

# COMPLAINTS POLICY AND PROCEDURES

## Magic Breakfast

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# COMPLAINTS POLICY AND PROCEDURES

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# 1 Purpose of the policy

## 1.1 Providing a defined procedure.

1.1.1 This policy defines the term "complaint" and details the procedure to be undertaken upon receipt of a complaint.

1.1.2 The purpose of having a defined complaints procedure is to ensure that we drive improvements to how we operate and our services. It helps us actively strive to improve our stakeholders' satisfaction.

## 1.2 Scope of the policy

1.2.1 The complaints procedure should be used in the event of a complaint being raised that cannot be resolved easily or with little/no investigation.

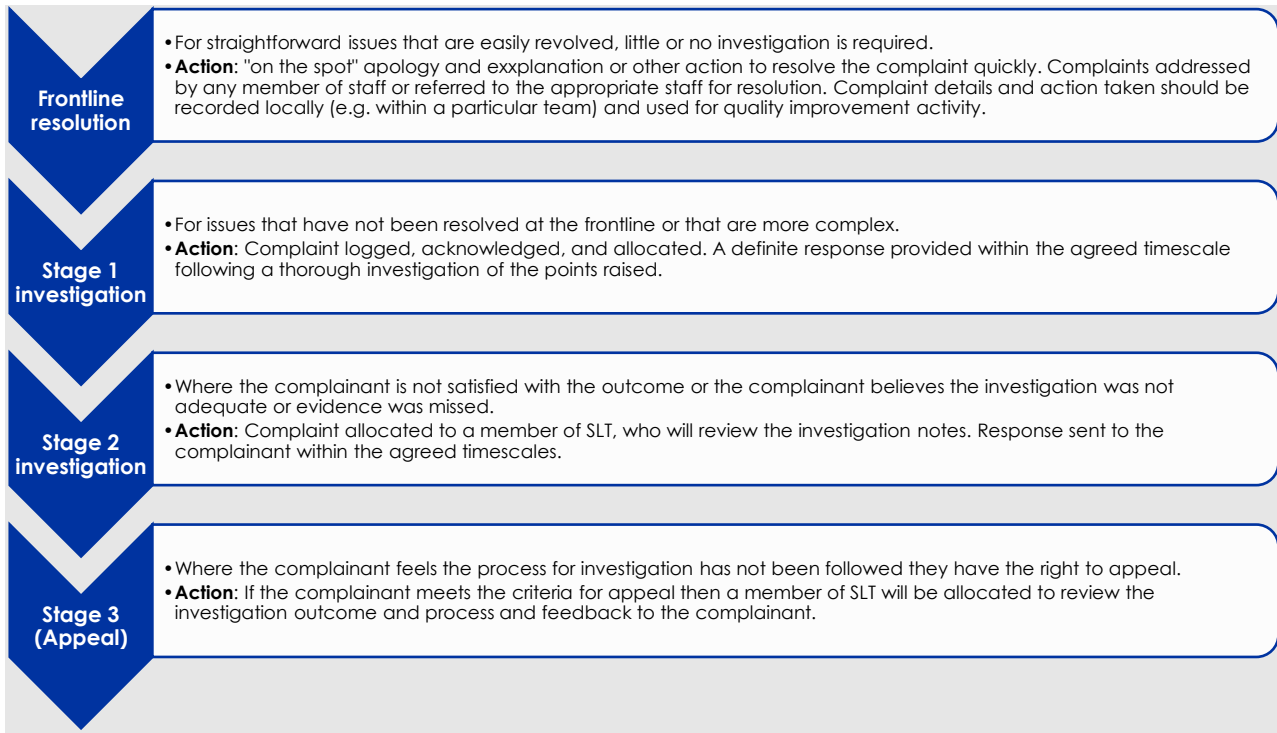
1.2.2 This procedure is an over-arching approach for the organisation and some complaints or grievances will be more suitably raised and managed as per more specific procedures. For example, procedures to resolve grievances raised by and about staff at Magic Breakfast are set out in our staff handbook.

