Complaints Policy & Procedure

Our pledge

We know that there may be times when we do not meet our own high standards. When this happens, we want to hear about it, resolve the situation as quickly as possible, and put measures in place to stop it happening again. We take complaints very seriously and we will always treat all comments and complaints as an opportunity to improve and develop our charity. This is why we're always very grateful to hear from people willing to take the time to help us improve. We are happy to acknowledge the mistakes that we have made, sincerely apologise for them and then try to prevent them from happening again in the future.

Concerns and complaints

A concern may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.

A complaint may be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’.

How to express concern or make a complaint

You can contact us in whichever way is most convenient to you – in person, in writing by letter or email or by telephone - and we will respond to you via the same method unless instructed otherwise.

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage as many issues can be resolved informally, without the need to use the formal stages of the complaints procedure, From experience we have found that the best way to quickly resolve a problem is by telephone as we can make sure that we fully understand the issue and can gather all of the information that we need to resolve the problem in a fast and effective way.

- You can call us on 020 3197 9800
- You can email us at complaints@article-25.org
- You can write to us at:
  Article 25
  Level 6, One Canada Square
  London E14 5AB
Please include your name, address and contact phone number in your email or letter so that we can get back in touch with you easily.

Who to contact

Concerns should be raised with either the Managing Director or the Director of Projects.

Complainants should not approach individual trustees to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from subsequently considering complaints at later stages of the procedure.

If the concern raised remains unresolved, the next step is to make a formal complaint and for ease of use, a template complaint form is included at the end of this procedure. Please mark all communications as Private and Confidential and send to the appropriate person as follows -

- Complaints against charity staff (except the Managing Director) should be made in the first instance, to the Managing Director.

- Complaints that involve or are about the Managing Director should be addressed to the Chair of Trustees.

- Complaints about the Chair of Trustees, any individual trustee or the whole governing body should be addressed to the Managing Director.

When contacting us with or about a complaint, please feel free to let us know how you think it could be resolved. We always want to reach the best possible outcome.

Time scales for complaints

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

We will acknowledge your complaint within the first 5 days of receipt and we will endeavour to respond fully and conclusively to all complaints within ten working days. If we think it will take longer we will let you know; in complex situations where an immediate response is not possible, we will investigate the matter and get back to you as quickly as we can. We will record your complaint and between us we can agree on the best way and time to get back in contact with you.
What we will do

We will work tirelessly to resolve problems, correct mistakes and address concerns. We will always treat you with courtesy and respect, listen to what you say, keep you informed about our progress, provide you with a prompt response and tell you who to go to if you want to escalate your complaint further.

At each stage in the procedure, Article 25 wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review our policies in light of the complaint
- an apology.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of services by Article 25, other than complaints that are dealt with under other statutory procedures, including those listed below.

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<tr>
<th>Exceptions</th>
<th>Who to contact</th>
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<td>• Matters relating to the provision of professional architectural services and associated project management, where project appointment documents include provisions for handling disputes.</td>
<td>Complaints about Article 25's architecture projects are handled by the Director of Projects, and supported by the board of trustees. We encourage contacting the Director of Projects in the first instance.</td>
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<td>• Matters likely to require a Child Protection Investigation</td>
<td>Complaints about child protection matters are handled under our safeguarding policy and in accordance with relevant statutory guidance.</td>
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• **Whistleblowing**
  We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.
  Volunteer staff who have concerns about our charity should complain through the charity's complaints procedure.

• **Staff grievances**
  Complaints from staff will be dealt with under our internal grievance procedures.

• **Staff conduct**
  Complaints about staff will be dealt with under our internal disciplinary procedures, if appropriate.
  Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

• **Complaints about services provided by other providers or partners**
  Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.

If other bodies are investigating aspects of the complaint, for example the police, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Article 25 in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

**Exclusions from this Complaints Procedure**

• When a complaint is about something that Article 25 has no direct connection to. We may choose to reply to clear our name but we are not obliged to.

• When someone unreasonably pursues a complaint that we have already responded to. They will be given escalation points but we may choose not to reply again, we will always inform you of our decision to do this.

• When a complainant is being obviously abusive, prejudiced or offensive in their manner.
• When a complainant is harassing a staff member.

• When a complaint is incoherent or illegible.

• When a complaint has clearly been sent to us and numerous other organisations as part of a bulk mailing or email. In this instance we can chose whether it is necessary for us to reply or not.

