

BEE ACTIVE

Complaints Reporting and Handling Procedure

Bee Active recognises that there may be occasions when a member of staff or a member of the public feels that the level of service or treatment that they have received from the organisation has fallen short of what might reasonably be expected. This Complaints Reporting and Handling Procedure reflect Bee Active's commitment to dealing with such complaints as timely, effectively and fairly as possible. Our aim is to resolve issues of dissatisfaction as close as possible to the level at which they arise and to conduct thorough and fair investigations of complaints so that, where appropriate, we can make evidence-based decisions based on the facts of each individual case.

Resolving complaints early saves time and contributes to the overall efficiency of the organisation. Concentrating on achieving an early resolution of a complaint as close to the point of contact as possible frees up the time of our staff and ultimately contributes to the continued positive experience of those in receipt of the services supplied by the organisation.

Bee Active is committed to promoting equality and diversity in all its activities. This Procedure should therefore be read in conjunction with the organisation's statements and policies in relation to Equality & Diversity, Harassment & Bullying at work and Confidentiality and Whistleblowing. Please note that Bee Active has separate procedure for dealing with Appeals, which fall out with the scope of this Procedure.

The designated Complaints Officer is Ben Mills (01782 205915 / ben@beeactive.co.uk)

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1. What is a complaint?

For the purpose of this procedure, a complaint may be defined as 'an expression of dissatisfaction by one or more individuals about the standard of service, action or lack of action by or on behalf of Bee Active.

A complaint may therefore relate to:

- The quality and standard of service;
- Failure to provide a service;
- The quality of facilities or learning resources;
- Treatment by or attitude of a staff member or contractor;
- Inappropriate behaviour by a staff member or contractor;
- The failure of Bee Active to follow an appropriate administrative process;
- Dissatisfaction with Bee Active's policy, although it is recognised that policy is set at the discretion of Bee Active.

Although the above list is not exhaustive, not every concern raised with Bee Active can be categorised as a complaint. For example, the following are not complaints eligible for pursuing under this Procedure:

- A routine, first-time request for a service;
- A request under the data protection act;
- A request for information or an explanation of policy or practice;
- A response to an invitation to provide feedback through a formal mechanism such as a questionnaire will generally not be treated as a complaint;
- An insurance claim;
- An issue which is being, or has been, considered by a court or tribunal;
- An attempt to have a complaint reconsidered where Bee Active's procedure has been completed and Bee Active's decision has been issued;
- A grievance by a member of staff which is eligible for handling through the appropriate human resources grievance procedure;

Such issues should be raised and considered under the appropriate alternative Bee Active procedures cited below:

- Equality and Diversity Policy;
- Data Protection Policy;
- Grievance Procedures for all Staff;
- Bee Active's insurance policies;
- Bee Active's Appeals Process.

A complaint which involves a combination of issues and which may be potentially relevant to other Bee Active processes (such as disciplinary or appeal procedures) will be assessed on a case-by-case basis. Bee Active will normally determine an appropriate sequence in which the constituent matters will be investigated and responded to. The integrity of each individual process will typically be preserved.

1.1 Who can make a complaint?

This Procedure covers complaints from anyone who receives, requests or is affected by the services offered by Bee Active. This includes, although is not limited to:

- Any person registered for a full or part-time activity programme delivered by Bee Active (herein referred to as 'clients' through the remainder of this document);
- members of the public, where they have a complaint about matters which are (or which were at the time the issue arose) the responsibility of Bee Active

The basic processes for investigating complaints are the same for clients and members of the public.

Bee Active recognises that some individuals may be unable or reluctant to make a complaint on their own. In these instances the organisation will accept complaints brought by a representative of the person who is dissatisfied with Bee Active, as long as the individual affected has unequivocally given their personal consent under the requirements of the Data Protection Act 1998. Therefore, the individual affected must provide explicit written consent for a representative to act on their behalf. As with anonymous complaints, sufficient information must also be provided by the representative to enable Bee Active to investigate the concerns raised. Complaints made by a representative under the written authority of the individual originally affected will be dealt with according to the same timescales outlined within this Procedure.