1.2.3 A complaint is an expression of dissatisfaction by one or more stakeholders about the standards of Magic Breakfast's services, our action, or lack of action. This applies to actions taken by Magic Breakfast or others acting on behalf of Magic Breakfast.

1.2.4 For the purposes of this policy, the term 'complaint' refers to complaints or concerns raised. We do not require you to contact us in writing, all feedback will be treated equally whether it is by telephone, letter, face to face, email, social media, or any other form of communication. If the complaint is raised verbally, the recipient of the complaint should log this in writing (see [Section 7](#) for handling anonymous complaints).

1.2.5 Issues raised by donors that are addressed by the Fundraising and Development department's procedures do not need to be escalated under this policy except where the complaint has been made with the Fundraising Standards Board. These issues should be recorded and tracked to enable continuous improvement.

## 2 Model of Complaints Handling Procedure



## 3 Receiving complaints

### 3.1 Receiving complaints

3.1.1 Frontline resolution is encouraged when issues are straightforward and easily resolved.

3.1.2 Complaints regarding fundraising and service delivery activities might be addressed under more specialised processes within those departments. If you are unsure, please verify with your SLT member.

3.1.3 All complaints that fall within the scope of this policy should be sent immediately for the attention of the Head of People and Culture who will log them and initiate our processes.

### 3.2 Written complaints

3.2.1 A written complaint can be sent using the Complaint Form in [Appendix 1](#).

3.2.2 If you are unsure where to send your complaint, you can send these to our company email address [info@magicbreakfast.com](mailto:info@magicbreakfast.com) or office: Fora, 46 Princelet St, London E1 5LP.

### 3.3 Verbal complaints

3.3.1 If someone calls or in-person provides a verbal complaint these should be recorded using the Complaint Form in [Appendix 1](#), noting who recorded the complaint.

## 4 Managing the complaint

### 4.1 Step 1 – Record the complaint formally

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- 4.1.1 All complaints will be sent to the Head of People and Culture, who will assign the complaint to a nominated person. Where a complaint is in relation to a Magic Breakfast employee they will also determine if there is any need for training or other policies to be triggered (e.g., Disciplinary Policy).
- 4.1.2 All complaints must be formally recorded as soon as possible.
- 4.1.3 The complaint should be logged at the beginning of the process, rather than waiting until it is resolved or closed, so that we can see how many complaints are live at any point in time and identify any patterns or trends that require further action/attention.
- 4.2 Step 2 – Acknowledge the complaint
  - 4.2.1 Complaints should be acknowledged and responded to within 2 working days.
  - 4.2.2 It is essential that before you take any further steps the nominated person should contact the complainant to acknowledge that you have received their complaint (not to agree or express your views) and to advise them what you plan to do next.
  - 4.2.3 It is likely that, at this stage, you will simply be acknowledging receipt, and advising them that you will now be commencing an investigation. You should give the complainant some indication of when you are likely to be in touch again, either to let them know the outcome of any investigation, or to advise them on the progress being made with the investigation.
  - 4.2.4 Often, making verbal contact with a complainant can make the whole process much less formal, and you may prefer to do this with individuals you are familiar with. However, it is still best practice to confirm this conversation in writing on the same day, as this provides evidence of our actions following a complaint.
- 4.3 Step 3 – Investigate the complaint
  - 4.3.1 Timescale: usually within 10 working days. However, more complex cases may require longer.
  - 4.3.2 When something has gone, wrong or could have been done better, and a stakeholder feels strongly enough to raise a complaint, it is vital to establish the facts about what has happened in a systematic way.
- 4.4 Step 4 – Learning from the complaint
  - 4.4.1 In line with Magic Breakfast's **Quality Policy**, complaints are reported to the Finance, and Audit Committee with any learning, actions, and required communications noted.