• We will not normally respond to or investigate anonymous complaints. However, the Managing Director or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation. and use the information to improve in any way that we can.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Complaints procedure - Stage 1

The date of receipt of a formal complaint made in accordance with the guidance in ‘Who to contact’ will be recorded by the Managing Director, acknowledgement sent and a response issued within the timescales noted earlier.

Within this response, the Managing Director will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Managing Director can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Managing Director may delegate the investigation to another member of the charity’s senior leadership team but not the decision to be taken.

During the investigation, the Managing Director (or investigator) will:

• if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish

• keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Managing Director will provide a formal written response within 15 working days of the date of receipt of the complaint. If the Managing Director is unable to meet this deadline, they will provide the complainant with an update and revised response date.
The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Article 25 will take to resolve the complaint.

The Managing Director will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Managing Director, or a trustee (including the Chair), a suitably skilled investigator will be appointed to complete all the actions at Stage 1. At the conclusion of their investigation, the independent investigator will provide a formal written response.

**Complaints procedure - Stage 2**

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 which is the final stage of the complaints procedure.

A notification request to escalate to Stage 2 must be made to the Managing Director (or investigator) within 5 working days of receipt of the Stage 1 response. The Managing Director (or investigator) will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 working days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

A complaints committee will be formed to consist of at least three impartial trustees with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant’s needs.

**Note** - New complaints or evidence unrelated to the initial complaint will not be considered by the committee. New complaints must be dealt with from Stage 1 of the procedure.

*If it is decided to deal with the complaint at a meeting –*

The Managing Director (or investigator) will write to the complainant to inform them of this decision. They will seek to convene a meeting within 10 working days of receipt of the Stage 2 request subject to the date, time and venue of the meeting being convenient to all parties and that the venue and proceedings are accessible.
If the complainant rejects the offer of three proposed dates, without good reason, then the Managing Director (or investigator) will decide when to hold the meeting. It will then proceed in the complainant’s absence on the basis of written submissions from both parties.

The complainant may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate - for instance, if a charity employee is called as a witness in a complaint meeting, they may wish to be supported by a colleague and/or legal representation. Representatives from the media are not permitted to attend.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant’s own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

If it is decided to deal with the complaint by written submissions –

The Managing Director (or investigator) will write to the complainant to inform them of this decision and that they will seek a meeting of the committee within 10 working days of receipt of the Stage 2 notification. The complainant will be requested to provide any further written material to be submitted to the committee at least 5 working days before the meeting. The complainant can, with good reason request a modest extension of time.

Any written material will be circulated to all parties at least 3 working days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

Whether with the complainant present or not the committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the charity’s systems or procedures to prevent similar issues in the future.
The Chair of the Committee will provide the complainant and Article 25 with a full explanation of their decision and the reason(s) for it, in writing, within 5 working days.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Article 25 will take to resolve the complaint.

The letter to the complainant will include details of how to contact the Charity Commission if they are dissatisfied with the way their complaint has been handled by Article 25.

**Next Steps**

If the complainant believes the charity did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully, they can contact the Charity Commission after they have completed Stage 2.

The Charity Commission
PO Box 1227
Liverpool
L69 3UG

**Who else can help?**

If your complaint relates to fundraising and you feel that it has been unresolved by us then the Fundraising Regulator can investigate your complaint.

You must contact them within two months of receiving your response from us. Contact can be made via an online [complaints form here](#) or by phone: 0300 999 3407. They can also be contacted at:

Fundraising Regulator
2nd Floor, CAN Mezzanine
49-51 East Road
London, N1 6AH
[www.fundraisingregulator.org.uk](http://www.fundraisingregulator.org.uk)

The Charity Commission
PO Box 1227
Liverpool
L69 3UG
0845 3000 218
[www.charity-commission.gov.uk](http://www.charity-commission.gov.uk)
Complaint Form

Please complete and return to Article 25. We will acknowledge receipt and explain what action will be taken.

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<th>Your name:</th>
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<td>Address:</td>
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<td>Email</td>
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<td>Day time telephone number:</td>
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<td>Evening telephone number:</td>
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<td><strong>Please give details of your complaint, including whether you have spoken to anybody at the charity about it.</strong></td>
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<td><strong>What actions do you feel might resolve the problem at this stage?</strong></td>
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Are you attaching any paperwork? If so, please give details.

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<tr>
<td>Official use</td>
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