1.2 Anonymous Complaints

Complaints submitted anonymously will only be considered if there is enough information provided in the complaint submission to enable the organisation to make further meaningful enquiries. If, however, an anonymous complaint does not provide sufficient information to enable further action, Bee Active may decide not to pursue the complaint further. However, Bee Active may give consideration to the issues raised, and if appropriate the complaint will be recorded in order for corrective action to be taken where appropriate.

A decision not to pursue an anonymous complaint will be authorised by a Director of the organisation. If an anonymous complaint contains allegations that are serious in nature, it will be referred to the Managing Director immediately.

1.3 Complaints involving other organisations or contractors who provide a service on behalf of Bee Active

If an individual complains to Bee Active about the service of another organisation, but Bee Active has no involvement in the issue, the individual will be advised to contact the appropriate organisation directly.

Where a complaint relates to both a Bee Active service and the service of another organisation the complaint will be handled through this Procedure. In particular, the same timescales will apply. This relates to complaints that involve services provided on Bee Active's behalf (such as partner organisations and contractors). If enquiries to a partner or contracted organisation in relation to the complaint are required, care will be taken to comply with Data Protection legislation and Bee Active's guidance on handling personal information.

Such complaints may include, for example:

- A complaint made in relation to provision of third-party services;
- A complaint made about a service that is contracted out.

1.4 Time limit for making complaints

Complaints should be raised with Bee Active as soon as problems arise to enable prompt investigation and swift resolution, which is in the interests of all parties. This Procedure sets a time limit of six months to raise a complaint with Bee Active, starting from when the complainant first became aware of the problem, unless there are special circumstances for requesting consideration of a complaint beyond this time.

Beyond the six-month time limit, Bee Active will exercise discretion in the way that the time limit is applied. A request for Bee Active to discretionarily investigate complaints beyond the time limit given above will not normally be granted unless there is evidence that the complainant was precluded from raising a complaint within the normal timescales as a result of serious illness or other circumstances which are exceptional or relevant to the complaint itself. Such requests to Bee Active must be supported by relevant evidence.

2. The Complaints Handling Process

This Procedure is intended to provide a quick, simple and streamlined process with a strong focus on early resolution by empowered and well-trained staff.

The procedure involves up to two stages:

1. Frontline resolution seeks to resolve straightforward complaints swiftly and effectively at the point at which the complaint is made, or as close to that point as possible.

2. Investigation is appropriate where a complainant is dissatisfied with the outcome of frontline resolution, or where frontline resolution is not possible or appropriate due to the complexity or seriousness of the case.

2.1 Stage One: frontline resolution – to be completed within 5 working days

Anyone who has a complaint is encouraged to raise it initially at the point of, or as close to the point of, becoming aware of it as possible and to raise it with the School or Unit in which the issue arose. Complaints at this stage may be made face-to-face, by phone, in writing or by email. The purpose of frontline resolution is to attempt to resolve as quickly as possible complaints which are straightforward and require little or no investigation. Complaints at this stage of the process may be addressed by any relevant member of Bee Active's staff and may be handled by way of a face-to-face discussion with the complainant, or by asking an appropriate member of staff to deal with the complaint.

Members of staff to whom complaints are made will consider the following key questions:

- Is this a complaint or should the individual be referred to another procedure?
- What specifically is the complaint (or complaints) about and which area(s) of Bee Active is / are involved?
- What outcome is the complainant hoping for and can it be achieved?
- Is this complaint straightforward and likely to be resolved with little or no investigation?
- Can the complaint be resolved on the spot by providing an apology / explanation / alternative solution?
- Can another member of staff assist in seeking a frontline resolution?
- What assistance can be provided to the complainant in taking this forward?