## 5 Roles and Responsibilities

### 5.1 Appointed person

The Head of People and Culture, has overall responsibility for complaints at Magic Breakfast. As Appointed Person, they will ensure:

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- 5.1.1 All complaints are handled in a timely, sensitive manner and resolved to a satisfactory level
  - 5.1.2 All complaints comply with data protection
  - 5.1.3 All complaints are reviewed at an organisational level and learning reported
  - 5.1.4 That any relevant policies at Magic Breakfast are triggered and followed as required
  - 5.1.5 A root cause analysis is completed and where action needs to be taken this is fed into the relevant plan
  - 5.1.6 That quarterly reporting the Finance and Audit Committee is completed
- 5.2 Nominated person
- 5.2.1 Staff complaints – Head of relevant department
  - 5.2.2 Service delivery complaints – Area Manager
  - 5.2.3 Donors and Funders – Director of Fundraising and Development
  - 5.2.4 Commissioners – Director of Service Delivery
  - 5.2.5 All other stakeholders – Head of People and Culture will determine on a case-by-case basis
  - 5.2.6 The person nominated to investigate the complaint is to ascertain all the facts, secure and assess the evidence, and finally to report their findings to the Appointed Person. The investigator may also be asked to make recommendations.
- 5.3 The investigator
- 5.3.1 The investigator might be the same person as the nominated person and should be impartial and logical.
  - 5.3.2 The investigator should not be:
    - An advocate for the complainant
    - Anyone who is the subject of the complaint or likely to be implicated in the complaint
- 5.4 Elements of an investigation
- 5.4.1 If you have been nominated to lead an investigation, you should first plan your investigation.
  - 5.4.2 Progress through the following steps to draw conclusions:
    - Establish what happened
    - Establish what should have happened in the situation concerned. Make sure you are clear about whether Magic Breakfast has any procedures for dealing with the type of event which has taken place.

- Make sure you are clear on any guidance for dealing with this type of situation either contained in contracts or in agreements between Magic Breakfast and other organisations.
- Consider if there is a difference between the above two points? Is it clear why?
- If there is no difference, you will need to ask the complainant why they feel they have a complaint to raise.

Then consider:

- Is it clear to you what we need to do to put things right?
- Is it clear to you what we need to do to ensure this does not happen again?

5.4.3 In some cases, it may be clear to you early on, that even a very thorough investigation will not help you to draw conclusions. For example, the complaint may be about a conversation between two people which no one else heard. In these circumstances, if there is no further evidence you can draw upon, then you may find an approach of mediation is preferable. The complaint must still be treated as valid, and it must still be recorded. However, even in these circumstances, it may be helpful to review any previous related complaints.

## **6 Resolving and recording a complaint**

- 6.1.1 A report of each investigation should be completed (Investigation Report template).
- 6.1.2 In the above scenario where no robust conclusions can be drawn and given, reasons as to why you have decided this must be communicated.
- 6.1.3 The assigned member of staff investigating must advise the complainant of the outcome and any corrective action.
- 6.1.4 At least a summary of the report must be sent to the Finance and Audit Committee with any learning, actions, and required communications noted.

## **7 Anonymous Complaints**

- 7.1.1 Anonymous complaints will be investigated as far as possible, and a record of the complaint and investigation outcome kept.

## **8 Staff Complaints**

- 8.1.1 If a member of staff wishes to make a complaint about another member of staff then in these cases, you should follow the Resolution and Grievance Procedures set out in the Staff Handbook.
- 8.1.2 If the complaint relates to a staff member, then the Head of People and Culture should assess what appropriate action should be taken and under which policy's scope.

## **9 Appeals**

- 9.1.1 If the complainant is not satisfied with Magic Breakfast's decision, they have a right to appeal. The timescale for this will be within 10 working days of receiving the outcome.

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9.1.2 A member of the Senior Leadership Team who has not been involved in the complaint or its investigation will review the evidence and:

- Take action to resolve the complaint
- Make recommendations for further investigation or
- Uphold the investigator's decision

9.1.3 The outcome of the appeal should be reported back to the complainant.



## Appendix 1 Complaint Form

### Complaint Form

Your feedback is very important to us. Please tell us about your complaint or any concerns you may have about the service we provide

Person making the Complaint

Name:

Date:

Email:

Address:

Contact Number:

You can email this form to [info@magicbreakfast.com](mailto:info@magicbreakfast.com), give this form to a member of staff, or send it to Magic Breakfast's office: Fora, 46 Princelet St, London E1 5LP.

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