Anonymous complaints**

We value all complaints, and we will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. In situations where complainants remain anonymous, investigation may be limited. Any decision not to pursue an anonymous complaint must be authorised by the Artistic Director.

If an anonymous complainant makes serious allegations, these should be dealt with in a timely manner under relevant procedures. This may not be the complaints procedure and may instead be covered by the Safeguarding Policy or Staff Disciplinary Policy and Procedure.

### Complaints about senior staff

When serious complaints are raised against senior staff, the investigation will be conducted by an individual who is independent of the situation (a member of the board or an external investigator).

## Part Three – The Complaints Handling Process

### Resolving the complaint

A complaint is resolved when both Sheba Arts and the complainant agree what action (if any) will be taken to provide full and final resolution for the complainant, without making a decision about whether the complaint is upheld or not upheld. In all cases, we must record the complaint outcome and any action taken. If the complainant and Sheba Arts are not able to agree a resolution, we must follow this CHP to provide a clear and reasoned response to each of the issues raised.

### APPENDIX 1: COMPLAINT HANDLING PROCESS – FLOWCHART

A person may complain verbally or in writing, including face-to-face, by phone, letter or email. Your first consideration is whether the complaint should be dealt with at Stage 1 or Stage 2.	
<b>Stage 1: Frontline response</b>  Always try to respond quickly, wherever possible	<b>Stage 2: Investigation</b>  Investigate where:  The complainant is dissatisfied with the frontline response or decides not to engage with attempts to handle the complaint at stage 1  It is clear that the complaint requires investigation from the outset
Record the complaint, the contact details of the complainant, and notify any staff complained about	Record the complaint, the contact details of the complainant, and notify any staff complained about  Acknowledge the complaint within 5 <b>working days</b>
	Contact the complainant to agree:

	<ul style="list-style-type: none"> <li>● Points of complaint</li> <li>● Outcome sought</li> <li>● Manage expectations (where required)</li> </ul>
Respond to the complaint within <b>5 working days</b> unless there are exceptional circumstances	Respond to the complaint as soon as possible, but within 20 working days unless there is a clear reason for extending the timescale
Is the complainant satisfied?  Always inform the complainant on the procedure for escalating to stage 2	Communicate the decision, normally in writing
(Yes) Record outcome and learning and close complaint.  (No) Refer complaint to Stage 2	Record outcome and learning, and close complaint
Follow up on agreed actions flowing from the complaint Share any learning points	