Resolution may be achieved by providing an on-the-spot explanation of why the issue occurred and/or an apology and, where possible, what will be done to stop this happening in the future.

If responsibility for the issue being complained about lies in the staff member's area of work, every attempt will be made to resolve the problem at source. If responsibility lies elsewhere, the staff member receiving the complaint will liaise with the relevant area in an attempt to resolve the issue promptly.

2.1.1 Extension to the five day timeline

Frontline resolution will normally be completed within 5 working days, though a resolution may be achieved more quickly. In exceptional circumstances a short extension of time may be necessary to increase the possibility of resolving the complaint at the frontline resolution stage (for example, by obtaining information from other areas where no single School or Unit is responsible for the issue(s) being complained about). Where an extension is required, this will be approved by an appropriate senior manager. The complainant will be told of the reasons for extending the deadline and advised of the new timescale for resolution. The maximum extension which can be granted is 5 working days (i.e. not more than 10 working days in total from the date of receipt of the complaint).

For the purpose of this Procedure, Monday to Friday are counted as working days except when Bee Active is closed for a Public Holiday. Saturdays and Sundays are not counted as working days.

2.1.2 Closing the complaint at the frontline resolution stage

The outcome will be communicated to the complainant. This may be face-to-face, by phone, in writing or by email. The response to the complainant will address all the topics for which Bee Active is responsible, explaining therein the reasons for Bee Active's decision. There is no requirement for Bee Active to send out further written communication to the complainant following the issuing of such a response. Once a decision has been issued, the record of the complaint will be updated on the recording system, detailing therein the decision reached. The complaint will then be closed.

2.2 Stage two: investigation – to be completed within 20 working days

These complaints may already have been considered at the frontline resolution stage, or they may be complaints identified upon receipt as appropriate for immediate investigation. The purpose of conducting an investigation is to establish all of the facts relevant to the points made in the complaint and to provide a full, objective and proportionate response to the complainant that represents Bee Active's definitive position.

A complaint will be moved to the investigation stage when:

- Frontline resolution was attempted, but the complainant remains dissatisfied. This may be after the case has been closed following the frontline resolution stage;
- The complainant refuses to recognise or engage with the frontline resolution process and is insistent that the issue be addressed by a more senior member of staff;
- The issues raised are complex and will require detailed investigation;
- The complaint relates to issues that have been identified by Bee Active as high risk or high profile.

Special attention will be given to identifying complaints considered high risk /high profile, as these may require particular action or may raise critical issues requiring direct input from senior management. Potential high risk /high profile complaints may:

- Involve a death or a serious accident/incident;
- Involve serious service failure, for example major delays in service provision or repeated failures to provide a service;
- Generate significant and on-going press interest;
- Pose a serious operational risk to Bee Active;
- Present issues of a highly sensitive nature.

If a complainant remains dissatisfied after the frontline resolution stage and wishes to escalate their original complaint within Bee Active, they should contact the Office (by email: Ben@Beeactive.co.uk; telephone: 01782 205915; address: Bee Active (Envisage Building), Brick Kiln Lane, Cliffe Vale, Stoke-on-Trent, ST4 7BS. A person (or their authorised representative) can make a complaint in writing (preferred), in person or by telephone.

Where it is clear that a complaint will be immediately considered at the investigation stage, or is subsequently referred to the investigation stage, the complainant will be expected to complete the appropriate complaint form to provide full details of the complaint including any relevant documentation. If required, a staff member will be available to assist a complainant in completing the complaint form.

2.2.1 What Bee Active will do when it receives a complaint for investigation

Bee Active will allocate the complaint to an appropriate complaints investigator (see section 3 of this procedure). It is important that both the complainant and Bee Active are clear from the start of the investigation stage exactly what is being investigated, and to ensure that both the complainant and the complaints investigator understand the scope of the investigation. In discussion with the complainant, therefore, three key questions will be considered:

1. What specifically is the complaint (or complaints)?
2. What does the complainant want to achieve by complaining?
3. Do the complainant's expectations appear to be reasonable and achievable?

