

# SWINDON MUSIC SERVICE COMPLAINTS POLICY & PROCEDURE

## Aims and objectives of the policy

This complaints policy and procedure aims to:

- encourage the resolution of problems by informal means wherever possible;
- ensure that concerns are dealt with quickly, fully and fairly and within clearly defined time limits;
- provide effective responses and appropriate redress;
- maintain good working relationships between all people involved with the service.

This policy is intended for use by anyone who interacts with Swindon Music Service (SMS) as an organisation, a service provider or with SMS and its position on policy issues.

Your continued goodwill is greatly valued by us. We recognise that from time to time there may be occasions when organisations or individuals may feel that the quality or level of service provided falls short of what they could reasonably expect or that SMS' position on a policy issue has led to concerns or difficulties.

We expect to resolve any day-to-day difficulties or complaints informally and as quickly as possible. In the first instance we encourage you to raise any complaint directly with the member of staff concerned. The more formal procedure outlined below is intended for use where informal communication has not resolved the problem.

## Circumstances under which this procedure will not be used

Issues related to child protection or safeguarding, criminal investigations and/or employee grievances must also all be handled separately from this policy. This complaints policy is distinct from formal staff disciplinary proceedings. There may be occasions where a complaint gives rise to disciplinary procedures which puts the complaints process on hold. If and when this occurs, the complainant will be informed. Any non-disciplinary aspects of the complaint will be dealt with through the complaints procedure set out in this document.

## This is what you should do

The complaint should be made via letter or email to the Chief Executive Officer (see below for details) who will acknowledge, in writing within 10 working days the receipt of any complaint.

Please provide:

In addition to stating the nature and circumstances of the complaint the complainant is encouraged to state the remedial action they wish to be taken. If the complaint is about the CEO, the complaint should be addressed to the Chair of Trustees at the address below (marked '*Confidential*').

- a clear, detailed description of what your complaint is about;
- copies of any letters or emails related to the complaint;
- your email address or postal address (so we can reply).

## **This is what SMS will do:**

When you've made your complaint, we will:

- send an email to let the complainant know that we've received it (so long as we have been provided valid contact details);
- investigate the complaint, looking at whether the complainant's questions were answered, whether any injustice or hardship was suffered, and what remedy would be fair and proportionate in the circumstances;
- we will communicate the results of the investigation to the complainant within a reasonable time – normally within 20 working days of the complaint being received;
- if the complaint is found to be justified, the Chief Executive Officer (or Chair of Trustees) will agree any necessary further action with the complainant.

The Chief Executive Officer will keep the Board of Trustees informed of the number and nature of complaints, and the outcomes. Feedback on complaints will be a standing item on the Board's meeting agendas.

## **Monitoring complaints**

At all formal stages of the complaints procedure, the following information will be recorded:

- the name of the complainant;
- the date and time at which complaint was made;
- the details of the complaint;
- the desired outcome of the complainant;
- how the complaint is investigated (including written records of interviews held);
- results and conclusions of investigations;
- any action taken;
- the complainant's response (satisfaction or further pursuit of complaint).

Records of complaints will be retained for five years in accordance with the terms of SMS' General Data Protection Regulations (GDPR) Policy & Procedure. Swindon Music Service will not hold information about individuals without their knowledge and consent and will only hold information for specific purposes. It will also inform complainants if those purposes change. Information about data subjects will not be disclosed to other organisations or to individuals who are not members of Swindon Music Service staff or Board of Trustees except in circumstances where this is a legal requirement, where there is explicit or implied consent or where the information is publicly available elsewhere.

## **Upholding or not upholding complaints**

At each stage of the complaints procedure, the conclusion will be either:

- that the complaint is upheld (in part or in full) and, where appropriate, some form of action is taken. OR
- that the complaint is not upheld and reasons for this are clearly given.

It may be appropriate for us to offer one or more of the following:

- an apology;

- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review our policies in light of the complaint.

Following this stage, the complainant may either choose to take no further action or to take their complaint to the next stage if they are not satisfied.

### **What to do if you're not satisfied**

If dissatisfied with the results of the enquiry, the complainant will have the right to put their case, in writing, to the Chair of Trustees. The appeal must be lodged within 20 working days from the date of the original findings of the complaints procedure. The appeal will be dealt with within 20 working days of receipt of the appeal by the complainant. If the appeal is found to be justified, the Board of Trustees will agree any necessary further action with the complainant. The decision of the Board of Trustees is final, and no further appeal is possible.

### **Confidentiality**

All conversations and correspondence will be treated with discretion. Complainants have the right to know what use will be made of personal information and, accordingly, personal information will only be shared between staff on a 'need to know' basis.

Peter Clark  
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