If the complainant's expectations appear to exceed what Bee Active can reasonably provide or are not within Bee Active's power to provide, the complainant will be advised of this as soon as possible in order to manage expectations about possible outcomes.

Details of the complaint will be recorded on Bee Active's system for recording complaints. Where the complaint has been through the frontline resolution stage, this will be shown in the complaints log. At the conclusion of the investigation stage, the log will be updated to reflect the final outcome and any action taken in response to the complaint.

Complainants are strongly encouraged to have all supporting documentary evidence available prior to escalating their complaint from the frontline stage. Once the complaint has progressed to the investigation stage the following timelines and extension criteria will apply.

2.2.2 Timelines

The following deadlines will be used for cases at the investigation stage:

- complaints will be acknowledged in writing within 3 working days;
- Bee Active will provide a full response to the complaint as soon as possible but not later than 20 working days from the time that the complaint was received for investigation.

2.2.3 Extension to the timeline

Not all investigations will be able to meet this deadline; for example some complaints are so complex that they will require careful consideration and detailed investigation beyond the 20 working days timeline. Where there are clear and justifiable reasons for extending the timescale, senior management will exercise judgement and will set time limits on any extended investigation, with the agreement of the complainant. If the complainant does not agree to an extension but it is unavoidable and reasonable, then senior management will consider and confirm the extension. In such circumstances, the complainant will be kept updated on the reason for the delay and given a revised timescale for bringing the investigation to a conclusion. It is expected, however, that this will be the exception and that Bee Active will always strive to deliver a definitive response to the complaint within 20 working days.

Where an extension has been agreed, this will be recorded appropriately, including the reason given for the delay, and the proportion of complaints that exceed the 20 working day-limit will be evident from reported statistics.

A request from a complainant to Bee Active to extend or delay the investigation timeline of 20 working days (for instance, in order for a complainant to submit additional evidence to their initial submission) will be considered on a case-by-case basis. However, should there be sufficient evidence provided to enable a decision to be reached without requiring additional information from the complainant, Bee Active reserves the right to conclude its investigation and issue a final response according to the published timescales given in this Procedure.

For the purpose of this Procedure, Monday to Friday are counted as working days except when Bee Active is closed for a Public Holiday. Saturdays and Sundays are not counted as working days.

2.2.4 Mediation & other dispute resolution options

Some complex complaints (where, for example, the complainant and/or other involved parties have become entrenched in their position) may benefit from a different approach to resolving the complaint. Using mediation can help both parties to understand what is driving the complaint, and may be more likely to result in a mutually satisfactory conclusion being reached. Whilst Bee Active does not have a formal mediation service, parties wishing to consider alternatives to a formal complaint investigation should discuss this with the complaints investigator. Where other means of dispute resolution are agreed and attempted, the formal complaints investigation will be suspended pending its outcome. If the complaint is not resolved by the means of such alternative resolution, the formal complaints procedure will be resumed and revised timescales for a final response agreed.

2.2.5 Closing the complaint at the investigation stage

The outcome of the investigation will be communicated to the complainant in writing. The decision, and details of how and when it was communicated to the complainant, will be recorded on Bee Active's system for recording complaints.

3. Governance of the Complaints Handling Procedure

3.1 Roles and Responsibilities

All staff will be aware of:

- Bee Active's Complaints Handling Procedure;
- how to handle and record complaints at the frontline resolution stage;
- who they can refer a complaint to if they are unable to handle the matter personally;
- the need to try and resolve complaints early and as locally (within their respective School or Unit) as possible; and
- their clear authority to attempt to resolve any complaints they may be called upon to deal with.

Senior management will ensure that:

- Bee Active's final position on a complaint investigation is signed off by appropriate senior management in order to provide assurance that this is the definitive response of Bee Active and that the complainant's concerns have been taken seriously;
- it maintains overall responsibility and accountability for the management and governance of complaints handling within Bee Active;
- it has an active role in, and understanding of, Bee Active's Complaints Handling Procedure (although not necessarily involved in the decision making process of complaints handling);
- mechanisms are in place to ensure a consistent approach to the way complaints handling information is managed, monitored, reviewed and reported at all levels; and
- complaints information is used to improve services.

Managing Director: The Managing Director provides leadership and direction to Bee Active. This includes ensuring that there is an effective complaints handling procedure with a robust investigation process which demonstrates that organisational learning is in place. The Managing Director may delegate responsibility for the procedure, but will receive assurance of complaints performance by way of regular reporting through appropriate internal channels. The Managing Director will also ensure that complaints are used to identify service improvements for implementation in to the organisation as appropriate.

Director: (Governance): Has delegated responsibility from the Managing Director to oversee the effective operation of Bee Active's Complaints Reporting and Handling procedures and processes.

Senior Coach: The Senior Coach, may be involved in investigations or responsible for preparing and signing response letters to complainants after the investigation is complete, confirming thereby that the response addresses all aspects of the complaint.

Complaints Investigator: The Complaints Investigator is a suitably trained member of staff responsible for the conduct of the complaints investigation and is involved in the investigation and the co-ordination of all aspects of the response to the complainant. This may include preparing a comprehensive written report, including details of any recommended procedural changes to service delivery. The Complaints Investigator has a clear remit to investigate effectively and reach robust decisions on more complex complaints, with appropriate support from senior management on the extent and limits of discretion and responsibilities in investigating and resolving complaints,

Including the ability to identify failings, take effective remedial action and apologise, where it is appropriate to do so.

All staff: Under this Procedure a complaint may be made to any member of staff. All staff should, therefore, be aware of Bee Active's Complaints Reporting and Handling Procedure and how to handle and record complaints at the frontline resolution stage. They should also be aware of whom to refer a complaint to, in case they are not able to personally handle the matter. Bee Active encourages all staff to try to resolve complaints early, as close to the point of service delivery as possible, and quickly to prevent escalation.

3.2 Complaints about senior Bee Active staff

Complaints about senior staff can be difficult to handle as there may be a conflict of interest for the staff investigating the complaint. When serious complaints are raised against senior staff it is particularly important that the investigation is conducted by an individual who is independent of the situation. Bee Active will ensure that there are strong governance arrangements in place that set out clear procedures for handling such complaints.

For complaints against senior staff, the following procedures will normally apply:

- If the complaint is against a coach, the matter will be overseen by the Senior Coach;
- If the complaint is against senior management, the matter will be overseen by the Director (Mr Bobby Mills).
- If the complaint is against a Director of Bee Active, the matter will be overseen by an independent person of suitable seniority not related to the Mills family and not a member of staff.

4. Recording, reporting and learning

Valuable feedback is obtained through complaints. One of the objectives of this Procedure is to identify opportunities to improve the provision of services by Bee Active. Staff will record all complaints so that we can use the complaints data for analysis and management reporting. By recording and using complaints information in this way, the causes of complaints can be identified, addressed and, where appropriate, training opportunities can be identified and improvements introduced.

4.1 Recording complaints

To collect suitable data, it is essential that all complaints are recorded in sufficient detail. The minimum recording requirements are as follows:

- name and contact details of the complainant;
- date of receipt of the complaint;
- how the complaint was received;
- category of complaint;
- staff member/s responsible for handling the complaint;
- School or Unit to which the complaint relates;
- action taken and outcome at frontline resolution stage;
- date the complaint was closed at the frontline resolution stage;
- date the investigation stage was initiated (if applicable);
- action taken and outcome at investigation stage (if applicable);
- date the complaint was closed at the investigation stage (if applicable);
- underlying cause and remedial action taken (if applicable);
- response times at each stage;

Bee Active has structured systems for recording complaints, their outcomes and any resulting action so that the complaint data can be used for internal reporting as indicated below.

4.2 Reporting of complaints

Bee Active has a system for the internal reporting of complaints information. Regularly reporting the analysis of complaints information helps to inform management of where improvements are required. Information reported internally will include:

- performance statistics, detailing complaints volumes, types and key performance information, for example on time taken and stage at which complaints were resolved;
- the trends and outcomes of complaints and the actions taken in response including examples to demonstrate how complaints have helped improve services.

This information will be reported at least quarterly to senior management.

4.4 Learning from complaints

The Complaints Investigator will always ensure that all parties involved understand the findings of the investigation and any decisions made. Senior management will ensure that Bee Active has procedures in place to act on issues that are identified. These procedures facilitate:

- using complaints data to identify the root cause of complaints;
- taking action to reduce the chance of similar cases happening again;
- recording the details of corrective action in the complaints file;
- systematically reviewing complaints performance reports to improve performance.

The analysis of management reports detailing complaints performance will help to ensure that any trends or wider issues which may not be obvious from individual complaints are quickly identified and addressed. Where Bee Active identifies the need for service improvement:

- an officer will be designated the 'owner' of the issue, with responsibility for ensuring that any identified action is taken;
- a target date will be set for the action to be implemented, and followed up on to ensure delivery within this timescale;
- where appropriate, performance in the service area will be monitored to ensure that the issue has been resolved.

4.5 Maintaining confidentiality

Confidentiality is an important factor in conducting complaints investigations. Bee Active will always have regard to any legislative requirements, for example, data protection legislation and also internal policies on confidentiality and the use of complainant information.

Complaints will be handled with an appropriate level of confidentiality and information released only to those who need it for the purposes of investigating or responding to the complaint. No third party will be told any more about the investigation than is strictly necessary in order to obtain the information required from them.

In making a complaint, complainants should accept that limited disclosure of all or part of their submission will be required to enable investigation of their complaint to proceed. Complainants have the right to expect that everyone who responds to or investigates a complaint will do so impartially. No individual will be permitted to act in any manner in a case in which they have a material interest or in which any actual or potential conflict of interest may arise.

Where a complaint has been raised against a client or member of staff and has been upheld, the complainant will be advised of this. However, it would not be appropriate to share specific details affecting specific clients or staff members, particularly where disciplinary action is taken.

4.6 Managing unacceptable behaviour

It is recognised that people may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the complainant acting in an unacceptable way. Complainants who display difficult behaviour may still have a legitimate grievance, and Bee Active will therefore treat all complaints seriously and assess them accordingly.

The actions of complainants who are angry, demanding or persistent may result in unreasonable demands on time and resources or unacceptable behaviour towards Bee Active staff. Unacceptable behaviour includes (but is not limited to):

- Aggressive or abusive behaviour, including inflammatory statements and unsubstantiated allegations;
- Unreasonable demands, the result of which is that the complainant takes up an excessive amount of staff time and in so doing disadvantages other complainants;
- Unreasonable use of the complaints process - when the effect of repeated complaints is to harass or to prevent Bee Active pursuing a legitimate aim or implementing a legitimate decision.

The threat or use of physical violence, verbal abuse or harassment towards Bee Active staff is likely to result in the termination of all direct contact with the complainant. Bee Active may report such behaviour to the police (this will always be the case if physical violence is used or threatened) and disciplinary proceedings may be initiated should the complainant be a current member of staff. Where a complainant has exhibited such behaviour, Bee Active reserves the right to refuse to consider the complaint or future complaints from such individuals.

4.7 Supporting the complainant

Anyone who receives, requests or is directly affected by the services Bee Active provides has the right to access Bee Active's Complaints Reporting and Handling Procedure. Complainants who do not have English as a first language may need help with interpretation and translation services. Other complainants may have specific needs which Bee Active will seek to address to ensure easy access to the Complaints Reporting and Handling Procedure by making reasonable adjustments to help the complainant.